

CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Docket Item #2
SPECIAL USE PERMIT #2007-0031

Planning Commission Meeting
June 5, 2007

ISSUE: Consideration of a request for a special use permit to allow seating at an existing restaurant.

APPLICANT: Golden Lily Foods Corporation
By Cam T Luu

STAFF: James Hunt
james.hunt@alexandriava.gov

LOCATION: 820 South Pickett Street

ZONE: I/Industrial

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2007-0031

06/05/07



I. DISCUSSION

REQUEST

The applicant, Golden Lily Foods Corporation, requests special use permit approval for the operation of a restaurant located at 822 S. Pickett Street.

SITE DESCRIPTION

The subject property is one lot of record with 210 feet of frontage along South Pickett Street, a depth of 426.5 feet, and an area of 108,730 square feet. A 32,300 square foot one-story industrial building occupies the lot. Uses in the building include a computer retail shop, a baseball training facility (Strike Zone) and the subject food business which consists of a carry-out restaurant occupying 480 square feet. Access to the property is from South Pickett Street.



The surrounding area is occupied by a mix of Industrial uses. Immediately to the north is a Fedex Distribution Center and the Pickett Industrial Park. To the south, across Backlick Run, is the Vulcan Materials Storage Yard. To the east and west is Virginia Roofing Company and a vacant warehouse building, respectively.

BACKGROUND

There have been three different restaurants approved to operate at the subject location. Special Use Permits were approved in 1985 (SUP1826), 1995 (SUP95-0043), and 2004 (SUP2004-0085). The current request is to add seating to the existing restaurant and to amend the hours of operation.

PROPOSAL

The applicant proposes to add seating and to amend the hours of operation for the existing restaurant. The proposed operation of the business is as follows:

Hours:	(Existing)	The closing hour shall be no later than 9pm
	(Proposed)	Monday- Friday 6am- 8pm Saturday-Sunday 9:30am- 7pm
Number of seats:	(Existing)	None
	(Proposed)	20 Indoors
Noise:		Noise impacts are not anticipated.
Trash/Litter:		Trash is collected twice per week and restaurant staff will monitor and collect litter on the property.
Alcohol:		Alcohol sales are not proposed.

Live Entertainment: Live entertainment is not proposed.

PARKING

Pursuant to Section 8-200 (A) (8) of the Zoning Ordinance, a restaurant with 20 seats will require five parking spaces. The applicant proposes to provide seven on-site parking spaces.

ZONING/MASTER PLAN DESIGNATION

The subject property is zoned I/Industrial. Section 4-1203 (R.1) of the zoning ordinance allows restaurants in the I/ Industrial zone only with a special use permit. The proposed use is consistent with the Landmark/Van Dorn Small Area Plan chapter of the Master Plan which designates the property I/Industrial.

II. STAFF ANALYSIS

Staff does not object to the proposed increase in seating and hours of operation for the subject restaurant. Since the issuance of SUP#2004-0085, there have been no issues with the existing restaurant operation. The restaurant is small and surrounded by non-residential uses, reducing the potential for any negative impacts. Staff finds the request to be reasonable as it will predominately serve the employees of the building and surrounding industrial area. In addition, the applicant is providing a total of seven on-site parking spaces.

With these conditions, staff recommends approval of the Special Use Permit.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)(SUP2004-0085)
2. **CONDITION AMENDED BY STAFF:** ~~No seating, tables or stand-up counters that encourage eat-in dining shall be allowed~~ Indoor seating shall be provided for no more than 20 patrons. (P&Z) (SUP2004-0085)
3. No outside dining facilities shall be located on the premises. (P&Z) (SUP2004-0085)
4. No live entertainment shall be provided at the restaurant. (P&Z) (SUP2004-0085)
5. **CONDITION AMENDED BY STAFF:** ~~The closing hour shall be no later than 9:00 p.m. The applicant shall post the hours of operation at the entrance to the restaurant~~ The hours of operation shall be limited to

Monday- Friday 6am- 9pm and Saturday- Sunday 9am- 9pm. (P&Z)
(SUP2004-0085)

6. No alcoholic beverages shall be sold. (P&Z) (SUP2004-0085)
7. No food, beverages, or other material shall be stored outside. (P&Z)
(SUP2004-0085)
8. Trash and garbage shall be stored inside or in a dumpster. (P&Z)
(SUP2004-0085)
9. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP2004-0085)
10. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (T&ES) (SUP2004-0085)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
(SUP2004-0085)
12. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
(SUP2004-0085)
13. **CONDITION AMENED BY STAFF:** ~~Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line~~ All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES) (SUP2004-0085)
14. **CONDITION DELETED BY STAFF:** ~~The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police) (SUP2004-0085)~~
15. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and

immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP2004-0085)

16. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance of the business. (P&Z)
17. **CONDITION ADDED BY STAFF:** The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
18. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
19. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
20. **CONDITION ADDED BY STAFF:** The applicant shall comply with any requirements adopted as a part of a smoke free restaurant ordinance. (P&Z)
21. **CONDITION ADDED BY STAFF:** Provide a menu or list of foods be handled at this facility to the Health Department prior to operating. (Health)

STAFF:

Faroll Hamer, Director, Department of Planning and Zoning
Richard Josephson, Deputy Director, Department of Planning and Zoning;
James Hunt, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519- 3486 ext.132. (T&ES)
- R-2 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-3 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
- R-4 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
- R-5 All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

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

- C-2 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-3 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-4 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-5 The following code requirements apply where food preparation results in the development of grease laden vapors:
 - (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
 - (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.
- C-6 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
 - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.

Health Department:

- F-1 This facility is currently operating as Golden Lilly Foods Corporation under an Alexandria Health permit issued to Golden Lilly Foods Corporation.
- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Five sets of plans are to be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-3 Approval must be obtained prior to use of the modified areas.

- C-4 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-5 A Certified Food Manager must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods be handled at this facility to the Health Department prior to operating.

Parks & Recreation:

- F-1 No comment

Police Department:

- F-1 The Police Department has no objections to the amendment allowing the applicant to open one hour early, add seating, a hood to sell snacks and cigarettes.
- F-2 The applicant is not seeking an A.B.C. permit. The Police Department concurs.

SUP #2007-0031
820 S. Pickett Street

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**