

Docket Item #9
SPECIAL USE PERMIT #2003-0085

Planning Commission Meeting
October 7, 2003

ISSUE: Consideration of a request for a special use permit to expand the use of an existing restaurant and catering facility.

APPLICANT: Samuel Ford, Inc. t/a Rocklands
John Snedden and David Gwathney

LOCATION: 25 South Quaker Lane

ZONE: CSL/Commercial Service Low

STAFF RECOMMENDATION:

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

1. That the permit be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP#2089)
2. **CONDITION AMENDED BY STAFF:** That seating be provided inside for no more than ~~70~~ 28 patrons. (P&Z) (SUP#2089-A)
3. That no outside dining facilities be located on the premises. (P&Z) (SUP#2089)
4. **CONDITION AMENDED BY STAFF:** That the hours during which the business is open to the public be restricted to between 6:00 a.m. and 10:00 p.m. ~~4:00 p.m.~~ daily Monday through Sunday. (P&Z) (SUP#2089-A)
5. That no food, beverages, or other material be stored outside. (P&Z) (SUP#2089)
6. That trash and garbage be stored inside or in a dumpster. (P&Z) (SUP#2089)
7. That trash and garbage be collected daily when the business is open. (P&Z) (SUP#2089)
8. No live entertainment shall be provided at the restaurant. (P&Z) (SUP#2003-0022)
9. No alcohol service shall be permitted. (P&Z) (SUP#2003-0022)
10. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP#2003-0022)
11. 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 any unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP#2003-0022)
12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2003-0022)

13. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)(SUP#2003-0022)
14. **CONDITION AMENDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (P&Z) (T&ES) (~~SUP#2003-0022~~)
15. **CONDITION ADDED BY STAFF:** Catering delivery vehicles shall not be parked in spaces at the front of the building. (P&Z)
16. **CONDITION ADDED BY STAFF:** Fourteen parking spaces shall be designated by signs or paint, consistent with the plan submitted by the applicant. (P&Z)
17. **CONDITION ADDED 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)
18. **CONDITION ADDED BY STAFF:** Meals ordered before the closing hour may be served, but no new patrons may be admitted, and all patrons must leave by one hour after the closing hour. (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 Director of Planning and Zoning shall review the special use permit one year after the use becomes operational 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, (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)

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.

DISCUSSION:

1. The applicant, Samuel Ford, Inc., trading as Rocklands, requests special use permit approval to extend the hours of operation at a restaurant.
2. The subject property is one lot of record having 467 feet of frontage on South Quaker Lane and a total lot area of 2.1 acres. The property contains the old Stonewall Jackson School which has been converted into an office building with a child day care center. The subject tenant space is 4,100 square feet located at the southeast corner of the building facing South Quaker Lane. The site has a total of 158 on-site parking spaces.

To the north of the site is a Wendy's restaurant and to the east is an office building. To the south and west of the property is the City of Alexandria Maintenance Facility. East of that facility, across South Quaker Lane, is the City's DASH bus storage and maintenance yard.

3. On November 19, 1988, City Council granted Special Use Permit #2089-A to JDL Ventures, Inc. for the operation of a restaurant known as Jeffrey's Café. On May 5, 2003, staff administratively approved a change of ownership of the restaurant to Samuel Ford, Inc. The applicant now requests approval to change the hours of operation of the restaurant. No other changes are proposed.
4. The approved restaurant proposed to occupy the premises is Rocklands Barbeque and Grilling Company. Rocklands states that it serves all-American cuisine and real barbeque, specializing in grilled meats. Rocklands proposes to serve breakfast, lunch, and dinner daily between the hours of 6:00 a.m. and 10:00 p.m. The restaurant will have seating for a maximum of 28 seats and anticipates a maximum of 150 patrons each day, many of whom will carry out their purchases.
5. Rocklands will also use the facility to produce foods for Rocklands off-site catered events, and catering has been part of the historical restaurant use of the site. The catering aspect of the business was not part of SUP#2089-A, because catering was a permitted use in the C-2/Commercial zone at the time the restaurant SUP was approved. When the zoning ordinance was updated in 1992, the property was rezoned to CSL/Commercial service low, which allows catering only with a special use permit. Because of the zoning change, the catering portion of the business became a noncomplying use. Section 12-302 of the zoning ordinance allows a noncomplying use to continue. A SUP is required only for an expansion or intensification of the use. In this case, the applicant is not proposing to expand the

catering operation at the restaurant from what has been occurring on the premises since before 1992, and the applicant has provided information to this effect (see attached information regarding catering at the previously existing establishment and at Rocklands).

6. According to Section 8-200 of the zoning ordinance, a restaurant with 28 seats is required to provide seven parking spaces. In this case, the applicant will have 14 spaces designated for the restaurant by sign or paint. The parking provided will also accommodate the two catering trucks that will be on the premises when not making deliveries.
7. Kitchen staff who prepare catering food, as well as the food served at the restaurant, work during the hours of 7:00 a.m. and 10:00 p.m. Catering sales people typically work 9:00 a.m. to 5:00 p.m. Approximately nine employees will be present at any one time.
8. Food deliveries to the restaurant will occur between 8:00 a.m. and noon, Monday through Saturday. Vehicles delivering to catering clients will occur between 11:00 a.m. and 6:00 p.m. daily. There will be two delivery vehicles.
9. Trash will consist of recyclable cardboard, glad, and plastics. Also, food scraps and basic paper disposables. The volume of trash will depend on the popularity of the restaurant, however, trash will be collected up to six days a week as necessary to keep bins from becoming full. The garbage bins will be located at the southwest corner of the property where the dumpsters for the rest of the building tenants are located.
10. Rocklands will monitor the premises for litter and add additional receptacles as necessary.
11. Rocklands has two other locations in the region: one in Washington, DC at 2418 Wisconsin Avenue, and the other is located in Arlington, VA at 4000 Fairfax Drive.
12. Zoning: The subject property is located in the CSL/Commercial zone. Section 4-303 (Y) of the zoning ordinance allows a restaurant in the CSL zone only with a special use permit.
13. Master Plan: The proposed use is consistent with the Seminary Hill/Strawberry Hill chapter of the Master Plan which designates the property for uses consistent with the CSL zone.

STAFF ANALYSIS:

Staff does not object to the proposed change of hours of operation for the restaurant and catering facility located at 25 South Quaker Lane. Most of the other tenants of the building are office users, who would most likely not be present during evening hours, so there would likely be little competition for parking then. There are no residential uses in the immediate area, reducing the

potential for any negative impacts on the surrounding area associated with the hours.

Parking at the site has been a problem in the past, mostly associated with the computer school that is no longer located at the building. Although, technically, only seven parking spaces are required because based on the small number of seats, staff recommends that the 14 designated spaces on the property as proposed by the applicant is a more appropriate requirement because of the need to accommodate employees, catering trucks, and customers. Staff also recommends that those spaces be designated by signs or paint to ensure that this parking is secured for the use. Staff also recommends that the catering trucks not be parked in the spaces fronting South Quaker Lane to prevent the front of the building from being cluttered by the larger vehicles, and to leave those spaces available for customers. Finally, staff recommends limiting the number of seats to 28 to be consistent with the applicant's proposal.

With these conditions, staff recommends approval of the special use permit.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers.
- R-2 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.
- R-3 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- C-1 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:

- F-1 Property is vacant at this time and the applicant has applied for demolition and building permits for the proposed project.
- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 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-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Four 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-4 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 313.0.
- C-5 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-6 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-7 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:

- 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 Permits must be obtained prior to operation.
- C-4 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-5 Certified Food Managers must be on duty during all hours of operation.
- C-6 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 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.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- F-1 The applicant is not requesting an A.B.C. permit. The Police Department concurs with this.

Parks and Recreation:

- F-1 No comments.