

Docket Item #2
SPECIAL USE PERMIT #2005-0025

Planning Commission Meeting
June 7, 2005

ISSUE: Consideration of a request for a special use permit to expand an existing bakery to include restaurant service and seating.

APPLICANT: Bread of Life, Inc.
by Richard Kent

LOCATION: 1711 Centre Plaza

ZONE: CG/Commercial General

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

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION

REQUEST

The applicant, Bread of Life, by Richard Kent, owner, requests special use permit approval for the operation of a restaurant located at 1711 Centre Plaza.

SITE DESCRIPTION

The subject property is one lot of record with approximately 300 feet of frontage on a private street, Centre Plaza, 173 feet of frontage on Kenwood Avenue, 227 feet of frontage on Fern Street and 269 feet of frontage on Radford Street. The total lot area is 67,172 square feet. The site is developed with the Fairlington Shopping Center. Access to the property is from Kenwood Avenue. Lindsay Cadillac is located to the south and east of the Center, the Fairlington townhouse condominiums are to the west in Arlington County. A residential neighborhood comprised of townhouses and garden apartments is located north of Fern Street along Kenwood Avenue.



PROPOSAL

A retail bakery, Great Harvest Bread Co. has been operating at this site since 1993. The applicant now proposes to operate a restaurant serving sandwiches and soups, as well as continuing to operate as a retail bakery. The specific aspects of the restaurant as proposed by the applicant are as follows:

- Seating: The applicant proposes 12 seats, in two bar configurations at the front windows.
- Hours: The hours of operation are proposed to be 7:00 a.m. to 7:00 p.m. Tuesday through Friday, Saturday 7:00 a.m. to 6:00 p.m. and Sunday 9:00 a.m. to 2:00 p.m.
- Customers: The applicant expects approximately 80 customers per day.
- Trash: Trash will consist of regular restaurant refuse. Trash will be kept in a dumpster located behind the shopping center and will be picked up twice a week.

Loading: Loading will occur behind the restaurant from the one loading space. Loading for the existing retail bakery typically occurs twice a week, on Tuesdays and Fridays, between 4:00 a.m. and 6:00 a.m. The applicant does not expect to change the hours for deliveries.

The applicant is proposing no alcohol service and no entertainment. There will be only counter service and no wait service at the tables.

PARKING

According to Section 8-200 (A)(8) of the Zoning Ordinance, a restaurant requires one parking space for every four seats. A restaurant with 12 seats will be required to provide 3 off-street parking spaces. As a retail bakery use, the current parking standards require 13 parking spaces. However, Section 8-200 (F)(1) of the Zoning Ordinance states that any land that was in use on June 25, 1963, is not required to provide off-street parking to meet the current zoning. In this case, the shopping center was built prior to 1963; therefore, there is no technical parking requirement.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CG/Commercial General zone. Section 4-404(Y) of the Zoning Ordinance allows a restaurant in the Commercial General zone only with a special use permit.

The proposed use is consistent with the Fairlington/Bradlee Small Area Plan chapter of the Master Plan which designates the property for commercial uses.

II. STAFF ANALYSIS

Staff recommends approval of the operation of a restaurant at Great Harvest Bread Co. located at 1711 Centre Plaza, within the Fairlington Plaza Shopping Center. Meal service will enhance the existing bakery and will provide customers with a new service. The proposed restaurant is compatible with the existing retail, restaurant and service oriented uses in the shopping center.

The applicant's proposed hours of operation are between 7:00 a.m. and 7:00 p.m. Tuesday through Friday, 7:00 a.m. to 6:00 p.m. on Saturdays and 9:00 a.m. to 6:00 p.m. on Sundays. The existing bakery has been operating during these hours. Staff recommends hours of operation from 7:00 a.m. to 7:00 p.m. seven days a week, which is consistent with the hours of operation at other businesses in the Fairlington Shopping Center.

Staff has included a number of standard restaurant conditions including a condition requiring a review of the restaurant after it has been operational for one year so that if there are problems with its operation, additional conditions may be imposed. 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 corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the restaurant shall be limited to between 7:00 a.m. to 7:00 p.m. seven days a week. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. Seating shall be provided for a total of no more than 12 patrons. (P&Z)
5. Alcoholic beverages are not permitted. (P&Z)
6. No food, beverages, or other material shall be stored outside. (P&Z)
7. 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)
8. 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)
9. The applicant shall install at least one trash container within the restaurant for customers' use. (P&Z)
10. 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)
11. 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)

12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
13. 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 and Environmental Services. (T&ES)
14. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 for a security survey for the business and a robbery awareness program for the employees. (Police)
15. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
16. The Director of Planning and Zoning shall review the special use permit one year after the business is 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 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)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Mary Christesen, Planning Technician.

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:

- 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.
- 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 noise shall be audible at the property line.

Code Enforcement:

- C-1 The current use is classified as F, Factory; the proposed additional use is A, Assembly. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.

- C-3 The proposed use constitutes a change in use group classification. New Certificates of Occupancy are required (USBC 119.1). The space contains mixed uses and each certificate must specify use group, type of construction, and occupant load (USBC 119.4).
- C-4 This structure contains mixed use groups [A, Assembly, M, Mercantile; B, Business; F, Factory) and is subject to the mixed use and occupancy requirements of USBC 302.3
- C-5 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-6 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-7 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-8 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-9 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-10 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 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 if operation.
- R-1 Provide a menu or list of foods to be handles at this facility to the Health Department prior to opening
- F-1 This facility is currently operating as Great Harvest Bread Co. under an Alexandria Health permit, issued to Bread of Life, Inc.

Police Department:

- R-1 The applicant is to contact the Community Relations 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 Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.

SUP#2005-0025
1711 Centre Plaza

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