

Docket Item #14
SPECIAL USE PERMIT #2005-0020

Planning Commission Meeting
June 7, 2005

ISSUE: Consideration of a request for a special use permit to operate a restaurant (coffee shop/juice bar/café).

APPLICANT: Scott Morrison

LOCATION: 305 Hoofs Run Drive

ZONE: CDD-11/Coordinated Development District

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.

SUP#2005-0020
305 Hoofs Run Drive

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION

REQUEST

The applicant, Scott Morrison, requests special use permit approval for the operation of a restaurant located at 305 Hooff's Run Drive.

SITE DESCRIPTION

The subject property is one lot of record with frontage on Hooff's Run Drive, Eisenhower Avenue and Mill Road. The total lot area is 578,987 square feet. The site is known as the Hoffman Center and is located south of the ongoing Carlyle development. The Hoffman Center is developed with 290,209 square feet of commercial buildings currently occupied by retail and industrial businesses, a health club, a large parking lot in the rear, a parking garage, and perimeter parking along the street frontage. The space the applicant proposes to use is 1,800 square feet of the existing 32,600 square foot health club, known as Jungle's Gym currently used as a nursery. The proposed restaurant will face Hooff's Run Drive and will have entrances from the street and from inside Jungle's Gym.



BACKGROUND

The existing health club, which the applicant is proposing to rent space from, was approved under SUP#2001-0118, by the City Council on January 26, 2002. The applicant is requesting to use 1,800 square feet, previously occupied by the health club's nursery.

PROPOSAL

The applicant proposes to operate a coffee shop/juice bar with grill within the existing Jungle's Gym space. The specific aspects of the restaurant as proposed by the applicant are as follows:

Seating: The applicant proposes 45 seats, 40 at tables and 5 at the bar.

Hours: The proposed hours of operation are 6:00 A.M. to 9:00 P.M. Monday through Friday and 8:00 A.M. to 9:00 P.M. on Saturdays.

- Customers: The applicant expects approximately 300 customers daily mostly during breakfast and lunch hours. Most of the customers are expected to come from the nearby offices and from the adjacent gym.
- Trash: The applicant expects approximately three bags of trash per day. Trash will be stored in the outdoor bins behind the building provided to Jungle's Gym by the property owner.
- Loading: Two loading spaces are provided, one in front of the building and one at the rear. Loading will occur in the early morning hours, once per week.

The applicant is proposing no alcohol service and no entertainment. Access to the restaurant will be from both the parking lot as well as from inside Jungle's Gym.

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 45 seats will be required to provide 12 off-street parking spaces.

There are a total of 724 existing parking spaces on-site within the Hoffman Center. Jungle's Gym currently has 210 parking spaces reserved for gym members. Of that 210 spaces, only 163 spaces are required for the health club use. Jungle's Gym has agreed to allocate 12 spaces for the proposed restaurant. The applicant expects most of its customers will come from nearby office buildings, the courthouse and many will be members of the health club. There will be 514 parking spaces available for other uses in the Hoffman Center.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the Coordinated Development District #11, South Carlyle, with OCM(100), Office Commercial Medium as the underlying zoning of the subject site. Section 4-1003(AA) of the Zoning Ordinance allows a restaurant in the OCM(100) zone only with a special use permit.

The proposed use is consistent with the Eisenhower East Small Area Plan chapter of the Master Plan, which designates the property for commercial uses.

II. STAFF ANALYSIS

Staff visited the site on March 18, 2005 and found adequate parking available. The applicant complies with the required parking. Staff recommends approval for the operation of a restaurant located at 305 Hooff's Run Drive. Staff believes that the proposed restaurant is compatible with the adjacent Jungle's Gym and the nearby office uses.

The applicant is proposing hours of operation from 6:00 a.m. to 9:00 p.m. Monday through Friday and from 8:00 a.m. to 9:00 p.m. on Saturdays. Staff is recommending hours of operation from 5:00 a.m. to 10:00 p.m. daily. These hours of operation are consistent with hours of operation at Jungle's Gym, which are from 5:00 a.m. to 10:00 p.m. Monday through Friday and from 8:00 a.m. to 8:00 p.m.

The proposed restaurant will obstruct a required means for egress from the women's locker room at the existing health club. The applicant has worked with the Department of Code Enforcement to create an alternative means of egress for the locker room through an existing office. Staff has included conditions #17, 18, 19 and 20 regarding the required means of egress and requiring compliance with all Code requirements.

Staff has included a number of standard restaurant conditions including requiring a security survey, and a robbery awareness program for employees. Staff has also included 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 5:00 a.m. and 10:00 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 45 patrons and the maximum occupancy including the staff shall not exceed 50 persons. (Code) (P&Z)
5. Alcoholic beverages are not permitted. (P&Z)
6. No food, beverages, or other materials shall be stored inside. (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. Applicant shall provide the City \$850.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way. Contact T&ES at 703.838.4324 x186 for information.(T&ES)
15. 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)
16. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)

17. Approval of this special use permit is contingent upon the applicant's compliance with all Code requirements. (P&Z)
18. A construction permit shall be obtained for the necessary modifications to the emergency exit from the Women's locker room. (Code)
19. The existing emergency exit from the women's locker room shall be removed and restored to its original fire rating. (Code)
20. The office intended to serve as the new emergency exit from the Women's locker room shall be vacated and reconfigured as an emergency exit. Use of this space other than for an emergency exit shall be prohibited. (Code)
21. Meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z)
22. 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.
- F-1 Site is in acceptable condition with adequate new lighting, however, there are no refuse cans.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.(T&ES)
- R-2 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)
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
- R-4 Applicant shall provide the City \$850.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way. Contact T&ES at 703.838.4324 x186 for information.(T&ES)

Code Enforcement:

- F-1 The proposed use of this space obstructs a required means of egress from the Women's Locker Room. The design and layout of the existing and proposed spaces and egress patterns shall be redesigned for both spaces in order to maintain compliance with the USBC. The applicant's preliminary design proposal is acceptable pending final review at time of building permit application. The proposed alternate exit route shall comply to the following conditions in order for this SUP application to be acceptable and code compliant:
- A construction permit shall be obtained for the necessary modifications to the emergency exit.
 - The existing emergency exit shall be removed and the opening restored to its original fire rating.

- The office intended to serve as the new emergency exit shall be vacated and reconfigured as an emergency exit. Use of this space other than for an emergency exit shall be prohibited.
- F-2 The maximum occupant load for staff and patrons shall be maintained at less than 50 or additional egress requirements will be required.
- 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. 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-4 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 302.3.
- 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.

C-8 A Certificate of Use of Occupancy is required prior to opening (USBC 119.1).

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 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.
- R-1 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 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.
- F-3 The applicant IS NOT proposing to sale any alcoholic beverages. The Police Department concurs.

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