

Docket Item #8  
SPECIAL USE PERMIT #2007-0100

Planning Commission Meeting  
November 8, 2007

**ISSUE:** Consideration of a request for a special use permit for an expansion and increased seating at an existing restaurant, and for a parking reduction.

**APPLICANT:** Vasilios and Dimitrios Patrianakos, Atlantis Family Restaurant  
by Mary Catherine Gibbs

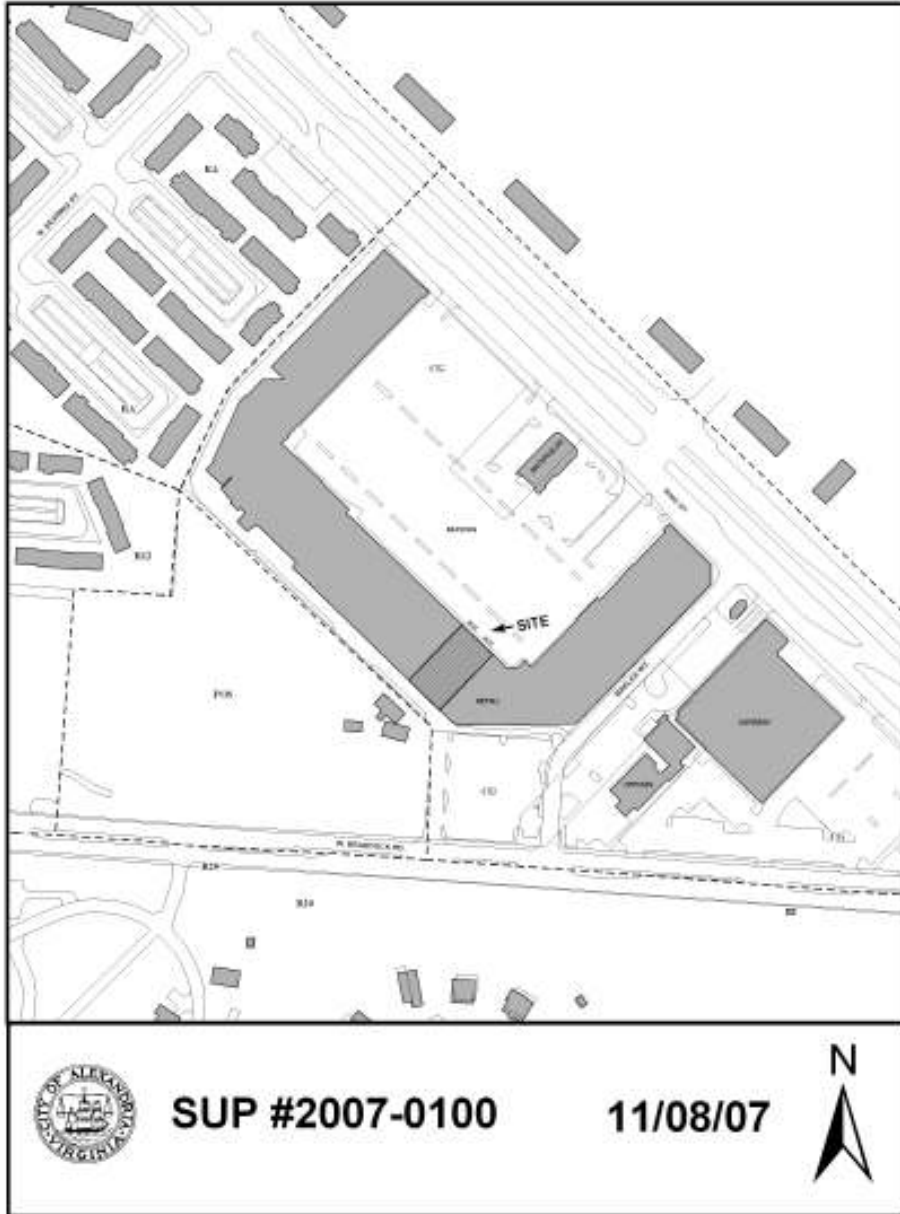
**STAFF:** Allison Anderson  
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**LOCATION:** 3648 King Street  
Bradlee Center

**ZONE:** CG/Commercial General

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**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.



## I. DISCUSSION

### REQUEST

The applicant, Vasilios Patrianakos, requests special use permit approval to increase the number of seats at a restaurant located at 3648 King Street and a parking reduction.

### SITE DESCRIPTION

The subject property is one lot of record with approximately 825 feet of frontage on King Street, 550 feet of frontage on Marlee Way, 150 feet of frontage on West Braddock Road, and a lot area of 461,287 square feet. The site is developed with the Bradlee Center, a shopping center with approximately 50 retail or restaurant units and a shared parking lot. The applicant is proposing to expand into a vacant unit adjacent to their current location.



### BACKGROUND

The applicant is currently operating a restaurant located between the Chicken Out Restaurant and B & C Jewelers in the Bradlee Center under Special Use Permit #2006-0052. Since that SUP was issued, the adjacent retail space has been vacated by Nextel. The applicant wishes to expand into that space and increase the number of seats, requiring a new Special Use Permit.

On October 4, 2007, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

### PROPOSAL

The applicant is proposing to expand his restaurant operation into a vacant, adjacent unit in the Bradlee Center. The applicant is requesting an increase in the capacity, from a total of 150 seats to 200 seats. The applicant is also seeking a parking reduction.

Hours: Monday – Sunday, 7:00am – 11:00pm

Number of seats: 200

Noise: The applicant does not anticipate any high noise levels

Trash/Litter: 10 large bags of trash, collected daily

PARKING

According to Section 8-200 (A)(8) of the Zoning Ordinance a restaurant is required to have one space per four seats. Therefore, a restaurant with 200 seats is required to provide 50 parking spaces. The applicant is requesting a parking reduction of 12 spaces. The former tenant, Nextel, was required to provide 10 spaces. The net parking reduction would be two spaces.

On September 13, 1997, SUP#97-0058 was approved for a reduction of 57 off-street parking spaces within the Bradlee Shopping Center. In addition, on April 15, 2000, SUP#2000-0025 was granted which was a reduction of four off-street parking spaces for the Starbucks Coffee Restaurant, located within the Bradlee Shopping Center. In 2006, with the approval of the SUP for the current restaurant, a parking reduction of 14 spaces was approved.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CG zone. Section 4-403(Y) of the Zoning Ordinance allows a restaurant in the CG 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 General use.

**II. STAFF ANALYSIS**

Staff supports the expansion of the restaurant, which increases the capacity of a long time Bradlee Center business. During the restaurant's tenure in the Center, they have moved once and increased the number of seats. The restaurant is not in the immediate proximity to residential uses, reducing the potential for negative impacts.

Parking

There are uses within the shopping center that have a high turnover rate of customers. Additionally, the Nextel store that has been vacated is no longer causing a demand for spaces. The applicant has noted that many of their patrons drive together or walk to the restaurant.

In order to reduce the likelihood of patrons competing with the applicant's employees for spaces near the site, staff is maintaining a condition that was recommended for both the health club and the Chicken Out restaurant requiring the applicant's employees to park in the employee parking area designated by the shopping center.

Staff supports the applicant's request for a parking reduction of 12 additional spaces.

In SUP2006-0052, staff added a condition that landscaping in the form of potted plants be provided at the entrance of the restaurant. The applicant has provided plants in the lobby of the restaurant, but is prohibited by his landlord to place the plants outside. Therefore staff is deleting this condition.

With the following 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) (SUP#2006-0052)
2. The hours of operation of the restaurant shall be limited to between 7am-midnight daily. (P&Z) (SUP#2006-0052)
3. **CONDITION AMENDED:** Seating shall be provided for no more than 200 150 patrons. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP#2006-0052)
5. **CONDITION AMENDED:** 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. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (P&Z) (T&ES)
6. 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, and on how to prevent underage sales of alcohol. (P&Z) (SUP#2006-0052)
7. **CONDITION AMENDED:** The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the new addition to the business and a robbery awareness program for all employees. (Police)

8. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP#2006-0052)
9. The applicant shall require its employees to park in the employee parking area designated by the shopping center. (P&Z) (SUP#2006-0052)
10. Delivery vehicles shall park and be unloaded from the rear of the restaurant only. (P&Z) (SUP#2006-0052)
11. **CONDITION AMENDED:** A parking reduction of 26 ~~14~~ spaces shall be granted. (P&Z)
12. 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) (SUP#2006-0052)
13. **CONDITION DELETED** ~~The applicant shall provide landscaping in the form of potted plants, to be located at the entrance of the restaurant, to the approval of the Director of Planning and Zoning. (P&Z) (SUP#2006-0052)~~
14. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with alcohol content of 14% or more by volume) may not be sold. (P&Z) (SUP#2006-0052)
15. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2006-0052)
16. 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) (SUP#2006-0052)
17. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2006-0052)
18. **CONDITION DELETED:** ~~Applicant shall contribute \$500.00 to the Streetscape Beautification Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES) (SUP#2006-0052)~~

19. **CONDITION ADDED:** 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)
20. **CONDITION RETAINED:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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 the result of a complaint that rises to the level of a violation of the permit conditions, (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) (~~SUP#2006-0052~~)

STAFF: Richard Josephson, Deputy Director, Department of Planning and Zoning;  
Allison Anderson, Urban Planner.

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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 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 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-3 All 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 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](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- R-5 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-6 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
- 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.
- C-2 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).



Code Enforcement:

- F-1 The current use is classified as M; the proposed use is A-2. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 116.2) and compliance with USBC 116.1 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.
- F-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-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application (USBC 109.1).
- C-4 Required exits, parking, and facilities shall be accessible for persons with disabilities.
- C-5 A new 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-6 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 302.3.
- C-7 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-8 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 This facility is currently operating as Atlantis Family Restaurant under an Alexandria health permit, issued to DP, Inc.
- C-3 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 plans review of food facilities.
- C-5 Approval must be obtained prior to use of the modified areas.
- C-6 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-7 Certified Food Managers must be on duty during all hours of operation.

Parks and Recreation:

- F-1 No Comment

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 new addition to the business.
- F-1 The Police Department has no objections to Atlantis expanding it's business into the adjacent vacant space.

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