

*City of Alexandria, Virginia*  
*Department of Planning & Zoning*

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**SPECIAL USE PERMIT CERTIFICATE**

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2024-00069

Approved by Planning and Zoning: December 5, 2024

Permission is hereby granted to: Morning Glory Alexandria, LLC

to use the premises located at: 1600 King Street

for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

December 5, 2024

*Karl Moritz* (by T. LaColla)

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Date

Karl Moritz, Director  
Department of Planning and Zoning

DATE: December 5, 2024

TO: Tony LaColla  
Department of Planning and Zoning

FROM: Ann Horowitz  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2024-00069  
Administrative Review for Change of Ownership and a Minor Amendment  
Site Use: Restaurant  
Business Name: HomeGrown A Daytime Eatery  
Applicant: Morning Glory Alexandria, LLC  
Location: 1600 King Street  
Zones: KR/King Street Retail  
OCH/Office Commercial High

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Special Use Permit #2024-00069 is a request to change the ownership of one of the restaurants, the larger restaurant now known as Brabo Brasserie, that had been originally approved together with a hotel, another restaurant, and a day spa through City Council approval of DSUP #2006-0036 at 1600 King Street. This SUP change of ownership represents only the larger restaurant from Alexandria LW Hotel Associates, L.P. to Morning Glory Alexandria, LLC. Alexandria LW Hotel Associates, L.P. continues as the SUP holder for the hotel, the smaller restaurant now known as Brabo Tasting Room, and the day spa under SUP #2024-00050.

The applicant also requests a minor amendment to allow outdoor speakers, amending Condition #38m of SUP #2024-00050.

The use is served by a 75-space underground parking facility.

### **Background**

The Planning Commission and City Council approved DSUP #2006-0036 in April 2007 for the Lorien Hotel and Spa, valet parking, and two restaurants, Brabo and Brabo Tasting Room. The establishment opened in 2009. SUP #2014-00019 was administratively approved for a change of ownership from DSF/Long King Street LLC, Kimpton Hotel and Restaurant Group, LLC to IA Lodging Alexandria TRS, LLC. Most recently, an SUP #2024-00050 for a change of ownership was administratively approved to reassign the SUP from IA Lodging Alexandria TRS, LLC to Alexandria LW Hotel Associates, L.P.

### **Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting a placard at the site. Staff received a comment from a resident regarding the minor amendment to allow outdoor speakers and was informed that outdoor noise would be subject to the noise limitations in the City Code.

### **Staff Action**

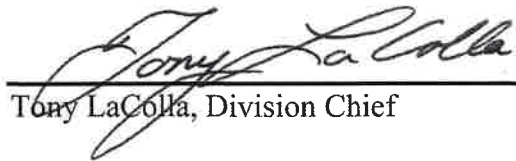
Staff supports the change of ownership and minor amendment requests. Conditions from SUP #2024-00050 that relate only to the restaurant have been carried forward and amended or deleted to align with present day SUP conditions for restaurants. Condition #12, formerly Condition #38m from SUP \$2024-00050, has been amended to allow outdoor speakers. Standard conditions reflecting environmental considerations have been added as Conditions #16 and #21.

The hotel, smaller restaurant, and day spa remain subject to the conditions of SUP #2024-00050.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:**

Date: December 5, 2024  
Action: Approved



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Tony LaColla, Division Chief

- Attachments: 1) Special Use Permit Conditions  
2) City Department Comments  
3) Statement of Consent

## CONDITIONS OF SPECIAL USE PERMIT #2024-00069

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. **CONDITION AMENDED BY STAFF:** ~~Seating shall be provided in two restaurants for no more than 106 for the full service restaurants and 48 for the café/wine bar~~ The number of seats is subject to the statewide Building Code. (P&Z) (~~DSUP #2006-0036~~)
2. **CONDITION AMENDED BY STAFF:** If outside dining facilities are provided on private property, the details of the design and seating shall be reviewed and approved by Planning and Zoning under the Outdoor Dining Design Guidelines, with the location and design to ensure that the outdoor seating occupies only a portion of the courtyard, allowing sufficient pedestrian circulation and that the overall courtyard environment remains open and inviting. (P&Z) (~~DSUP #2006-0036~~)
3. **CONDITION DELETED BY STAFF:** ~~Hours of operation shall be limited to 6:00 a.m.-1:00 a.m. daily.~~ (P&Z) (~~DSUP #2006-0036~~)
4. 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 hours. (P&Z) (DSUP #2006-0036)
5. **CONDITION AMENDED BY STAFF:** Alcoholic beverages may be sold for off and on-premises consumption ~~only.~~ (P&Z) (~~DSUP #2006-0036~~)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (DSUP #2006-0036)
7. No food, beverages, or other material shall be stored outside. (P&Z) (DSUP #2006-0036)
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) (DSUP #2006-0036)
9. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (P&Z) (DSUP #2006-0036)
10. The applicant shall (a) advertise the availability of valet parking by including such notice in any advertising; (b) urge patrons who drive to use the service; and (c) post signs at the restaurant directing patrons to the availability of valet parking. (P&Z) (DSUP #2006-0036)

11. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the restaurant special use permit(s) one year after the use is operational, and then again every three years for compliance with all conditions, and ~~shall~~ may 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)~~ or 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 of the permit conditions, or~~ ~~(c)~~ the director has determined that ~~there are problems with the operation of the use and that new or revised conditions are needed to offset land use impacts not addressed in the City Code.~~ (P&Z) (~~DSUP #2006-0036~~)
12. **CONDITION AMENDED BY STAFF:** ~~No exterior~~ The use of outdoor loudspeakers ~~or amplification shall be permitted on the exterior of the building;~~ may be offered to provide limited background music. ~~and #~~ No music or amplified sound shall be audible at the property line after 11 p.m. (P&Z) (~~DSUP #2006-0036~~)
13. The use of outdoor loudspeakers may be offered to provide limited background music that must comply with the city's noise ordinance. No amplified sound shall be audible at the property line after 11:00 pm.
14. Indoor live entertainment shall be permitted to the extent that no amplified sound is audible outside the restaurant. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z) (T&ES) (PC) (DSUP2006-36)
15. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or allow invasion by animals. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor trash receptacles shall be screened to the satisfaction of the Director of Planning & Zoning. (P&Z) (SUP #2024-00050)
16. **CONDITION ADDED BY STAFF:** All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
17. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
18. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
19. **CONDITION ADDED BY STAFF:** If used cooking oil is stored outside, the lid of the

used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)

20. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
21. **CONDITION ADDED BY STAFF:** 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)

## CITY DEPARTMENT COMMENTS

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

### Transportation & Environmental Services:

- R-1 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
  
- R-2 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
  
- R-3 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
  
- R-4 If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)
  
- R-5 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
  
- R-6 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-7 The use of outdoor loudspeakers may be offered to provide limited background music that must comply with the city's noise ordinance. No amplified sound shall be audible at the property line after 11:00 pm. (Replaces DSUP 2006-0036 condition 38m). (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). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)

C-2 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

No comments received

Recreation, Parks, and Cultural Activities:

No comments received

Police Department:

No comments received

Health Department:

**Food Facilities**

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- C-2 Construction plans shall be submitted to the Health Department located at 4850 Mark Center Drive and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria- fee must be paid separate from any other departmental fees.
- C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- C-4 A Food Protection Manager shall be on-duty during all operating hours.
- C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.



- C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
- C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.
- C-8 Starting on 1/1/2023, The Virginia Department of Agriculture and Consumer Services (VDACS) is the point of contact for the following type of establishments: grocery stores, convenience stores, ice cream stores, wine shops, or bakeries. The divisions of Food Safety can offer further guidance. Please use the following contact information:

**VDAC's Food Safety Program**

804.786.3520

804.371.7792

[foodsafety@vdacs.virginia.gov](mailto:foodsafety@vdacs.virginia.gov)

Fire:

- C-1 Change of ownership and the replacement of the existing restaurant to HomeGrown A Daytime Eatery will require a new fire prevention permit. The applicant shall submit a fire prevention permit application that will result in an inspection by the Fire Marshal's office. Application can be accessed online at: [www.alexandriava.gov/fire-department/the-fire-marshals-office](http://www.alexandriava.gov/fire-department/the-fire-marshals-office).

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Development Special Use Permit #2024-0069. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant, formerly Brabo Brasserie, at 1600 King Street.

  
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Applicant – Signature

\_\_\_\_\_  
1/13/2025  
Date

Jonathan Rolph  
\_\_\_\_\_  
Applicant – Printed

\_\_\_\_\_  
1/13/2025  
Date