

City of Alexandria, Virginia
Department of Planning & Zoning

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 #2024-00081

Approved by Planning and Zoning: December 27, 2024

Permission is hereby granted to: Good Charm, LLC

to use the premises located at: 555 South Van Dorn 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 27, 2024
Date

Karl Moritz (by T. LaColla)
Karl Moritz, Director
Department of Planning and Zoning

DATE: December 27, 2024

TO: Tony LaColla, Division Chief, Land Use Services
Department of Planning and Zoning

FROM: Bill Cook, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2024-00081
Administrative Review for Change of Ownership and Minor Amendment
Site Use: Restaurant with Outdoor Dining
Applicant: Good Charm, LLC
Location: 555 S. Van Dorn Street
Zone: CG/Commercial General

Request

Special Use Permit #2024-00081 is a request for a change of ownership of a restaurant from Red Lobster Division of General Mills Restaurant Group, Inc. to Pearl Allure, LLC and for a minor amendment to increase the total number of seats to 360. Seating in the existing structure is 128, which is fewer than what was originally permitted by the previous Special Use Permit (292). Two building additions totaling 2,586 square feet will be constructed and the interior of the building will be totally renovated. The applicant will operate the business under the name Yami Buffet offering Asian and Japanese cuisine.

Background

The restaurant is located at 555 South Van Dorn Street. The existing building was constructed after Special Use Permit #1105 was approved on April 16, 1977 for a Red Lobster Restaurant. Special Use Permit #1105-A was later approved on April 7, 1987 to allow a 930 square foot expansion. Seating was increased from 231 to 292. The current applicant materials note that the Red Lobster closed in August 2024.

Parking

Section 8-200(A)(17)(a)(i) of the Zoning Ordinance requires restaurants located within the City's Enhanced Transit Area to provide a minimum of one parking space for 1,000 square feet of space. With the proposed building additions, the restaurant will be 10,486 square feet. The minimum off-street parking requirement is 11 spaces. The maximum requirement is 33 spaces. The applicant will remove a total of twelve (12) parking spaces to accommodate the additions, however the parking requirement will be met since 116 spaces will be provided.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. No comments or concerns have been received.

Staff Action

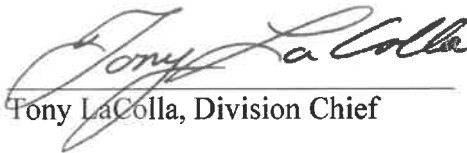
Staff does not object to the change of ownership request as the subject restaurant has operated in its current location for many years with no issues or negative impacts in a commercial area where other restaurants and services currently operate. In addition, staff does not object to the minor amendment to add floor area and additional seating since the site is well-served by transit and exceeds the parking requirement.

Special Use Permit conditions will be carried forward from Special Use Permit #1105-A. However, several conditions have been amended, added, or deleted in order to reflect the current standard Special Use Permit conditions for a restaurant. This includes amendments to existing Conditions #2, #3, #5, #6, and #7, as well as new Conditions #8 through #24.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: December 27, 2024
Action: Approved



Tony LaColla, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT # 2024-00081

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. 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#1105-A)
2. **CONDITION AMENDED BY STAFF:** ~~That seating be provided inside for no more than 292 patrons.~~ The maximum number of indoor seats at the restaurant shall comply with the state building code. (P&Z) (SUP#1105-A)
3. **CONDITION AMENDED BY STAFF:** ~~That n~~No outside dining facilities shall be located on the premises. (P&Z) (SUP#1105-A)
4. Condition deleted. (SUP#1105-A)
5. **CONDITION AMENDED BY STAFF:** ~~That n~~No food, beverages, or other material shall be stored outside, ~~with the exception of materials specified in other conditions.~~ (P&Z) (SUP#1105-A)
6. **CONDITION AMENDED BY STAFF:** ~~That trash and garbage be stored in a dumpster.~~ Trash and garbage shall be stored inside or in sealed containers which do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate on site outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (T&ES) (P&Z) (SUP#1105-A)
7. **CONDITION AMENDED BY STAFF:** ~~That trash and garbage be collected as needed when the business is open.~~ Litter on the site and on the 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) (P&Z) (SUP#1105-A)
8. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
9. The applicant shall require its employees to use off street parking. (T&ES)
10. On and off-premise alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z)
11. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property becoming a nuisance to

neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)

12. 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)
13. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
14. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES)
15. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
16. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. The business shall contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
17. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)
18. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
19. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
20. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
21. All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)

22. All patrons must leave the premises one hour after the closing hour. (P&Z)
23. Delivery vehicles operated and managed by the applicant are permitted. Delivery vehicles must be parked off-street when not in use. (P&Z)
24. The director of Planning and Zoning shall review the special use permit one year after it has been operational, and then again every three years for compliance with all conditions and may docket the matter for consideration by the planning commission and city council if 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; or the director has determined that new or revised conditions are needed to offset land use impacts not addressed in the City Code. (P&Z)

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 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, for information about completing this form. (T&ES)
- C-2 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. (T&ES)
- C-3 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.

Parks and Recreation:

No comments or concerns.

Police Department:

No comments received.

Health Department:

No comments received.

Fire Department:

F-1 The change of ownership will require a new fire prevention permit.

SUP2024-00081
555 S. Van Dorn St.

Application can be accessed online at:
www.alexandriava.gov/fire-department/the-fire-marshals-office.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2024-00081. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 555 South Van Dorn Street.

Good Charm, LLC

[Handwritten Signature]

Applicant - Signature

1/3/25

Date

Applicant - Printed

Date