

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	#2024-00084
Approved by Planning and Zoning:	January 10, 2025
Permission is hereby granted to:	King Buri, Inc.
to use the premises located at:	1019 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.

January 10, 2025

Karl Moritz (by T. LaColla)

Date

Karl Moritz, Director
Department of Planning and Zoning

DATE: January 10, 2025

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

FROM: Mavis Stanfield, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2024-00084
Administrative Review for Change of Ownership
Site Use: Restaurant
Applicant: King Buri, Inc.
Location: 1019 King Street
Zone: KR/King Street urban retail

Request

Special Use Permit #2024-00084 is a request for a Change of Ownership of a restaurant from King Thai Kitchen, Inc. to King Buri, Inc. The restaurant will continue to operate as Sam Phao Thai. The hours of operation will be 11:30 a.m. to 9:15 p.m., Monday through Saturday, 4:30 p.m. to 9:15 p.m. on Sunday. Five employees will work at the restaurant. No other changes that would prompt a minor amendment are proposed.

Background

On March 24, 1990, City Council granted Special Use Permit #2359 to Quynh-Dao Nguyen for operation of a restaurant located at 1019 King Street. Ownership of the business has changed several times between 1990 and 2003. On June 14, 2003, City Council granted SUP #2003-0055 to the SFC Group, LLC to change ownership and to increase hours of operation of the restaurant. Staff administratively approved Special Use Permit #2009-0017 on May 27, 2009, to change the ownership of the existing restaurant to King Thai Kitchen, Inc. City Council approved SUP #2009-00039 on September 12, 2009 for the addition of delivery service and to remove a requirement for off-street parking.

Parking

The subject property is located within the Central Business District (CBD). According to Section 8-300 (B) of the Zoning Ordinance, restaurants located within the CBD are exempt from parking requirements.

Community Outreach

Public notice was provided to the Old Town Civic Association, through eNews, on the City's website, and by posting a placard on the site. Staff has not received any comments from residents or adjacent businesses regarding the request.

Staff Action

Staff supports the Change of Ownership request for a restaurant use that has operated at this

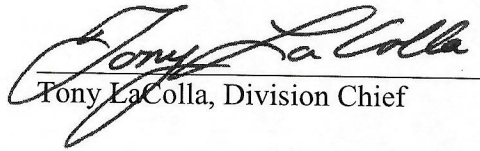
location in the King Street corridor for several decades. Previous SUP conditions from 2009 have been carried forward and, since standard restaurant conditions have changed, deletions, amendments, and additions are highlighted in the staff report.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: January 10, 2025

Action: Approved



Tony LaColla, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT # 2024-00080

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 business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2003-0055)
2. **CONDITION DELETED BY STAFF:** ~~Seating shall be provided inside for no more than 50 patrons. (P&Z) (SUP #2003-0055)~~
3. **CONDITION DELETED BY STAFF:** ~~Outdoor seating may be provided on the premises subject to approval by the Director of Planning and Zoning through the King Street Outdoor Dining Program. (P&Z) (SUP #2003-0055)~~
4. **CONDITION DELETED BY STAFF:** ~~The hours of operation shall be limited to 11:00 A.M. to 10:00 P.M., daily. (P&Z) (SUP #2003-0055)~~
5. No food, beverages, or other materials shall be stored outside. (P&Z) (SUP #2003-0055)
6. Condition deleted. (P&Z) (SUP #2009-0017)
7. Condition deleted. (P&Z) (SUP #2009-0017)
8. Condition deleted. (P&Z)
9. **CONDITION AMENDED BY STAFF:** No live entertainment shall be provided at the restaurant. Indoor limited, live entertainment (background music) may be offered. 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) (SUP #2003-0055)
10. **CONDITION AMENDED BY STAFF:** On-site and off-site alcohol service is permitted; ~~no off-premise alcohol sales are permitted~~ in compliance with Virginia ABC requirements. (P&Z) (SUP #2003-0055)
11. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2003-0055)
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 #2003-0055)

13. **CONDITION AMENDED BY STAFF:** Kitchen equipment shall not be cleaned outside, including floor mats, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (~~SUP #2003-0055~~)
14. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP #2003-0055)
15. Condition deleted. (P&Z) (SUP #2009-0017)
16. 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) (SUP #2003-0055)
17. 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 #2003-0055)
18. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements and on how to prevent underage sales of alcohol. (P&Z)
19. **CONDITION DELETED BY STAFF:** ~~The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey and a robbery awareness program for all employees. (Police) (SUP #2009-0017)~~
20. Condition deleted. (P&Z) (SUP #2009-0017)
21. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after it has been operational ~~for one year, and then again every three years for compliance with all conditions and may 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) or 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 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) (SUP #2009-0039)
22. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2009-0017)

23. 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) (SUP #2009-0017)
24. **CONDITION AMENDED BY STAFF:** The applicant shall require its employees who drive to use off-street and to use parking public transportation to travel to and from work. ~~and 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. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES) (SUP #2009-0017)
25. Condition deleted. (P&Z)
26. **CONDITION DELETED BY STAFF:** ~~Provide a menu or list of foods to be handled at this facility prior to opening.~~ (Health) (SUP #2009-0017)
27. The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the Old Town Comprehensive Parking Study (2009). (P&Z) (T&ES) (SUP #2009-0039)
28. **CONDITION AMENDED BY STAFF:** ~~The maximum number of delivery vehicles operating from this facility shall be one (1). The delivery vehicle shall not be parked on-street at any time when located in the vicinity of the subject property. The applicant shall provide and maintain one parking space behind the restaurant for the delivery vehicle to the satisfaction of the Director of Planning & Zoning.~~ Restaurant-managed delivery vehicles must be provided with dedicated off-street parking spaces for each delivery vehicle when not in use. (P&Z) (T&ES) (SUP #2009-0039)
29. Meals ordered before the closing hour may be sold, but no new patrons may be admitted after the closing hour and all patrons must leave by one hour after the closing hour. (P&Z) (SUP #2009-0039)
30. **CONDITION ADDED BY STAFF:** 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. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (P&Z)
1. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z)
2. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the

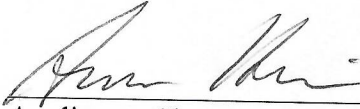
building shall be kept in an enclosure with a roof. (P&Z)

3. **CONDITION ADDED BY STAFF:** 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. (P&Z)

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.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2024-00084. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 1019 King Street.


Applicant - Signature

1/25/25
Date

Andrew Hession
Applicant - Printed

Date