City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 7, 2014

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER /s/

DOCKET TITLE:
..TITLE
Public Hearing, Second Reading and Final Passage of an Ordinance to Amend and Reordain Title (Licensing and Regulations) of the Code of the City of Alexandria, Virginia, as Amended, to Add Chapter 15 (Food Truck Vendors).
..BODY

ISSUE: Consideration of a proposed ordinance to permit food truck vendors on public and private property within the City of Alexandria.

RECOMMENDATION: That City Council pass the proposed ordinance to permit food trucks on public and private property within the City on first reading and set it for public hearing and final passage on May 17.

BACKGROUND: At its March 2013 Retreat, City Council requested staff to draft a proposal to bring food trucks into the City. The initial draft staff proposal was distributed in May 2013 (Attachment 1). As a result of concerns raised by restaurateurs and some citizens, the City Manager established a 10-person Food Truck Policy Advisory Work Group to review the issues related to food trucks, consider the staff draft proposal as a starting point for discussion, and make suggestions for improvements or develop alternative proposals for Council's consideration (Attachment 2). The Advisory Work Group met from September 2013 through March 2014.

During the Work Group deliberations, continuing concerns were raised regarding the impact of food trucks on existing restaurants and the appropriateness of food trucks in historic areas. A consensus was reached on some issues as noted in the attached draft report (Attachment 3) based on Work Group deliberations and comments from the general public and restaurateurs. Other issues were approved by voting.

In response to continuing concerns about the scope of the City's ability to regulate food trucks, the City Attorney provided the following guidance. "The equal protection clause of the U.S. Constitution requires that any regulation be rationally related to a legitimate governmental interest, and the due process clause requires that regulations not be arbitrary or lead to inconsistent enforcement…If food trucks are allowed on any public streets, then they need to be allowed on all public streets unless a governmental interest that needs to be addressed has been identified that justifies the additional regulations…Without some legitimate governmental

interest, the City cannot restrict food trucks from parking in front of established restaurants, as protection of business competition is not a legitimate governmental interest."

DISCUSSION: The proposed ordinance authorizes food trucks to operate Citywide from 7:00 a.m. to 8:00 p.m. The food trucks must be parked in legal parking spaces and pay the parking fees, with some restrictions. Food trucks will not be allowed in residential permit parking districts unless catering a private event. In high traffic and pedestrian areas, Restricted Vending Zones will be established. The parking spaces in these zones will be designated with proposed signage that notes the spaces are reserved for food trucks only from 11:00 a.m. to 12:00 p.m. If no food trucks are parked in the designated spaces at 12:00 p.m., the parking spaces would be available to the general public. Initially, four Restricted Vending Zones will be established with three designated parking spaces each from 11:00 a.m. to 2:00 p.m. in the traffic corridors. A description of the zones follows.

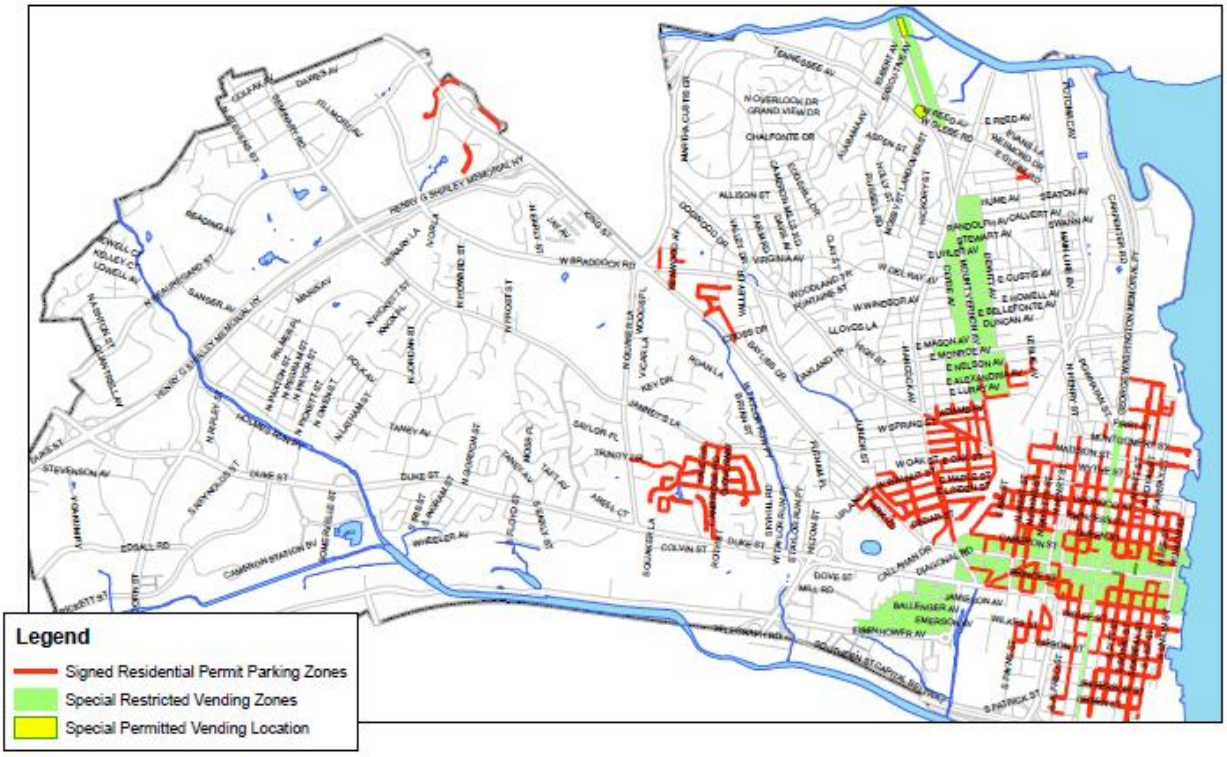
- King Street from the Metro Station to the Potomac River, and two blocks north of south (between Prince and Queen) of King Street.

- Mount Vernon Avenue from Glendale Avenue to Clifford Avenue and East Glebe Road to the Arlington County line.

- Eisenhower/Carlyle which is bound by Holland Lane on the east, Duke Street on the north, Dulany Street to Jamieson Avenue to Andrews Lane to Grist Mill Road , to Mill Race Lane on the west, and the south side of 2300 block of Eisenhower Avenue on the south.

- Washington Street from First Street to Church Street.

CITYWIDE VENDING ZONES & RESIDENTIAL PARKING PERMIT ZONES

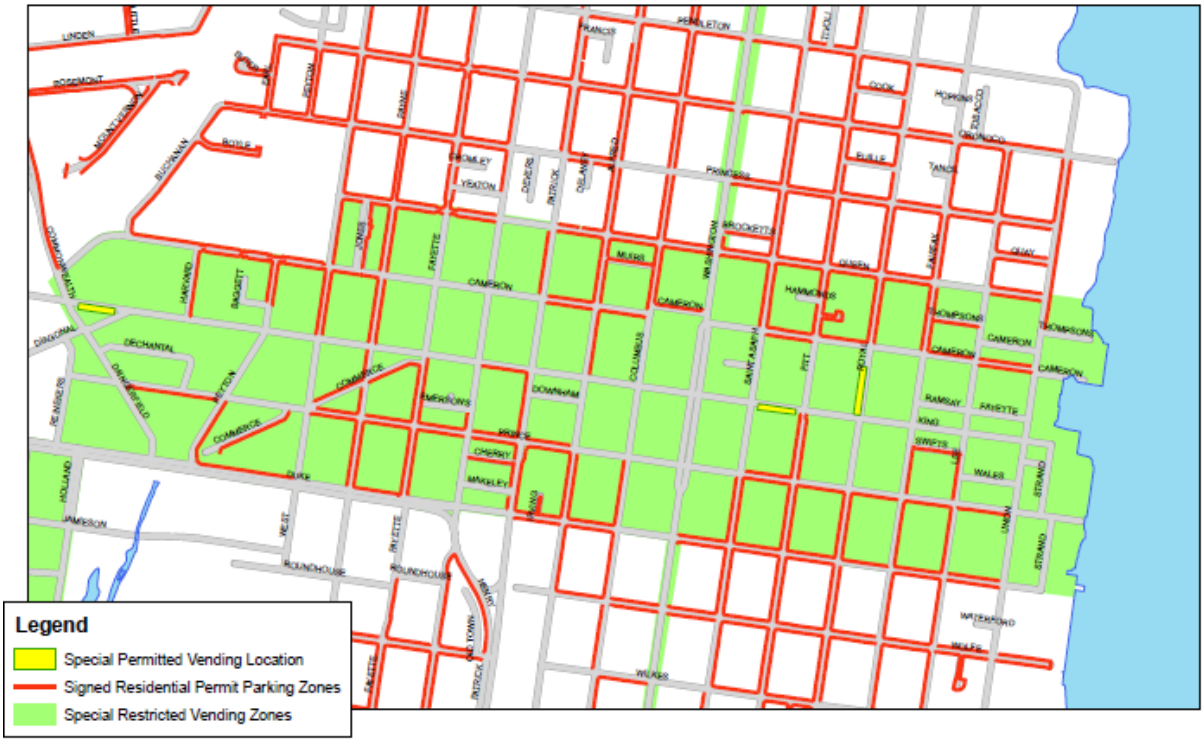


The proposed vending locations within the Restricted Vending Zones are described below.

King Street Restricted Vending Zone

- 100 block of North Royal Street abutting City Hall
- 1700 block of King Street in front of King Street Gardens
- 500 block of King Street in front of the Courthouse

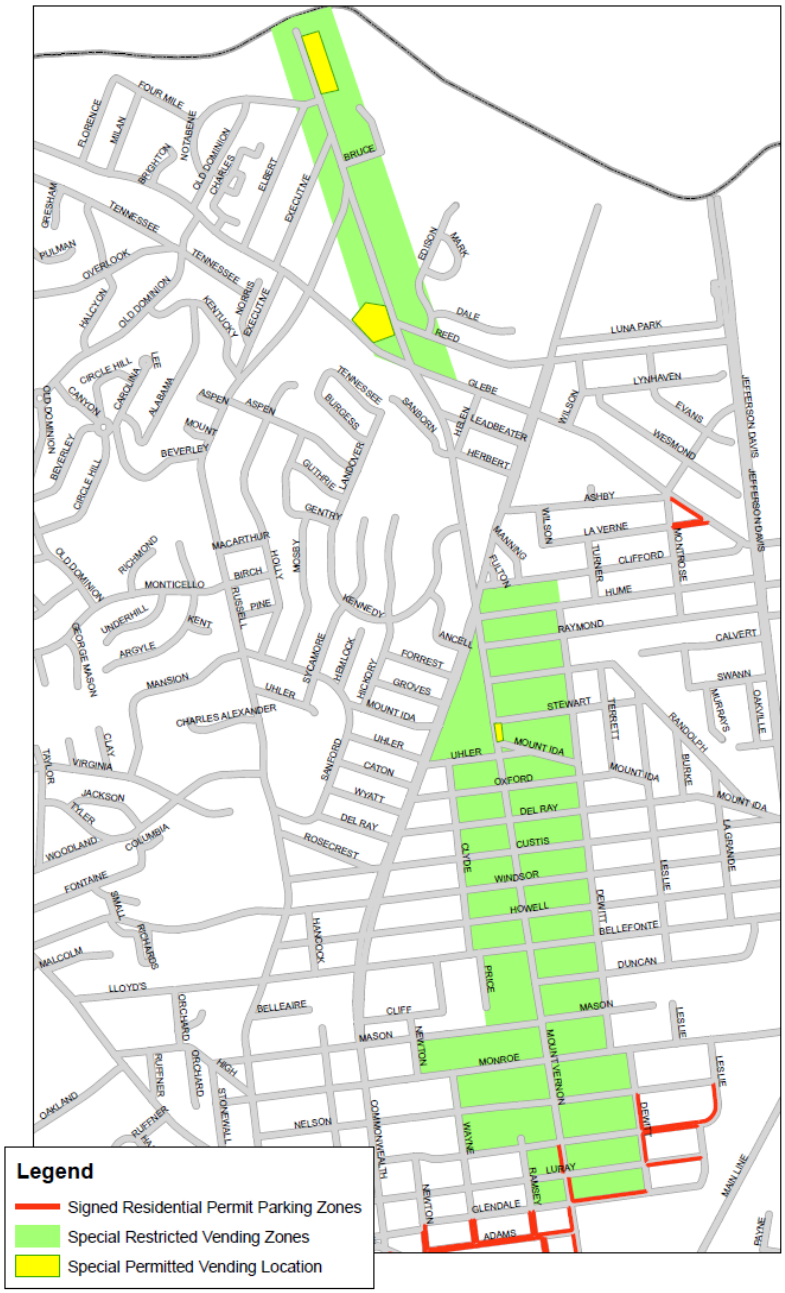
King Street Zone



Mt. Vernon Avenue Restricted Vending Zone

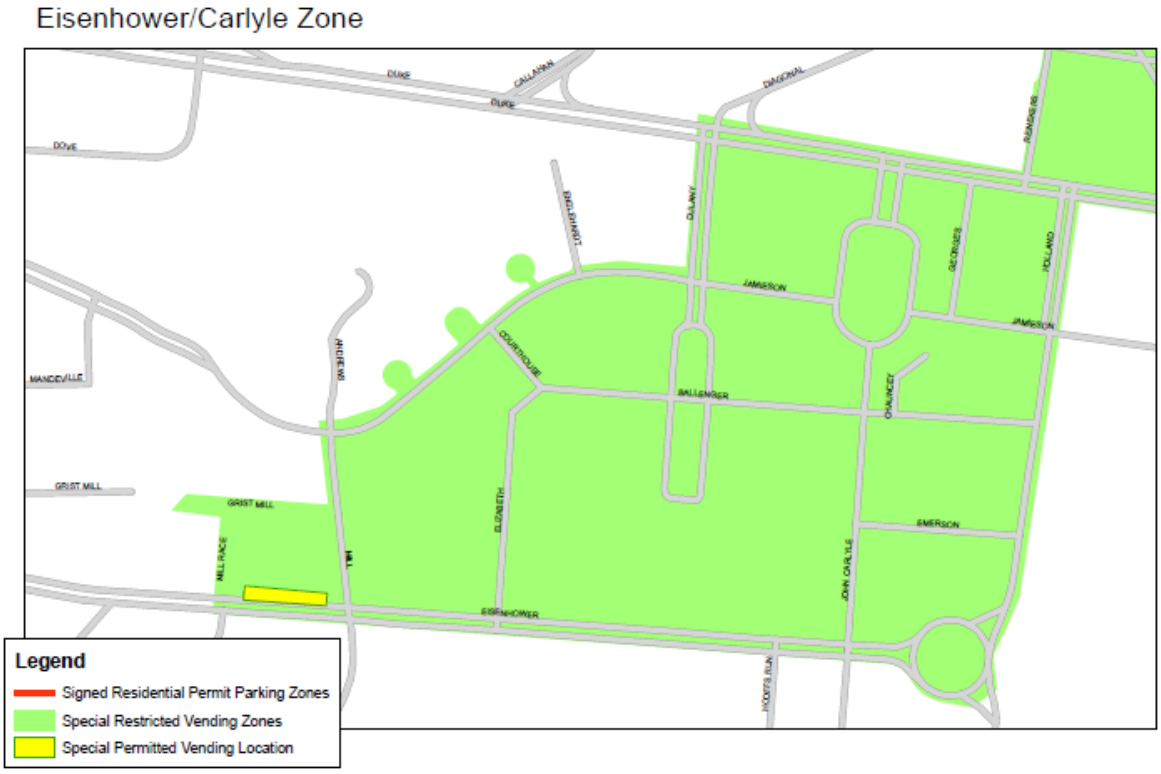
- In front of the DCHS Building at 2525 Mount Vernon Avenue is the only on-street location.

Mount Vernon Avenue Zone



Eisenhower/Carlyle Restricted Vending Zone

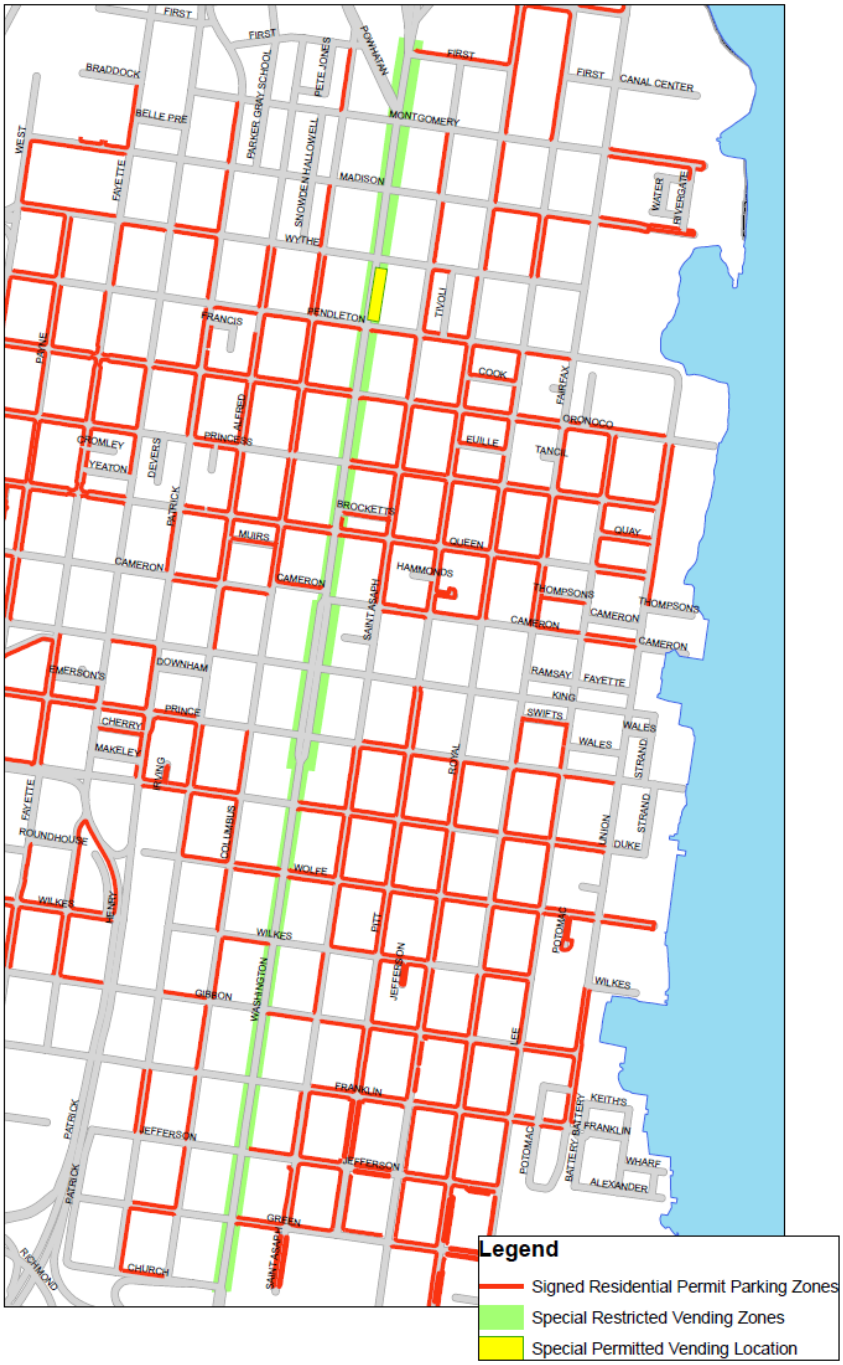
- North side of the 2300 block of Eisenhower Avenue.



Washington Street Restricted Vending Zone

- 600 block of North Washington Street.

Washington Street Zone



The proposed ordinance also provides for food trucks to be on public property (e.g. parks, City parking lots such as the Arlandria City Parking Lot and Four Mile Run Park Parking Lot), and community buildings) with the permission of the City Manager; at Farmer's Markets with written permission from the Market Manager; and on Schools property with the permission of the Superintendent of Schools. Food trucks would be allowed at all permitted special events; and on private property including churches, private schools, commercial parking lots, and residential areas in private driveways with the written permission of the property owner.

Under the proposed ordinance, food trucks would be allowed to vend on any public street (no more than three trucks in any block) that has not been signed as a Residential Permit Parking District that has at least five feet of unobstructed sidewalk. The trucks would be limited to a maximum of four hours on any block (less if posted restrictions dictate) and not allowed to park within 20 feet from a commercial outdoor dining area. Food trucks will also have to comply with applicable parking regulations, and pay any parking fees and display the required receipt.

The Department of Planning and Zoning will be responsible for enforcing the general provisions of the ordinance. The Health Department will enforce all food handling, sanitation, and safety related regulations. The Police Department will enforce on-street parking restrictions. All permits will be processed through the Permit Center.

Following is a listing of the proposed fees for food truck vendors. All fees are annual unless noted otherwise.

- Application fee of $100.00
- Application renewal fee of $100.00
- Plan Review fee of $200.00
- Right-of-way fee of $450.00
- Food Vending License fee of $40.00
- Health Permit of $50.00, plus a $40.00 fee imposed by the State.
- Semi-annual propane tank inspection fee of $143.00

FISCAL IMPACT: Staff anticipates, based on an informal survey conducted by the DMV Food Truck Association, that 10 – 12 food trucks will apply for permits to vend in Alexandria. Assuming that 12 vendors apply, the projected revenue from the permitting process is $15,192.00.

ATTACHMENTS:

1. August 16, 2013 Memorandum from Rashad Young to City Council Members
2. May 28, 2013 Draft Food Truck Legislative Proposal
3. Food Truck Policy Advisory Work Group Report Draft as of April 14, 2014
4. Proposed Ordinance

STAFF:

Rose Williams Boyd, Special Assistant to the City Manager
Joanna Anderson, Assistant City Attorney
Karen Snow, Assistant City Attorney
Richard Baier, Director of Transportation and Environmental Services
Robert Custard, Director of Environmental Health
Jack Browand, Division Chief, Department of Recreation, Parks and Cultural Activities
Blaine Corle, Deputy Police Chief
Alex Dambach, Division Chief, Department of Planning and Zoning
Russell Furr, Assistant Fire Marshal

Draft Food Truck Legislative Proposal

Scope: Citywide

Permitting Office: Health Department. Multi-Agency Permit Center in Code Administration will process the applications.

Permits Required: Permits will be issued on an annual basis. Food truck license; Health Permit; Business License; Special Events Permit if applicable; Fire Marshal if using propane tanks; and permission slip from private property owner if applicable.

Permit Fees: Application fee is $100.00. Annual Food Vending License Fee is $40.00 and other applicable fees. If in a metered parking space, must pay applicable fee.

Parking Parameters: Food trucks will be allowed in any legal parking space where there is an existing sidewalk that will allow for the maintenance of a five-foot walkable area, and 20 feet away, measured along the curbline, from outdoor dining. **In the following transit corridors: King Street from the Metro Station to the Potomac River, Mt. Vernon Avenue, and Carlyle, parking spaces will be clustered and designated by on street signage.**

- Trucks will be clustered on the east side of the 100 block of N. Royal Street abutting City Hall,
- On the block face in front of the Alexandria Courthouse, and the block face in front of King Street Gardens.
- On Mt. Vernon Avenue, trucks will be clustered in front of the DCHS building, the Arlandria City parking lot, and the Four Mile Run Park.
- Carlyle cluster location is along the interior loop road of Dulaney Street.

The City Manager may establish vending zones with appropriate regulations in any area if the demand exceeds the capacity of the right of way to accommodate the food trucks. The City Manager will also periodically review the administrative regulations and make adjustments as needed.

Food trucks are prohibited within the right of way on streets included in a Residential Permit Parking District, unless there under a special event permit or at a private event on private property. Trucks not included in the

special event permit may not park within two blocks of a special event.

Food trucks are allowed immediately adjacent to or within Farmers Markets, with the permission of the Market Master and in City parks with the permission of the Director of the Department of Recreation, Parks, and Cultural Activities.

Trucks should fit within a standard 8x20 foot parking space and, due to the Gadsby lights in certain areas of the City, be less than 10.5 feet in height. If parked in a metered space, vendors must pay applicable parking fees and display the meter space ticket on the dashboard of the vehicle.

Food trucks are allowed to vend from 7:00 a.m. – 8:00 p.m. unless authorized under a special events permit or in conjunction with a private event on private property. Trucks are restricted to four hours of continuous vending in one location or the existing posted parking regulations if more restrictive, unless permitted in conjunction with a special event or private event on private property.

If on private residential property, the truck must be there for a private event and may not vend to the public from the driveway. The driveway on the private property must be large enough to accommodate the truck with no overhang on the public or private sidewalk adjacent to the r-o-w. The truck may only be in the driveway for no more than four hours at a time, exclusive of set up and take down.

Food trucks on private or public surface parking lots will be allowed with the following restrictions.

- The truck must be parked fully on the private property and not block or park in any drive aisle or fire lane.
- The truck vendor must have written permission from the property owner to be located in the private parking lot;
- The truck may not block ingress and/egress from the parking lot;
- The truck must be parked in a location on the parking lot that has the least impact on adjacent residential properties; and
- There may be no more than three trucks in a parking lot at any one time, unless authorized under a special event permit.

Other Requirements:

A food truck vendor must place a portable appropriately sized trash receptacle within the r-o-w next to the truck while vending and is responsible for collecting and disposing of any litter collected as a result of sales;

All food trucks must comply with all zoning ordinance requirements for signage. Trucks may have signs painted on the truck advertising the food truck and may use a menu board when the truck is vending. The truck may not advertise for other businesses on the truck, and may not have balloons or windblown signs attached to the truck;

All vending shall take place from inside the truck. Loudspeakers or amplified sound are prohibited from the exterior of the truck.

Trucks shall be kept in good repair and shall have all required inspections and registrations.

Enforcement:

Health Department

Appeals Process:

Appeals related to permit denial, suspension, or revocation will be heard by the City Manager or his designee.

City of Alexandria, Virginia

MEMORANDUM

DATE: AUGUST 16, 2013

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER

SUBJECT: FOOD TRUCK POLICY ADVISORY GROUP

When I notified you of my intent to reschedule the docketing of a proposal on food trucks to the fall, I indicated that I would be creating a stakeholders work group to review the issues that had been raised in various forums and make recommendations to me on how the City should proceed. This memorandum is to let you know that I have appointed the members of the work group as noted below.

- Citizen Members
  Lynn Bostain
  Yvonne Weight Callahan, Convener
  Sheena Franklin
  Lori Arrasmith Quill

- Restaurateurs
  Mike Anderson
  Meshelle Armstrong

- Food Truck Vendors
  Rich Arslan
  Doug Povich

- Farmer Market Master
  Travis Hester

- Alexandria Economic Development Partnership
  Stephanie Landrum

The Advisory Group will review the issues related to food trucks, consider the staff's prior draft proposal as a starting point for discussion, and make suggestions for improvements or develop

alternative proposals for my consideration in drafting a new proposal for Council in the fall. The Group's first meeting is scheduled for Wednesday, September 11, at 7:00 p.m. in the Council Workroom. All of the Group's meetings will be open to the public and include time for public comment and questions.

cc: Mark Jinks, Deputy City Manager
Rose Williams Boyd, Special Assistant to the City Manager

April 14, 2014

DRAFT REPORT

The 10-person Food Truck Policy Advisory Work Group was established by the City Manager in August 2013 to review the issues related to food trucks, consider a staff draft proposal as a starting point for discussion, and make suggestions for improvements or develop alternative proposals for Council's consideration. The Advisory Group met twice a month beginning on September 11, 2013 throughout the fall. All meetings were open to the public and included a public discussion period where members of the audience we able to voice their concerns and suggestions. Three of the meetings were devoted to obtaining public comment, respectively on the concept of traffic corridors in Carlyle, Del Ray, and Old Town. The Food Truck Policy Advisory Work Group also conducted a tour of the Washington, D.C. food truck sites to observe on a first hand basis how food trucks operated.

After much discussion and public comments, the Advisory Group reached a consensus on the following:

1. Food trucks will be allowed in public parks within park boundaries at the discretion of the RPCA Director.

2. Food trucks will be allowed at permitted Special Events.

3. Food trucks will be permitted at Farmers' Markets with the permission of the Market Manager of each such Market.

4. Food trucks will be allowed at schools at the discretion of the Superintendent.

5. Food trucks will be allowed on private property, with the consent of the property owner. This includes private parking lots, churches, and private schools. Food trucks will also be allowed in residential areas provided that they are also licensed as a caterer. No vending shall be made to the public in such instances.

6. In all instances, food trucks will be required to make such provisions for disposal of truck waste, customer trash, and recycling as required and regulated through the permitting process. Amplified sound is not permitted. No balloons or windblown signs are permitted. Food trucks shall comply with existing City ordinances regarding signage.

7. All food trucks are to comply with existing parking times and fees, and are to be no larger than what would fit in a legal parking space (8 x 20').

8. All generators must be enclosed so as to reduce noise and fumes, as regulated through the permitting process.

9. Food trucks will not be permitted in residential parking permit zones, unless they are at a private catering event and are duly licensed as a caterer. They should not sell food to the general public on such occasions.

As noted above, there was a consensus by the advisory group as to the recommendations 1 through 9. There was no consensus on the following; however, based on voting by the Advisory Group members, the following actions were approved.

- Food trucks were approved in Carlyle on a vote of 5 to 4. By a vote of 6 to 3 they were allowed on Eisenhower Avenue only. By a 5 to 2 vote, the group voted to not permit food trucks on Delaney or John Carlyle Streets.

- Food trucks were approved in Del Ray on a 6 to 3 vote. The Group voted 2 yes, 5 no, with 2 abstentions to not allow food trucks in front of the DCHS building, but supported food trucks in the Alexandria City parking lot (7 to 2) and unanimously at the Four Mile Run Park parking lot.

- Food trucks in Old Town were approved on a 7 to 2 vote. There were 6 votes in favor of and 2 votes opposed to having designated parking spaces for food trucks at King Street Gardens near the Metro, on the south side of the 1700 block of King Street. The Group voted 5 to 4 to permit food trucks by City Hall on the east side of the 100 block of N. Royal Street. The Group voted 5 no, 2 yes, with 2 abstentions, against food trucks being allowed in front of the Alexandria Courthouse.

- The Group voted 6 to 1, with 3 abstentions, to recommend adding Washington Street as a fourth traffic corridor. However, when the group began to examine the issue of the location of any specific areas to be designated for food trucks, the general consensus was that there was insufficient information available to the group at the meeting concerning parking regulations (times, no parking limits, rush hour parking limits, etc.) to make any informed recommendations on the location of food truck designated parking.

Concerning parking space designations within the traffic corridors, while no vote was taken, there appeared to be a consensus for designating three spaces for food trucks in the following manner: the signage for the designated spaces would state that they are reserved for food trucks only from 11:00 a.m. to 12:00 noon. Any food trucks at such locations could then vend from 11:00 am to 2:00 p.m., by paying the required parking meter charges. If the designated spaces are not occupied by food trucks by 12:00 noon, such spaces are then available for general public use. Those who remain opposed to food truck vending in the Old and Historic District acknowledge that if allowed, there should be designated spaces with specific times.

There also appeared to be a consensus in the Advisory Group to accept the staff proposal to include two blocks north and south of King Street as part of the King Street traffic corridor. Consideration was given to include more than two blocks north and south of King Street along Washington Street; however, the proposed designation of Washington Street as a traffic corridor renders this issue moot.

There was a suggestion that the Work Group consider changing the King Street traffic corridor's cluster parking location for food trucks from the 100 block of North Royal to the 400 block of King Street (next to the PNC Bank). This suggestion arose from comments by some members of the public that from a historic preservation perspective, some are of the opinion that food trucks should not be on the same block as historic properties. Moving the trucks around the corner would resolve that issue, and make them more visible along the King Street corridor. Based on verbal feedback from Advisory Group members, there was no consensus for such action.

Proponents of food trucks remain of the opinion that roaming should be allowed. They believe that roaming will allow food truck operators to identify new markets and/or underserved areas in the City that would benefit from food trucks. Other members of the Advisory Group believe that open-ended roaming could result in food trucks vending within a residential area.

Given the time constraints the Advisory Group is working under, Yvonne, as the Convener, is recommending that the following be added to the report.

- If the City Manager determines that modifications should be made to the existing traffic corridors and/or determines that additional traffic corridors are warranted, we recommend that the City Manager seek public comment before a final decision is made.

- That the designated parking spaces with the three-hour time limit for the Washington Street traffic corridor be located along North Washington Street as determined by the Director of Transportation and Environmental Services.

- Food trucks should not be allowed to vend within 20 feet of an outdoor dining area.

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Title 9 (Licensing and Regulations) of the Code of the City of Alexandria, Virginia, to add Chapter 15 (Food Truck Vendors) as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9 of the Code of the City of Alexandria, Virginia, as amended, be, and the same hereby is, amended by adding Chapter 15 titled Food Truck Vendors with the following new language:

Sec. 9-15-1 Title

This chapter shall be known and may be cited as the City of Alexandria Food Truck Ordinance.

Sec. 9-15-2 Purpose

The purpose of this chapter is to permit Food Truck Vendors on Public and Private Property within the City with regulations that balance the integration of the Food Truck Vendors with the impacts on the health, safety and general welfare of the City.

Sec. 9-15-3 Administration and Enforcement

The City Manager shall administer and enforce this chapter.

Sec. 9-15-4 Scope

This chapter shall apply to Food Trucks as the same is defined herein. This chapter shall not apply to vendors selling non-Food products or sales of Food from Pushcarts or trailers.

Sec. 9-15-5 Definitions

(1) *Block*. A city block as defined by Section 5-8-71 of this Code.

(2) *City Manager*. The City Manager for the City of Alexandria, or his designee.

(3) *Farmer's Market*. A building, structure, or place authorized by the City for use by vendors to sell, offer for sale or solicit orders for any products or crafts sold, grown, raised or produced by them. This shall include outdoor food and crafts markets as set forth in the Zoning Ordinance.

(4) *Food*. Any raw, cooked, or processed edible substance, beverage, ingredient, ice or water used or intended for use or for sale in whole or in part for human consumption.

(5) *Food Truck*. A Food Truck is a mobile food establishment as defined in Section 11-2-4 of this Code, but limited to Food establishments located in a motor vehicle licensed to operate by a department of motor vehicles.

(6) *Food Truck Vendor*. Any person who sells, offers for sale, or serves Food from a Food Truck.

(7) *Private Property*. Real property owned by an individual or individuals who have exclusive rights over it and it is not owned by a public entity or open to the public generally.

(8) *Private Residence*. A dwelling place owned or inhabited by an individual or individuals, other than a Multifamily Dwelling as defined by the Alexandria Zoning Ordinance Section 2-137, as the same may be amended.

(9) *Public Property*. Property within the City of Alexandria that is owned by either the City of Alexandria or the Alexandria City Public Schools.

(10) *Pushcarts*. Any wheeled vehicle or device other than a motor vehicle or trailer that may be moved with or without the assistance of a motor and that does not require registration by the department of motor vehicles, used for the displaying, storing, providing or transporting of Food, articles, or services, offered for sale or served by a vendor.

Sec. 9-15-6 Authorization

Notwithstanding any provision of the City Code or Zoning Ordinance to the contrary, Food Trucks shall be permitted within the City limits subject to the rules and regulations contained in this chapter.

Sec. 9-15-7 Permits and Licenses Required

The following permits and licenses shall be required for all Food Trucks:

A. Food Truck Permit as required pursuant to this Title 9, Chapter 15 of this Code.

B. Business License as required pursuant to Title 9, Chapter 1 of this Code.

C. Health Permit as required by Title 11, Chapter 2 of this Code.

D. Fire Prevention Permit, if required, pursuant to Title 4, Chapter 2, Article B of this Code.

Sec. 9-15-8 Food Truck Vendor Permit required; fee for same.

A. All Food Truck Vendors shall obtain an annual Food Truck Vendor Permit from the City Manager, with the exception of those Food Truck Vendors who vend only at a Special Event pursuant to Section 9-15-14 below.

B. Prior to issuing the permit, the City Manager shall determine that:

   i. the Food Truck Vendor and Food Truck are in compliance with this chapter and with the administrative regulations promulgated by the City Manager pursuant to Section 9-15-10 herein;

   ii. the Food Truck Vendor has paid all applicable fees; and

   iii. the Food Truck Vendor has received all applicable permits as required herein.

C. After reviewing the application and finding that the health, safety and general welfare of the public so demands, the City Manager may refuse to issue a permit for reasons including, but not limited to, the following:

   i. The applicant for the permit has received three (3) or more notices of violation of this chapter pursuant to Section 9-15-17 below, including any violations of other sections of this Code that are issued for violations relating to the operation of a Food Truck, in the twelve (12) months prior to the date of the application;

   ii. The applicant's permit has been suspended or revoked within the twelve (12) months prior to the date of the application;

   iii. Fraud, misrepresentations, or intentional false statements of material or relevant facts are contained in the application; or

   iv. The applicant lacks the necessary permits or licenses to conduct the business proposed to be conducted.

D. The City Manager shall establish an annual Food Truck Vendor Permit fee which shall be updated annually.

Sec. 9-15-9 Display of Licenses and Permits

All Food Trucks shall display all required licenses, tags, and permits.

Sec. 9-15-10 Administrative Regulations

The City Manager is authorized to make such reasonable rules and regulations as may be necessary to administer the provisions of this chapter and to establish Restricted Street Vending Zones pursuant to Section 9-15-15 herein.

Sec. 9-15-11 Compliance with other Codes and Regulations

All Food Trucks and Food Truck Vendors shall comply with all applicable provisions of this Code, the Code of the State of Virginia and the Federal Code.

Sec. 9-15-12 Operational Requirements for All Food Trucks

The following rules shall apply to all Food Trucks:

A. *Hours*.

i. Vending may take place between the hours of 7 a.m. and 8 p.m.

ii. A Food Truck may not vend for longer than four (4) hours of continuous vending, or in accordance with existing posted public signs, if more restrictive, on the same Block.

B. Parking Locational Requirements.

i. Food Truck Vendors shall not have any exclusive right to any location on Public Property;

ii. Food Trucks parked in a marked parking space must fit within the width and the length of the marked parking space;

iii. Occupation of any parking space shall not interfere with the lighting, trees, overhead wires, and/or utilities;

iv. The Food Truck Vendor shall not block any other vehicle's or pedestrian's ingress or egress, cause traffic congestion, or be parked in any drive aisles or fire lanes;

v. Food Trucks shall not be located in front of or within twenty (20) feet from a commercial outdoor dining area measured along the curb line;

vi. No more than three (3) Food Trucks may vend per Block on a public street;

vii. At least five (5) feet of the adjacent sidewalk must be unobstructed for pedestrian traffic; and

viii. Food Trucks shall comply with all applicable parking regulations including, but not limited to, payment of any parking fees and displaying the required receipt.

C. Vending Locational Requirements.

i. Vending shall only take place from the inside of the Food Truck;

ii. Vending shall not take place to any person while such person is standing in the street unless said street has been closed to the public pursuant to a Special Event or street closure permit issued by the City;

iii. Vending shall not take place to any driver or passenger in a motor vehicle while the motor vehicle is stopped at a red light or while in a moving traffic lane; and

iv. Food Truck shall not be left unattended while vending.

D. *Signs*. No sign shall be displayed except for a sign displaying a menu or signs that are imprinted on the exterior body of a licensed Food Truck. All signs shall also comply with the applicable provisions of Article IX of the Zoning Ordinance. The applicable regulations shall include, but not be limited to, that the Food Truck shall not:

i. advertise other businesses on the Food Truck;

ii. use A-frame signs or remote signs;

iii. attach balloons or windblown signs to the Food Truck; or

iv. use animated or electronic signs.

E. Noise.

i. No music or other amplified announcements that are audible outside of the Food Truck shall be allowed; and

ii. Food Truck Vendors shall comply with the Noise Code as set forth in Section 11-5-1 et. seq. of this Code including utilizing generators that meet the requirements of the Noise Code.

F. *Storage*. No merchandise, Food, equipment, or other item related to the operation of a Food Truck, other than a trash receptacle required by Section H below, shall be stored or kept adjacent to the Food Truck on any public right-of-way including, but not limited to, sidewalks and streets.

G. *Liquid Waste.* No liquid wastes used in the operation of the Food Truck or Food vending shall be allowed to be discharged from the Food Truck except into an approved sewerage system as permitted by law.

H. *Trash.* Portable receptacles for the disposal of waste materials or other litter shall be provided by the Food Truck Vendor for the use of customers and all Food Truck Vendors shall direct customers to place all waste and litter in the receptacles. All waste shall be removed and disposed of by the Food Truck Vendor. Public trash receptacles shall not be used for compliance with this section.

I. *Deliveries.* Food Trucks shall not receive deliveries from another vehicle while parked on a public right of way.

Sec. 9-15-13 Vending Locations

Vending may take place at the following locations:

A. On Private Property, if the Food Truck Vendor is legally parked on the property and has received written permission from the property owner and displays such written permission upon request;

B. At any Farmer's Market held on Public or Private Property, if the Food Truck Vendor is legally parked at the Farmer's Market and has received written permission from the Farmer's Market manager and displays such written permission upon request;

C. On Public Property, including, but not limited to, parks, parking lots, and community buildings, where such Public Property has sufficient space for the parking of vehicles and with the permission of the City Manager;

D. On Public Property owned by the Alexandria City Public Schools or the City of Alexandria School Board, where such public property has sufficient space for the parking of vehicles and with the permission of the Superintendent of the Schools or his designee;

E. On any public street that has not been signed as a Residential Permit Parking District pursuant to Title 5, Chapter 8, Article F of this Code or is not within a designated Restricted Street Vending Zone pursuant to section 9-15-15 below;

F. In defined locations within a designated Restricted Street Vending Zone pursuant to section 9-15-15 below;

G. Within the boundaries of any area designated for a Special Event pursuant to section 9-15-14 below; and

H. At a Private Residence at the direction of a resident for a private event that is not vending to the public and for which the Food Truck has the applicable licensing and follows the applicable regulations for a caterer.

Sec. 9-15-14 Special Events

The City Manager may permit Food Truck Vendors to vend at a Special Event approved through the City of Alexandria Special Events Policy and Procedures, approved by the City Council on January 23, 2010, as the same may be amended, provided that Food Truck Vendors:

A. who vend only at the Special Event and do not vend at other times on public right of way, Public Property or Private Property within the City, shall:

   i. not be required to pay the Food Truck Vendor Permit fee required by Section 9-15-8 herein but shall be required to pay any fees associated with any applicable temporary permits; and

   ii. obtain a temporary Food Truck Vendor Permit and any other temporary permits required by the Special Events Permit, including but not limited to a Permit to Operate a Temporary Food Establishment from the Health Department;

B. shall vend only within the area designated for the Special Event;

C. shall not vend within two (2) blocks of a Special Event during a Special Event, notwithstanding certain Food Truck Vendors' ability to vend in certain locations in the City; and

D. shall comply with all regulations set forth in this chapter unless such regulation is amended by the Special Event Permit or Permit to Operate a Temporary Food Establishment.

Sec. 9-15-15 Designation of Restricted Street Vending Zones:

A. Whenever it appears, after a survey of demand for Food Trucks, land use activity, parking resources and other relevant factors, that there is a need for regulation of the location of Food Trucks, the City Manager may designate Restricted Street Vending Zones within the City. When establishing such Restricted Street Vending Zones, the City Manager shall consider the following:

   i. Capacity of parking spaces;

   ii. Traffic congestion;

   iii. Pedestrian activity; and

iv. Any other criteria that affect the health, safety, and general welfare of the citizens.

B. The hours of operation and designated locations for Food Truck Vendors within each Restricted Street Vending Zone shall be set by the City Manager after considering the factors listed in Section 9-15-15(A) above.

C. Restricted Street Vending Zones designated by the City Manager shall be subject to review and renewal on such a basis as determined by the City Manager, unless removal or alteration is required sooner by a change in conditions in the area or based on such criteria that may affect the health, safety, and general welfare of the citizens.

D. All Food Trucks within a Restricted Street Vending Zone shall comply with all regulations set forth in this chapter unless such regulation is amended by the Restricted Street Vending Zone.

Sec. 9-15-16 Suspension or Revocation of Food Truck Vendor Permit.

A. The City Manager may, after providing the opportunity for a hearing as provided herein, suspend or revoke a Food Truck Vendor permit issued under the provisions of this article if the City Manager finds that such person has violated any provision of this article on three (3) or more occasions within a twelve (12) month period.

B. Prior to ordering the suspension or revocation of a Food Truck Vendor permit, the City Manager shall notify, in writing, the applicant or the permit holder, stating the reasons for the suspension or revocation. This notice shall be mailed, postage prepaid, to the applicant or to the permit holder at the business address appearing on the permit application, or if there is none, to the residential address appearing thereon. The notice shall state that the permit will be suspended or revoked unless a written request for hearing is filed with the City Manager, by the applicant or the permit holder within ten (10) business days of the date the notice is mailed. If no request for a hearing is filed within this ten (10) business day period, the application or the permit shall be suspended or revoked by order of the City Manager, and the suspension or revocation shall be final.

C. If the applicant or the permit holder files a request for a hearing in accordance with this provision, the City Manager, shall give written notice of the hearing to the applicant or the permit holder at a time and place designated by the City Manager. At the hearing the applicant or the permit holder may be represented by counsel, may cross-examine witnesses, and may present evidence in his or her favor.

D. The City Manager shall issue his determination in writing, to grant or deny the appeal within ten (10) business days of the conclusion of the hearing.

Sec. 9-15-17 Enforcement and Penalties

A. If the City Manager determines that a violation of this chapter has occurred, he may cause a notice of violation to be served on any or all persons committing or permitting such violation.

B. Any person who commits, permits, assists in, or attempts, whether by act or omission, a violation of any provision of this chapter shall be liable for a class four civil violation and the violation will be enforced pursuant to Section 1-1-11 of the City Code. The penalty for each individual violation shall be $100 for the first violation, $250 for the second violation of the same regulation or requirement arising from the same set of operative facts, and $500 for each additional violation of the same regulation or requirement arising from the same set of operative facts.

C. Enforcement of penalties of this chapter of the City Code shall not preclude enforcement of violations of other sections of the City Code or Zoning Ordinance that may be applicable.

Section 2. That Title 9 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective upon the date and at the time of its final passage. Food Trucks that have valid Health Department and Business License permits to vend at construction sites and Special Events shall not be subject to this ordinance until January 1, 2015 but are limited to vending at construction sites and Special Events, unless it obtains a new permit for full vending pursuant to this chapter.

WILLIAM D. EUILLE
Mayor

Introduction: May 13, 2014
First Reading: May 13, 2014
Publication:
Public Hearing: May 17, 2014
Second Reading: May 17, 2014
Final Passage: May 17, 2014

ORDINANCE NO. 4875

AN ORDINANCE to amend and reordain Title 9 (Licensing and Regulations) of the Code of the City of Alexandria, Virginia, to add Chapter 15 (Food Truck Vendors) as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9 of the Code of the City of Alexandria, Virginia, as amended, be, and the same hereby is, amended by adding Chapter 15 titled Food Truck Vendors with the following new language:

Sec. 9-15-1 Title

This chapter shall be known and may be cited as the City of Alexandria Food Truck Ordinance.

Sec. 9-15-2 Purpose

The purpose of this chapter is to permit Food Truck Vendors on Public and Private Property within the City with regulations that balance the integration of the Food Truck Vendors with the impacts on the health, safety and general welfare of the City.

Sec. 9-15-3 Administration and Enforcement

The City Manager shall administer and enforce this chapter.

Sec. 9-15-4 Scope

This chapter shall apply to Food Trucks, as the same is defined herein, vending on off street property only. Nothing in this Chapter shall be interpreted to allow Food Truck Vendors to vend on Public Rights-of-Way within the City. Additionally, this chapter shall not apply to vendors selling non-Food products or sales of Food from Pushcarts or trailers.

Sec. 9-15-5 Definitions

(1) *City Manager.* The City Manager for the City of Alexandria, or his designee.

(2) *Farmer's Market.* A building, structure, or place authorized by the City for use by vendors to sell, offer for sale or solicit orders for any products or crafts sold, grown, raised or produced by them. This shall include outdoor food and crafts markets as set forth in the Zoning Ordinance.

(3) *Food.* Any raw, cooked, or processed edible substance, beverage, ingredient, ice or water used or intended for use or for sale in whole or in part for human consumption.

(4) *Food Truck.* A Food Truck is a mobile food establishment as defined in Section 11-2-4 of this Code, but limited to Food establishments located in a motor vehicle licensed to operate by a department of motor vehicles.

(5) *Food Truck Vendor.* Any person who sells, offers for sale, or serves Food from a Food Truck.

(6) *Private Property.* Real property owned by an individual or individuals who have exclusive rights over it and it is not owned by a public entity or open to the public generally.

(7) *Private Residence.* A dwelling place owned or inhabited by an individual or individuals, other than a Multifamily Dwelling as defined by the Alexandria Zoning Ordinance Section 2-137, as the same may be amended.

(8) *Public Property.* Property within the City of Alexandria, with the exception of Public Rights-of-Way, that is owned by either the City of Alexandria or the Alexandria City Public Schools.

(9) *Public Rights-of-Way.* The surface and area across, in, over, along, and upon the surface of the public streets, roads, bridges, sidewalks, lanes, courts, ways, alleys which are owned, under the jurisdiction or control of the City.

(10) *Pushcarts.* Any wheeled vehicle or device other than a motor vehicle or trailer that may be moved with or without the assistance of a motor and that does not require registration by the department of motor vehicles, used for the displaying, storing, providing or transporting of Food, articles, or services, offered for sale or served by a vendor.

Sec. 9-15-6 Authorization

Notwithstanding any provision of the City Code or Zoning Ordinance to the contrary, Food Trucks shall be permitted within the City limits subject to the rules and regulations contained in this chapter. Food Truck Vendors are prohibited from vending on Public Rights-of-Way within the City.

Sec. 9-15-7 Permits and Licenses Required

The following permits and licenses shall be required for all Food Trucks:

A. Food Truck Permit as required pursuant to this Title 9, Chapter 15 of this Code.

B. Business License as required pursuant to Title 9, Chapter 1 of this Code.

C. Health Permit as required by Title 11, Chapter 2 of this Code.

D. Fire Prevention Permit, if required, pursuant to Title 4, Chapter 2, Article B of this Code.

Sec. 9-15-8 Food Truck Vendor Permit required; fee for same.

A. All Food Truck Vendors shall obtain an annual Food Truck Vendor Permit from the City Manager, with the exception of those Food Truck Vendors who vend only at a Special Event pursuant to Section 9-15-14 below.

B. Prior to issuing the permit, the City Manager shall determine that:

   i. the Food Truck Vendor and Food Truck are in compliance with this chapter and with the administrative regulations promulgated by the City Manager pursuant to Section 9-15-10 herein;

   ii. the Food Truck Vendor has paid all applicable fees; and

   iii. the Food Truck Vendor has received all applicable permits as required herein.

C. After reviewing the application and finding that the health, safety and general welfare of the public so demands, the City Manager may refuse to issue a permit for reasons including, but not limited to, the following:

   i. The applicant for the permit has received three (3) or more notices of violation of this chapter pursuant to Section 9-15-17 below, including any violations of other sections of this Code that are issued for violations relating to the operation of a Food Truck, in the twelve (12) months prior to the date of the application;

   ii. The applicant's permit has been suspended or revoked within the twelve (12) months prior to the date of the application;

   iii. Fraud, misrepresentations, or intentional false statements of material or relevant facts are contained in the application; or

   iv. The applicant lacks the necessary permits or licenses to conduct the business proposed to be conducted.

D. The City Manager shall establish an annual Food Truck Vendor Permit fee which shall be updated annually.

Sec. 9-15-9 Display of Licenses and Permits

All Food Trucks shall display all required licenses, tags, and permits.

Sec. 9-15-10 Administrative Regulations

The City Manager is authorized to make such reasonable rules and regulations as may be necessary to administer the provisions of this chapter.

Sec. 9-15-11 Compliance with other Codes and Regulations

All Food Trucks and Food Truck Vendors shall comply with all applicable provisions of this Code, the Code of the State of Virginia and the Federal Code.

Sec. 9-15-12 Operational Requirements for All Food Trucks

The following rules shall apply to all Food Trucks:

A. *Hours.*

i. Vending may take place between the hours of 7 a.m. and 8 p.m.

ii. A Food Truck may not vend for longer than four (4) hours of continuous vending.

B. Parking Locational Requirements.

i. Food Truck Vendors shall not have any exclusive right to any location on Public Property;

ii. Food Trucks parked in a marked parking space must fit within the width and the length of the marked parking space;

iii. Occupation of any parking space shall not interfere with the lighting, trees, overhead wires, and/or utilities;

iv. The Food Truck Vendor shall not block any other vehicle's or pedestrian's ingress or egress, cause traffic congestion, or be parked in any drive aisles or fire lanes;

C. Vending Locational Requirements.

i. Vending shall only take place from the inside of the Food Truck;

ii. Vending shall not take place to any person while such person is standing in the street unless said street has been closed to the public pursuant to a Special Event or street closure permit issued by the City;

iii. Vending shall not take place to any driver or passenger in a motor vehicle while the motor vehicle is stopped at a red light or while in a moving traffic lane; and

iv. Food Truck shall not be left unattended while vending.

D. *Signs.* No sign shall be displayed except for a sign displaying a menu or signs that are imprinted on the exterior body of a licensed Food Truck. All signs shall also comply with the applicable provisions of Article IX of the Zoning Ordinance. The applicable regulations shall include, but not be limited to, that the Food Truck shall not:

i. advertise other businesses on the Food Truck;

ii. use A-frame signs or remote signs;

iii. attach balloons or windblown signs to the Food Truck; or

iv. use animated or electronic signs.

E. Noise.

i. No music or other amplified announcements that are audible outside of the Food Truck shall be allowed; and

ii. Food Truck Vendors shall comply with the Noise Code as set forth in Section 11-5-1 et. seq. of this Code including utilizing generators that meet the requirements of the Noise Code.

F. *Storage.* No merchandise, Food, equipment, or other item related to the operation of a Food Truck, other than a trash receptacle required by Section H below, shall be stored or kept adjacent to the Food Truck.

G. *Liquid Waste.* No liquid wastes used in the operation of the Food Truck or Food vending shall be allowed to be discharged from the Food Truck except into an approved sewerage system as permitted by law.

H. *Trash.* Portable receptacles for the disposal of waste materials or other litter shall be provided by the Food Truck Vendor for the use of customers and all Food Truck Vendors shall direct customers to place all waste and litter in the receptacles. All waste shall be removed and disposed of by the Food Truck Vendor. Public trash receptacles shall not be used for compliance with this section.

Sec. 9-15-13 Vending Locations

Vending may take place at the following locations:

A. On Private Property, if the Food Truck Vendor is legally parked on the property and has received written permission from the property owner and displays such written permission upon request;

B. At any Farmer's Market held on Public or Private Property, if the Food Truck Vendor is legally parked at the Farmer's Market and has received written permission from the Farmer's Market manager and displays such written permission upon request;

C. On Public Property, including, but not limited to, parks subject to policy recommendations of the Parks and Recreation Commission, parking lots, and community buildings, where such Public Property has sufficient space for the parking of vehicles and with the permission of the City Manager;

D. On Public Property owned by the Alexandria City Public Schools or the City of Alexandria School Board, where such public property has sufficient space for the parking of vehicles and with the permission of the Superintendent of the Schools or his designee;

E. Within the boundaries of any area designated for a Special Event pursuant to section 9-15-14 below; and

F. At a Private Residence at the direction of a resident for a private event that is not vending to the public and for which the Food Truck has the applicable licensing and follows the applicable regulations for a caterer.

Sec. 9-15-14 Special Events

The City Manager may permit Food Truck Vendors to vend at a Special Event approved through the City of Alexandria Special Events Policy and Procedures, approved by the City Council on January 23, 2010, as the same may be amended, provided that Food Truck Vendors:

A. who vend only at the Special Event and do not vend at other times on public right of way, Public Property or Private Property within the City, shall:

    i. not be required to pay the Food Truck Vendor Permit fee required by Section 9-15-8 herein but shall be required to pay any fees associated with any applicable temporary permits; and

ii. obtain a temporary Food Truck Vendor Permit and any other temporary permits required by the Special Events Permit, including but not limited to a Permit to Operate a Temporary Food Establishment from the Health Department;

B. shall vend only within the area designated for the Special Event;

C. shall not vend within two (2) blocks of a Special Event during a Special Event, notwithstanding certain Food Truck Vendors' ability to vend in certain locations in the City; and

D. shall comply with all regulations set forth in this chapter unless such regulation is amended by the Special Event Permit or Permit to Operate a Temporary Food Establishment.

Sec.9-15-15. Reserved

Sec. 9-15-16 Suspension or Revocation of Food Truck Vendor Permit.

A. The City Manager may, after providing the opportunity for a hearing as provided herein, suspend or revoke a Food Truck Vendor permit issued under the provisions of this article if the City Manager finds that such person has violated any provision of this article on three (3) or more occasions within a twelve (12) month period.

B. Prior to ordering the suspension or revocation of a Food Truck Vendor permit, the City Manager shall notify, in writing, the applicant or the permit holder, stating the reasons for the suspension or revocation. This notice shall be mailed, postage prepaid, to the applicant or to the permit holder at the business address appearing on the permit application, or if there is none, to the residential address appearing thereon. The notice shall state that the permit will be suspended or revoked unless a written request for hearing is filed with the City Manager, by the applicant or the permit holder within ten (10) business days of the date the notice is mailed. If no request for a hearing is filed within this ten (10) business day period, the application or the permit shall be suspended or revoked by order of the City Manager, and the suspension or revocation shall be final.

C. If the applicant or the permit holder files a request for a hearing in accordance with this provision, the City Manager, shall give written notice of the hearing to the applicant or the permit holder at a time and place designated by the City Manager. At the hearing the applicant or the permit holder may be represented by counsel, may cross-examine witnesses, and may present evidence in his or her favor.

D. The City Manager shall issue his determination in writing, to grant or deny the appeal within ten (10) business days of the conclusion of the hearing.

Sec. 9-15-17 Enforcement and Penalties

A. If the City Manager determines that a violation of this chapter has occurred, he may cause a notice of violation to be served on any or all persons committing or permitting such violation.

B. Any person who commits, permits, assists in, or attempts, whether by act or omission, a violation of any provision of this chapter shall be liable for a class four civil violation and the violation will be enforced pursuant to Section 1-1-11 of the City Code. The penalty for each individual violation shall be $100 for the first violation, $250 for the second violation of the same regulation or requirement arising from the same set of operative facts, and $500 for each additional violation of the same regulation or requirement arising from the same set of operative facts.

C. Enforcement of penalties of this chapter of the City Code shall not preclude enforcement of violations of other sections of the City Code or Zoning Ordinance that may be applicable.

Sec. 9-15-18 Expiration

This Chapter shall expire and be null and void on October 31, 2015.

Section 2. That Title 9 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective July 1, 2014. Food Trucks that have valid Health Department and Business License permits to vend at construction sites and Special Events shall not be subject to this ordinance but are limited to vending at construction sites and Special Events, unless it obtains a new permit for vending pursuant to this chapter.

WILLIAM D. EUILLE
Mayor

Final Passage: May 17, 2014

City of Alexandria, Virginia

Food Truck Ordinance Proposal

May 17, 2014

8
5-17-14

Overview of Process

- Staff requested by Council to draft proposal to bring food trucks into the City at the Council Retreat in March 2013.

- Initial draft staff proposal distributed in May 2013.

Overview of Process (cont'd)

- City Manager appointed a 10-member Food Truck Policy Advisory Work Group in August 2013 made up of the following stakeholders:
  - Four Citizens
  - Two Food Truck Vendors
  - Two Restaurateurs
  - Farmers Market Manager
  - Representative from the Alexandria Economic Development Partnership (AEDP)
- The Food Truck Policy Advisory Work Group completed Draft Report on 4/14/14. The final report has not been completed.

Legal Considerations

- Constitutional Considerations
- State Law Considerations
- Regulations must be:
  - Fairly applied;
  - Based on a governmental interest to protect the health, safety and welfare of the public;
  - Cannot place an excessive burden on the food trucks as compared to the governmental interest being protected;
  - Law allows for establishment of restricted vending zones where additional regulation is justified.

Food Truck Ordinance General Provisions

- The ordinance permits food trucks to operate Citywide on-street and off-street, on public and private property, between the hours of 7:00 am to 8:00 pm. It also allows food trucks to operate at special events.

Food Truck Ordinance General Provisions

- Food truck vendors have to comply with all applicable codes, including the noise and sign codes. No amplified music or sound is allowed.

- Food truck vendors would have to provide receptacles for the disposal of waste materials or other litter.

- Food trucks would have to obtain all permits and comply with all code requirements and regulations, and pay the following fees:

  - Application fee of $100.00
  - Application renewal fee of $100.00
  - Annual Food Vending License fee of $40.00
  - Annual Health permit of $50.00, plus a $40.00 fee imposed by the State
  - Semi-annual propane tank inspection fee of $143.00 (if applicable)
  - Right-of-Way fee of $450.00 for on-street vending (if applicable)

Food Truck Ordinance Off-Street Program Provisions

- Food trucks would be allowed on public property, e.g. Parks, at the discretion of the City Manager; at Farmers Markets (off street only) at the Market Manager's discretion; on Schools property at the discretion of the Superintendent.

- Food trucks would be allowed at all permitted special events.

- Food trucks would be allowed on private property including churches, private schools, commercial/multi-family apartment parking lots, and catering in residential areas while parked in private driveways.

Parks and City-Owned Properties

Parks and Recreation Centers with Parking, Farmer's Markets, and School Locations



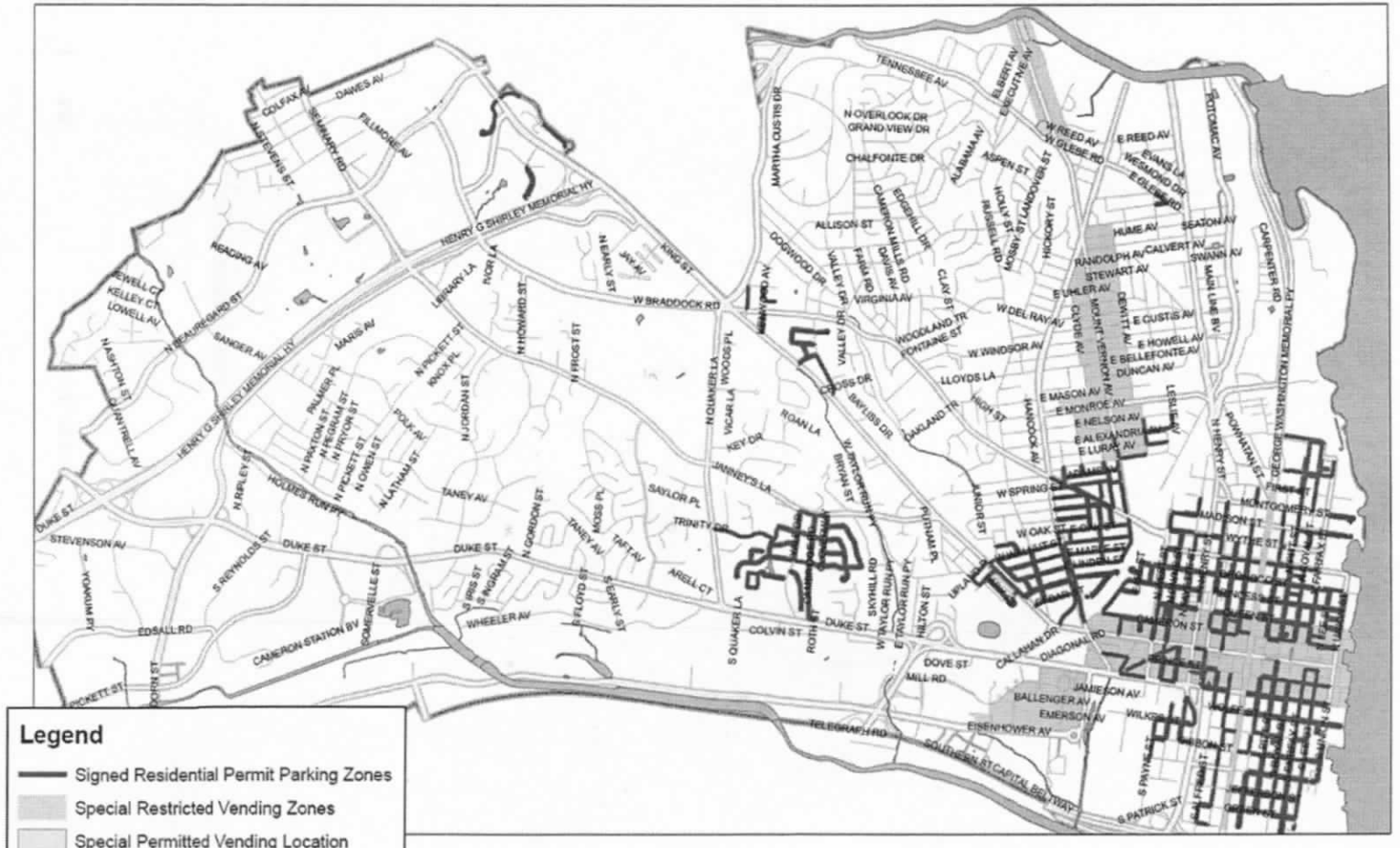
Food Truck Ordinance On-Street Restricted Zones

- Food trucks allowed on all public streets except on streets signed for residential permit parking and in restricted street vending zones.
- Ordinance authorizes the establishment of restricted street vending zones in areas that require additional regulation.
- The City Manager will have the authority to establish new zones and modify existing zones based on demand and the need to protect a governmental interest.
- Not allowed in residential permit parking districts unless catering a private event.
- Food trucks would be limited to no more than four (4) hours of continuous vending, or in accordance with existing posted public signs, if more restrictive, on the same block.

Food Truck Ordinance On-Street Restricted Zones (cont'd)

- Initially, four restricted street vending zones, each with three designated spaces, would be established. The City Manager would have the authority to modify existing zones and establish new zones based on demand and the need to protect a governmental interest.
  - King Street from the Metro Station to the Potomac River, and two blocks north and south (between Prince and Queen Streets) of King Street;
  - Mount Vernon Avenue from Glendale Avenue to Clifford and East Glebe Road to the Arlington County line;
  - Eisenhower/Carlyle which is bound by Holland Lane on the east, Duke Street on the north, Dulany Street to Jamieson Avenue to Andrews Lane to Grist Mill Road, to Mill Race Lane on the west, and the south side of the 2300 block of Eisenhower Avenue on the south.
  - Washington Street from First Street to Church Street.

Restricted Street Vending Zones
Residential Parking Permit Zones

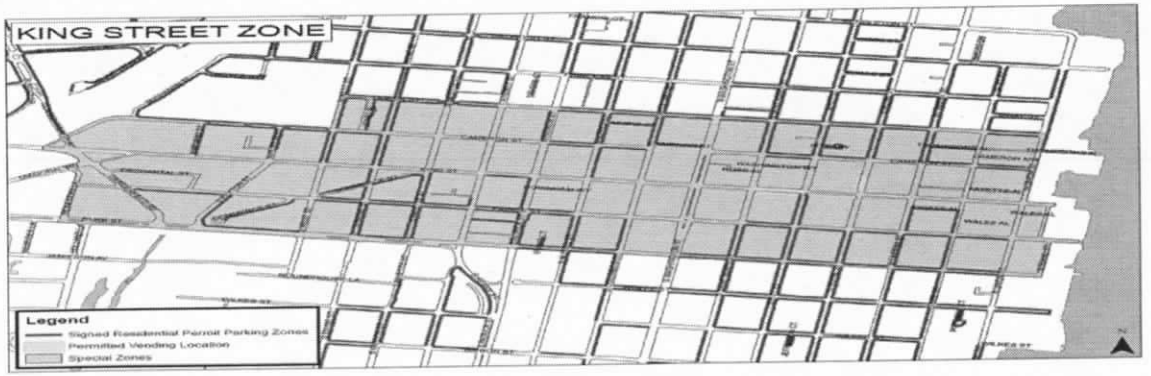


Food Truck Ordinance On-Street Restricted Zones (cont'd)

- Vending Zones would be established with designated parking spaces per location from 11:00 a.m. to 2:00 p.m. in the restricted areas.
- The signage would state that the spaces are reserved for food trucks only from 11:00 a.m. to 12:00 p.m.
- If no food trucks are parked in the designated spaces at 12:00 p.m., the parking spaces would be available to the general public.
- Morning and evening additional restricted zone hours to be determined with the final administrative rules and regulations prior to permits being granted.

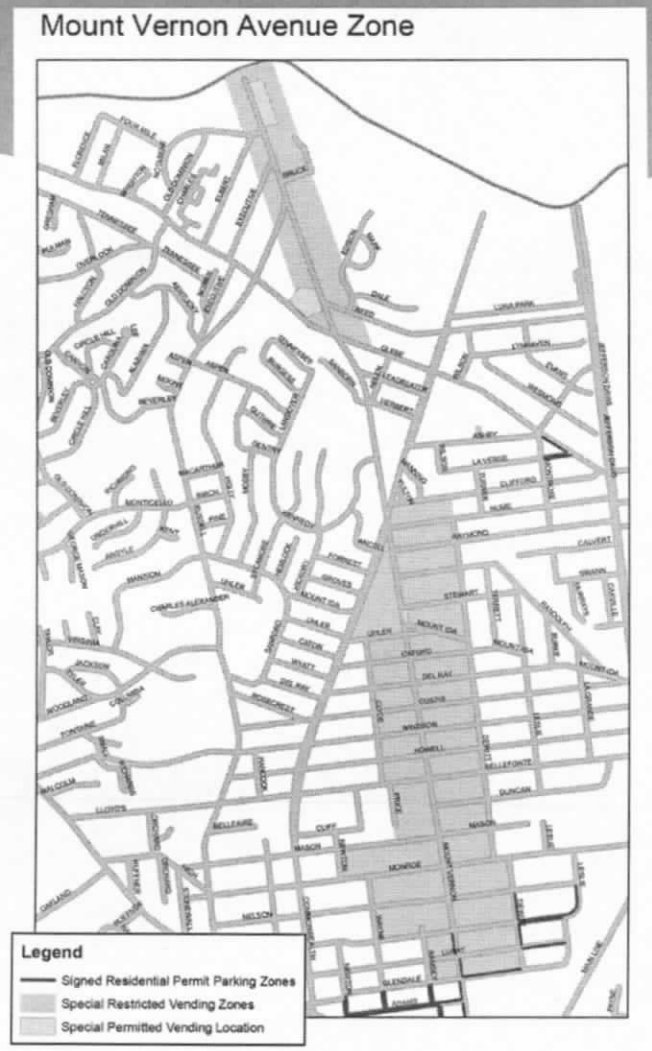
King Street Restricted Vending Zone

- The East side of the 100 block of North Royal Street (2/24/14 vote of Work Group was 5 for, 4 against).
- 1700 block of King Street in front of King Street Gardens (2/24/14 vote of Work Group was 6 for, 3 against).
- 500 block of King Street in front of the Courthouse (2/24/14 vote of work group was 2 for, 5 against, and 2 abstentions) – staff recommendation.



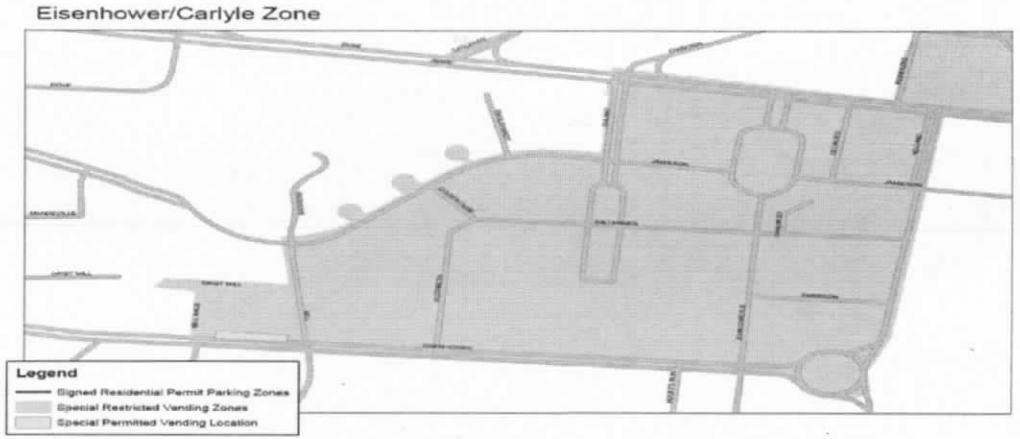
Mt. Vernon Avenue Restricted Vending Zone

- DCHS Building at 2525 Mount Vernon Avenue (2/24/14 vote of work group was 2 for, 5 against, and 2 abstentions) – staff recommendation only.



Eisenhower/Carlyle Restricted Vending Zone

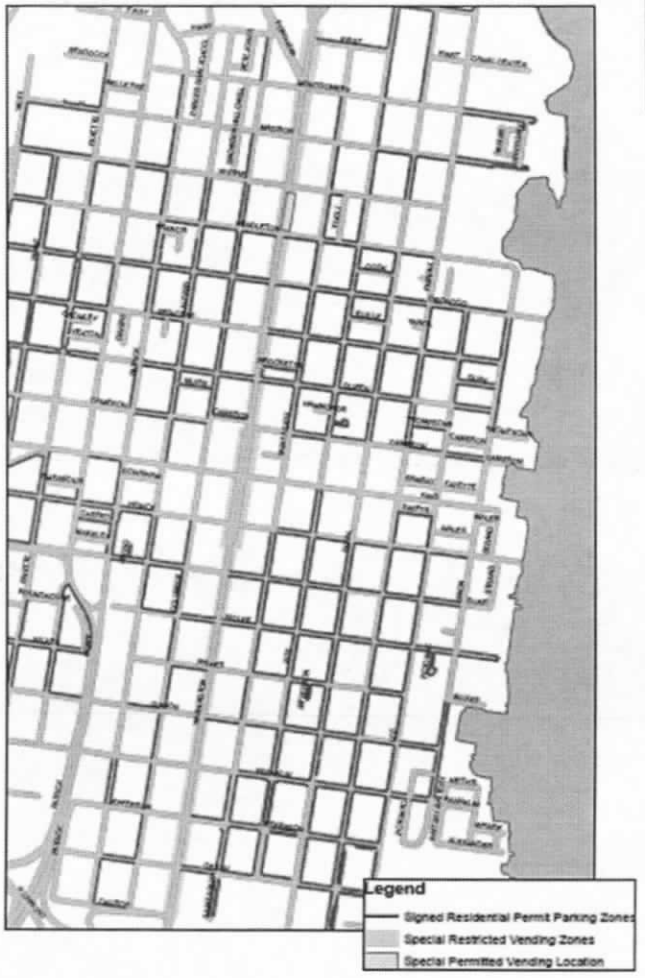
- North side of the 2300 block of Eisenhower Avenue (2/24/14 vote of Work Group was 6 for, 3 against to establish a zone at this location, but the Work Group did not define its parameters). Staff recommended that the restricted vending zone be defined as below:



Washington Street Restricted Vending Zone

- The 600 block of North Washington Street near Saul Center (3/24/14 vote of Work Group was 6 for, 1 against, and 3 abstentions to establish a zone on Washington Street) Staff recommended that the restricted vending zone be defined as shown.

Washington Street Zone



Food Truck Ordinance Proposed Revision

- During the May 13 legislative meeting, Council asked staff to prepare a potential revision to the ordinance that would limit food truck vending to off-street locations only on public and private property with the permission of the property owner.

Proposed Revision

The Proposed Revision:

- Establishes a pilot program that would expire on October 31, 2014.
- Removes all authorization and regulations for on-street vending, including the authority of City Manager to establish restricted street vending zones.
- Allows off street vending on public (e.g. parks, recreation centers, Farmers Markets and Schools property with the permission of the City Manager) and private property with the permission of the property owner.
- Requires compliance with all applicable permit and Code requirements as previously described.

Council Options

1. Approve the off street portion of the ordinance only (revised ordinance), to establish a pilot program that would expire on October 31, 2014 at which time Council can consider either amendments to the zoning ordinance to authorize food trucks to locate off street on a permanent basis, or a full comprehensive on-street and off-street program. **Staff recommends this option.**

Options (con't)

- 2. Approve the off street option and defer Council action on the on street portion until a legislative meeting in June.

- 3. Approve the ordinance without the revision but delay the effective date of the on street portion until the City Manager has received public comment and finalizes the Restricted Vending Zones.

Questions?

Parks and City-Owned Properties with Off-Street Parking

- Armistead L. Boothe Park
  520 Cameron Station Blvd.
- Ben Brenman Park
  4800 Brenman Park Dr.
- Buchanan Park/Old Town Pool
  1609 Cameron St.
- Chambliss Park
  2505 N. Chambliss St.
- Chinquapin Park
  3210 King St.
- Eugene Simpson Park
  426 E. Monroe Ave.
- Ewald Park
  4452 Duke St.
- Fort Ward Park
  4301 W. Braddock Rd.

Parks with Off-Street Parking

- Fort Ward Athletic Facility
  4421 W. Braddock Rd.
- Four Mile Run Park
  3700 Commonwealth Avenue
  and 4131 Mount Vernon Ave.
- George Mason Park
  2601 Cameron Mills Rd.
- Joseph Hensley
  4200 Eisenhower Ave.
- Miracle League Field/Lee Center
  1108 Jefferson St.
- Luckett Field/Schuyler Hamilton
  Jones Skateboard Park
  3540 Wheeler Ave.
- Stevenson Park
  300 Stultz Rd.
- Witter Recreational Fields
  2700 Witter Dr.

Recreation Centers with Off-Street Parking

- Charles Houston Recreation Center/Memorial Pool
  9011 Wythe St.
- Chinquapin Park Recreation Center & Aquatics Facility
  3210 King St.
- Cora Kelly Recreation Center
  43 W. Reed Ave.
- Nannie J. Lee Recreation Center
  1108 Jefferson St.

Farmers' Markets in City Property and Off-Street Parking

- Del Ray Farmers' Market
  E. Oxford & Mt. Vernon Aves.

- West End Farmers' Market
  Ben Brenman Park
  4800 Brenman Park Dr. (parking lot at dead-end of Sommerville Rd.)

- Four Mile Run Farmers' & Artisans Market
  4109 Mt. Vernon Ave.
  (not a parking lot – park area is structured to allow parking for events & market activities)

ORDINANCE NO. _____

AN ORDINANCE to amend and reordain Title 9 (Licensing and Regulations) of the Code of the City of Alexandria, Virginia, to add Chapter 15 (Food Truck Vendors) as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Title 9 of the Code of the City of Alexandria, Virginia, as amended, be, and the same hereby is, amended by adding Chapter 15 titled Food Truck Vendors with the following new language:

Sec. 9-15-1 Title

This chapter shall be known and may be cited as the City of Alexandria Food Truck Ordinance.

Sec. 9-15-2 Purpose

The purpose of this chapter is to permit Food Truck Vendors on Public and Private Property within the City with regulations that balance the integration of the Food Truck Vendors with the impacts on the health, safety and general welfare of the City.

Sec. 9-15-3 Administration and Enforcement

The City Manager shall administer and enforce this chapter.

Sec. 9-15-4 Scope

This chapter shall apply to Food Trucks, as the same is defined herein, **vending on off street property only. Nothing in this Chapter shall be interpreted to allow Food Truck Vendors to vend on Public Rights-of-Way within the City. Additionally, t**his chapter shall not apply to vendors selling non-Food products or sales of Food from Pushcarts or trailers.

Sec. 9-15-5 Definitions

~~**(1) *Block*. A city block as defined by Section 5-8-71 of this Code.**~~

(2) *City Manager*. The City Manager for the City of Alexandria, or his designee.

(3) *Farmer's Market*. A building, structure, or place authorized by the City for use by vendors to sell, offer for sale or solicit orders for any products or crafts sold, grown,

raised or produced by them. This shall include outdoor food and crafts markets as set forth in the Zoning Ordinance.

(4) *Food.* Any raw, cooked, or processed edible substance, beverage, ingredient, ice or water used or intended for use or for sale in whole or in part for human consumption.

(5) *Food Truck.* A Food Truck is a mobile food establishment as defined in Section 11-2-4 of this Code, but limited to Food establishments located in a motor vehicle licensed to operate by a department of motor vehicles.

(6) *Food Truck Vendor.* Any person who sells, offers for sale, or serves Food from a Food Truck.

(7) *Private Property.* Real property owned by an individual or individuals who have exclusive rights over it and it is not owned by a public entity or open to the public generally.

(8) *Private Residence.* A dwelling place owned or inhabited by an individual or individuals, other than a Multifamily Dwelling as defined by the Alexandria Zoning Ordinance Section 2-137, as the same may be amended.

(9) *Public Property.* Property within the City of Alexandria, **with the exception of Public Rights-of-Way,** that is owned by either the City of Alexandria or the Alexandria City Public Schools.

(10) **Public Rights-of-Way. The surface and area across, in, over, along, and upon the surface of the public streets, roads, bridges, sidewalks, lanes, courts, ways, alleys which are owned, under the jurisdiction or control of the City.**

(11) *Pushcarts.* Any wheeled vehicle or device other than a motor vehicle or trailer that may be moved with or without the assistance of a motor and that does not require registration by the department of motor vehicles, used for the displaying, storing, providing or transporting of Food, articles, or services, offered for sale or served by a vendor.

Sec. 9-15-6 Authorization

Notwithstanding any provision of the City Code or Zoning Ordinance to the contrary, Food Trucks shall be permitted within the City limits subject to the rules and regulations contained in this chapter. **Food Truck Vendors are prohibited from vending on Public Rights-of-Way within the City.**

Sec. 9-15-7 Permits and Licenses Required

The following permits and licenses shall be required for all Food Trucks:

A. Food Truck Permit as required pursuant to this Title 9, Chapter 15 of this Code.

B. Business License as required pursuant to Title 9, Chapter 1 of this Code.

C. Health Permit as required by Title 11, Chapter 2 of this Code.

D. Fire Prevention Permit, if required, pursuant to Title 4, Chapter 2, Article B of this Code.

Sec. 9-15-8 Food Truck Vendor Permit required; fee for same.

A. All Food Truck Vendors shall obtain an annual Food Truck Vendor Permit from the City Manager, with the exception of those Food Truck Vendors who vend only at a Special Event pursuant to Section 9-15-14 below.

B. Prior to issuing the permit, the City Manager shall determine that:

i. the Food Truck Vendor and Food Truck are in compliance with this chapter and with the administrative regulations promulgated by the City Manager pursuant to Section 9-15-10 herein;

ii. the Food Truck Vendor has paid all applicable fees; and

iii. the Food Truck Vendor has received all applicable permits as required herein.

C. After reviewing the application and finding that the health, safety and general welfare of the public so demands, the City Manager may refuse to issue a permit for reasons including, but not limited to, the following:

i. The applicant for the permit has received three (3) or more notices of violation of this chapter pursuant to Section 9-15-17 below, including any violations of other sections of this Code that are issued for violations relating to the operation of a Food Truck, in the twelve (12) months prior to the date of the application;

ii. The applicant's permit has been suspended or revoked within the twelve (12) months prior to the date of the application;

iii. Fraud, misrepresentations, or intentional false statements of material or relevant facts are contained in the application; or

iv. The applicant lacks the necessary permits or licenses to conduct the business proposed to be conducted.

D. The City Manager shall establish an annual Food Truck Vendor Permit fee which shall be updated annually.

Sec. 9-15-9 Display of Licenses and Permits

All Food Trucks shall display all required licenses, tags, and permits.

Sec. 9-15-10 Administrative Regulations

The City Manager is authorized to make such reasonable rules and regulations as may be necessary to administer the provisions of this chapter **~~and to establish Restricted Street Vending Zones pursuant to Section 9-15-15 herein~~**.

Sec. 9-15-11 Compliance with other Codes and Regulations

All Food Trucks and Food Truck Vendors shall comply with all applicable provisions of this Code, the Code of the State of Virginia and the Federal Code.

Sec. 9-15-12 Operational Requirements for All Food Trucks

The following rules shall apply to all Food Trucks:

A. *Hours*.

i. Vending may take place between the hours of 7 a.m. and 8 p.m.

ii. A Food Truck may not vend for longer than four (4) hours of continuous vending, **~~or in accordance with existing posted public signs, if more restrictive, on the same Block~~**.

B. Parking Locational Requirements.

i. Food Truck Vendors shall not have any exclusive right to any location on Public Property;

ii. Food Trucks parked in a marked parking space must fit within the width and the length of the marked parking space;

iii. Occupation of any parking space shall not interfere with the lighting, trees, overhead wires, and/or utilities;

iv. The Food Truck Vendor shall not block any other vehicle's or pedestrian's ingress or egress, cause traffic congestion, or be parked in any drive aisles or fire lanes;

~~v. Food Trucks shall not be located in front of or within twenty (20) feet from a commercial outdoor dining area measured along the curb line;~~

~~vi. No more than three (3) Food Trucks may vend per Block on a public street;~~

~~vii. At least five (5) feet of the adjacent sidewalk must be unobstructed for pedestrian traffic; and~~

viii. ~~Food Trucks shall comply with all applicable parking regulations including, but not limited to, payment of any parking fees and displaying the required receipt.~~

C. *Vending Locational Requirements.*

i. Vending shall only take place from the inside of the Food Truck;

ii. Vending shall not take place to any person while such person is standing in the street unless said street has been closed to the public pursuant to a Special Event or street closure permit issued by the City;

iii. Vending shall not take place to any driver or passenger in a motor vehicle while the motor vehicle is stopped at a red light or while in a moving traffic lane; and

iv. Food Truck shall not be left unattended while vending.

D. *Signs*. No sign shall be displayed except for a sign displaying a menu or signs that are imprinted on the exterior body of a licensed Food Truck. All signs shall also comply with the applicable provisions of Article IX of the Zoning Ordinance. The applicable regulations shall include, but not be limited to, that the Food Truck shall not:

i. advertise other businesses on the Food Truck;

ii. use A-frame signs or remote signs;

iii. attach balloons or windblown signs to the Food Truck; or

iv. use animated or electronic signs.

E. *Noise.*

i. No music or other amplified announcements that are audible outside of the Food Truck shall be allowed; and

ii. Food Truck Vendors shall comply with the Noise Code as set forth in Section 11-5-1 et. seq. of this Code including utilizing generators that meet the requirements of the Noise Code.

F. *Storage*. No merchandise, Food, equipment, or other item related to the operation of a Food Truck, other than a trash receptacle required by Section H below, shall be stored or kept adjacent to the Food Truck ~~**on any public right-of-way including, but not limited to, sidewalks and streets**~~.

G. *Liquid Waste.* No liquid wastes used in the operation of the Food Truck or Food vending shall be allowed to be discharged from the Food Truck except into an approved sewerage system as permitted by law.

H. *Trash*. Portable receptacles for the disposal of waste materials or other litter shall be provided by the Food Truck Vendor for the use of customers and all Food Truck Vendors shall direct customers to place all waste and litter in the receptacles. All waste shall be removed and disposed of by the Food Truck Vendor. Public trash receptacles shall not be used for compliance with this section.

~~**I. *Deliveries*. Food Trucks shall not receive deliveries from another vehicle while parked on a public right of way.**~~

Sec. 9-15-13 Vending Locations

Vending may take place at the following locations:

A. On Private Property, if the Food Truck Vendor is legally parked on the property and has received written permission from the property owner and displays such written permission upon request;

B. At any Farmer's Market held on Public or Private Property, if the Food Truck Vendor is legally parked at the Farmer's Market and has received written permission from the Farmer's Market manager and displays such written permission upon request;

C. On Public Property, including, but not limited to, parks, parking lots, and community buildings, where such Public Property has sufficient space for the parking of vehicles and with the permission of the City Manager;

D. On Public Property owned by the Alexandria City Public Schools or the City of Alexandria School Board, where such public property has sufficient space for the parking of vehicles and with the permission of the Superintendent of the Schools or his designee;

~~E. On any public street that has not been signed as a Residential Permit Parking District pursuant to Title 5, Chapter 8, Article F of this Code or is not within a designated Restricted Street Vending Zone pursuant to section 9-15-15 below;~~

~~F. In defined locations within a designated Restricted Street Vending Zone pursuant to section 9-15-15 below;~~

G. Within the boundaries of any area designated for a Special Event pursuant to section 9-15-14 below; and

H. At a Private Residence at the direction of a resident for a private event that is not vending to the public and for which the Food Truck has the applicable licensing and follows the applicable regulations for a caterer.

Sec. 9-15-14 Special Events

The City Manager may permit Food Truck Vendors to vend at a Special Event approved through the City of Alexandria Special Events Policy and Procedures, approved by the City Council on January 23, 2010, as the same may be amended, provided that Food Truck Vendors:

A. who vend only at the Special Event and do not vend at other times on public right of way, Public Property or Private Property within the City, shall:

   i. not be required to pay the Food Truck Vendor Permit fee required by Section 9-15-8 herein but shall be required to pay any fees associated with any applicable temporary permits; and

   ii. obtain a temporary Food Truck Vendor Permit and any other temporary permits required by the Special Events Permit, including but not limited to a Permit to Operate a Temporary Food Establishment from the Health Department;

B. shall vend only within the area designated for the Special Event;

C. shall not vend within two (2) blocks of a Special Event during a Special Event, notwithstanding certain Food Truck Vendors' ability to vend in certain locations in the City; and

D. shall comply with all regulations set forth in this chapter unless such regulation is amended by the Special Event Permit or Permit to Operate a Temporary Food Establishment.

~~**Sec. 9-15-15 Designation of Restricted Street Vending Zones:**~~

~~A. Whenever it appears, after a survey of demand for Food Trucks, land use activity, parking resources and other relevant factors, that there is a need for regulation of the location of Food Trucks, the City Manager may designate Restricted Street Vending Zones within the City. When establishing such Restricted Street Vending Zones, the City Manager shall consider the following:~~

~~i. Capacity of parking spaces;~~

~~ii. Traffic congestion;~~

~~iii. Pedestrian activity; and~~

~~iv. Any other criteria that affect the health, safety, and general welfare of the citizens.~~

~~B. The hours of operation and designated locations for Food Truck Vendors within each Restricted Street Vending Zone shall be set by the City Manager after considering the factors listed in Section 9-15-15(A) above.~~

~~C. Restricted Street Vending Zones designated by the City Manager shall be subject to review and renewal on such a basis as determined by the City Manager, unless removal or alteration is required sooner by a change in conditions in the area or based on such criteria that may affect the health, safety, and general welfare of the citizens.~~

~~D. All Food Trucks within a Restricted Street Vending Zone shall comply with all regulations set forth in this chapter unless such regulation is amended by the Restricted Street Vending Zone.~~

Sec. 9-15-16 Suspension or Revocation of Food Truck Vendor Permit.

A. The City Manager may, after providing the opportunity for a hearing as provided herein, suspend or revoke a Food Truck Vendor permit issued under the provisions of this article if the City Manager finds that such person has violated any provision of this article on three (3) or more occasions within a twelve (12) month period.

B. Prior to ordering the suspension or revocation of a Food Truck Vendor permit, the City Manager shall notify, in writing, the applicant or the permit holder, stating the reasons for the suspension or revocation. This notice shall be mailed, postage prepaid, to the applicant or to the permit holder at the business address appearing on the permit application, or if there is none, to the residential address appearing thereon. The notice shall state that the permit will be suspended or revoked unless a written request for hearing is filed with the City Manager, by the applicant or the permit holder within ten (10) business days of the date the notice

is mailed. If no request for a hearing is filed within this ten (10) business day period, the application or the permit shall be suspended or revoked by order of the City Manager, and the suspension or revocation shall be final.

C. If the applicant or the permit holder files a request for a hearing in accordance with this provision, the City Manager, shall give written notice of the hearing to the applicant or the permit holder at a time and place designated by the City Manager. At the hearing the applicant or the permit holder may be represented by counsel, may cross-examine witnesses, and may present evidence in his or her favor.

D. The City Manager shall issue his determination in writing, to grant or deny the appeal within ten (10) business days of the conclusion of the hearing.

Sec. 9-15-17 Enforcement and Penalties

A. If the City Manager determines that a violation of this chapter has occurred, he may cause a notice of violation to be served on any or all persons committing or permitting such violation.

B. Any person who commits, permits, assists in, or attempts, whether by act or omission, a violation of any provision of this chapter shall be liable for a class four civil violation and the violation will be enforced pursuant to Section 1-1-11 of the City Code. The penalty for each individual violation shall be $100 for the first violation, $250 for the second violation of the same regulation or requirement arising from the same set of operative facts, and $500 for each additional violation of the same regulation or requirement arising from the same set of operative facts.

C. Enforcement of penalties of this chapter of the City Code shall not preclude enforcement of violations of other sections of the City Code or Zoning Ordinance that may be applicable.

Sec. 9-15-18 Expiration

This Chapter shall expire and be null and void on October 31, 2014.

Section 2. That Title 9 as amended pursuant to Section 1 of this ordinance, be, and the same hereby is, reordained as part of the City of Alexandria City Code.

Section 3. That this ordinance shall become effective ~~**upon the date and at the time of its final passage**~~ **July 1, 2014**. Food Trucks that have valid Health Department and Business License permits to vend at construction sites and Special Events shall not be subject to this ordinance ~~**until January 1, 2015**~~ but are limited to vending at construction sites and Special Events, unless it obtains a new permit for ~~**full**~~ vending pursuant to this chapter.

WILLIAM D. EUILLE
Mayor

Introduction: May 13, 2014
First Reading: May 13, 2014
Publication:
Public Hearing: May 17, 2014
Second Reading: May 17, 2014
Final Passage: May 17, 2014

1

DISTRICT
MARYLAND
VIRGINIA
FOOD TRUCK ASSOCIATION

DATE May 17, 2014

TO City of Alexandria City Council

FROM Doug Povich, Chairman of the DMV Food Truck Association

RE **Testimony on Proposed Food Truck Ordinance**

My name is Doug Povich and I am Chairman of the DMV Food Truck Association and Co-Owner of the Red Hook Lobster Pound food trucks. I, along with Alexandria resident Rich Arslan, who owns and operates the Popped Republic food truck out of his new retail location here in Alexandria were also members of the Food Truck Working Group that the City Manager appointed last August to consider the issues surrounding food truck operations in Alexandria. I want to thank you for this opportunity to address the proposed Ordinance that would open parts of the city to food truck vending.

Background

Our Association was formed in 2011 by 17 small business entrepreneurs who launched this new and exciting industry in the DC metropolitan area. We are engaged community members who deeply care about the communities we serve and believe in working together to make a positive impact. Several of our members and their employees are Alexandria residents and some operate their businesses from kitchens in Alexandria. We span the socio-economic gamut and have a wide range of backgrounds including new immigrants, lawyers, working mothers, established restaurateurs, scientists and classically trained chefs. We also have members from numerous nationalities, races and ethnic groups including Black, White, Hispanic, Puerto Rican, Middle Eastern and Asian. Our members' businesses and cuisines reflect this diversity and constitute a true melting pot of small business entrepreneurs, dedicated and passionate about bringing their unique takes on local culture and street food to the people of the DMV. Over the past three years our membership has grown to over 75 small businesses that operate throughout the DC, Maryland and Northern Virginia metropolitan areas. Everywhere, that is, except in Alexandria.

The Proposed Ordinance

The proposed Ordinance, while not perfect, we believe represents a careful, measured and flexible approach to mobile vending in Alexandria. First, it imposes reasonable regulations regarding licensing, health inspections, fees for use of the public right-of-way, size limitations, refuse removal, signage and noise limitations, among others.

Second, it allows food trucks to operate off-street on various types of public and private property, including parks, schools, and farmers markets, but only with the permission of the property owner, school superintendent or market master.

Third, the proposed Ordinance allows on-street vending but subject to restrictions prohibiting food trucks from parking and vending, for example, in signed, residential permit parking zones, within 20 feet of a commercial outdoor dining area and where there is not a minimum of 5 feet of sidewalk width.

Perhaps most importantly with respect to on-street vending, Section 9-15-15 of the proposed Ordinance provides the City Manager with the ability to create Restricted Street Vending Zones (RSVZs) in areas where it is determined that there are issues of parking capacity, traffic congestion, pedestrian activity or any other issues that affect the health and safety of the citizens. And the City Manager, based in part on input from the Working Group, has already identified four such zones where food truck vending will be severely limited. These areas are the King Street corridor (which runs from the Potomac all the way to King Street Gardens and includes the two blocks on either side of King Street), Washington St., Mt. Vernon Avenue in Del Ray and the Eisenhower/Carlyle area. In these zones, food truck vending is entirely prohibited except in parking spaces designated by the City Manager. Specifically, the City Manager has indicated that he intends to designate 9 parking spaces across the entire King Street zone and 3 spaces in each of the other 3 zones. Thus, throughout huge swaths of the City represented by these zones, the City Manager has proposed merely 18 parking spaces where food trucks will be permitted to vend.

Although we disagree with certain of the restrictions contained in the proposed Ordinance and parts of the City Manager's memorandum describing the proposed RSVZs, we appreciate that the regulatory regime generally allows food trucks to operate in a way that is consistent with the primary feature of our business model – our mobility and an ability to meet demand where it exists. For that reason, we support the adoption of the full Ordinance and urge you to adopt it without delay.

Misconceptions About the Ordinance

Despite the plain language of the proposed Ordinance, blatant misinformation persists regarding what the proposed Ordinance means and doesn't mean. For example, Section 9-15-13 of the Ordinance clearly prohibits food truck parking on any public street that has been signed as a Residential Permit Parking District. And I guarantee you that no member of the Working Group, including myself, ever wanted or even proposed food trucks vending to the public in residential areas. Nevertheless, I watched a video yesterday of the May 6th meeting of the Alexandria Planning Commission and the person speaking, who I believe was Chairman Wagner, stated repeatedly and erroneously that the proposed Ordinance would allow food trucks to vend in residential areas of the City and that if he were a community activist he would "gin up a tidal wave of opposition" to the proposed Ordinance.

Another misconception is that places like Old Town will be overrun with food trucks. As I stated earlier, the truth is that the City Manager's proposed RSVZ along King Street completely prohibits food trucks except for 3 parking spaces on Royal Street here by City Hall, 3 spaces in front of the Courthouse and 3 spaces by King Street Gardens. None of those spaces, by the way, are in front of restaurants. Nevertheless, we continue to hear people, including restaurant owners in Old Town,

arguing that implementation of the proposed Ordinance will result in food trucks operating all over Old Town. That is not what is proposed. They are simply mistaken.

Misconceptions About Food Trucks

Misconceptions are not limited to the proposed Ordinance. As a result of our experience over the past several years working with various local jurisdictions in crafting reasonable vending regulations, we know that until people visit and experience modern-day food trucks, misconceptions abound. People believe, for example, that food trucks are not inspected by local health departments. We are, more than most restaurants. They believe we don't pay rent. We do, for the commercial kitchen spaces out of which we're required to operate. They believe we don't collect and remit sales and meals and bag taxes. We do. They believe our trucks are noisy, dirty and unsafe. They're not. Some cost over $100,000 and are staffed by culinary institute-trained chefs, many of whom want nothing more than to grow their businesses into brick-and-mortar restaurants. In fact, nearly 20 of our members have done just that, and everyday more and more food trucks are growing into brick-and-mortar restaurants. We also have nearly 20 members who started as brick-and-mortar restaurants and have opened food trucks.

People also don't know that these small businesses hire employees, pay income, property and employment taxes and give back to the communities they serve. In addition to our own employees, we hire local service providers, such as bookkeepers, insurance providers and mechanics, and we buy ingredients from local sources. We have members who annually contribute a percentage of their gross revenues to charities. We conduct food drives and regularly support soup kitchens and help charities, schools and religious institutions raise money by contributing a percentage of our sales. We don't do these things because we have to. We do them because, like most businesses, we care about the places where we operate and it's the right thing to do. And we would like to do these things in Alexandria.

Finally, perhaps the biggest misconception is that our presence negatively impacts existing businesses, including brick-and-mortar restaurants. In fact, clear evidence exists that food trucks, by increasing foot traffic in an area, generate more business for restaurants and retailers. For example, across the street from the most popular park in DC for food trucks, four new restaurants have opened. Studies have shown that 50% of food truck patrons are people who regularly eat lunch at their desks, not at restaurants. Bringing those people out on the sidewalks exposes them to other businesses. There is a restaurant in Crystal City that saves a parking space in front of their restaurant for our food truck during lunch service so we can hand out coupons for customers to come back to the restaurant at happy hour for a free appetizer. Finally, we are poster children for helping to create livable, walkable communities – communities where residents enjoy greater food options and where employees want to live and work.

Misconceptions About the Process

Finally, based on comments I heard at the Legislative meeting on Tuesday night, clearly there are misconceptions regarding the April 14, 2014 report issued by the Working Group. Specifically, there is a belief that the report was not complete and that it would be useful to have additional time to finish it. As a member of the Working Group, from my perspective our job was complete following our final meeting at the end of March and after the City Manager solicited comments on the report from all of the Working Group members and received comments from some, including us. At that moment, it was clear to me and other Working Group members that we had completed

all that we could do given the philosophical differences within the group, specifically those related to "on-street" vending.

Due to those differences, there is no amount of additional time that would result in any more consensus. We already received plenty of feedback from a wide variety interested stakeholders and conducted three separate meetings dedicated to receiving input from interested parties in Old Town, Del Ray and Carlyle. The difficulty is that some members, including me, believe that food trucks should be allowed to enter the market, subject only to reasonable health and safety regulations, and offer new food options and compete for dining dollars. Other members, on the other hand, believe that competition from food trucks will negatively impact existing businesses and that any new regulations need to "level the playing field" in order to protect those existing businesses from competition. Because of this core difference in belief, I'm confident that no amount of additional work will bridge this gap and any time spent attempting to do so will be wasted.

Due to the unlikelihood that additional time will lead to any consensus regarding "on-street" vending, we recommend that you not reconvene the Working Group. We believe the solution that the proposed Ordinance reflects -- leaving decisions regarding the creation of RSVZs up to the City Manager, subject to the criteria identified in Section 9-15-15 -- is a balanced approach to overcoming what would otherwise be an impasse that would significantly delay the implementation of new regulations.

Conclusion

Although we are a regional group, we are ourselves members of the Alexandria community. Lifting the city's ban on food trucks in the manner outlined in the proposed Ordinance is a benefit to Alexandria residents and workers and sound policy that promotes economic growth and vibrancy from which the City and all of the area's businesses can benefit. Thank you.

8
5-17-14
submitted by
Patrick Mullane

May 17, 2014

Dear Mayor Euille and Members of the City Council,

First, thank you for holding this hearing today and welcoming me to testify. My name is Patrick Mullane. My wife, Heather, and I are homeowners in the Warwick Village neighborhood and we are here today in support of the proposed food truck ordinance.

While my wife has been an Alexandria resident for more than a decade, I lived and in D.C. when food trucks first came to the city. They were a boon for employees looking for more lunchtime options and residents attending events throughout the city.

But, the food trucks' success was not without controversy. It took several years, hundreds of parking tickets and countless complaints from restaurant owners before proper regulations could be agreed upon. I applaud the Council for taking a proactive approach that will increase options, and help draw employees, tourists and shoppers during the weekdays.

From my experience, food trucks will be drawn to all parts of the city, not jut the bustling streets of Old Town and Del Ray, which is a very good thing for the City's businesses. I am opening the Hellbender Brewing Company in D.C. and can tell you that food trucks will be essential to our business. Each brewery in D.C. has at least one food truck on site during tasting hours since the breweries are located in remote and underserved parts of the city. I believe food trucks can and will provide a similar service here in Alexandria, where they can help draw people to underserved parts of the city and enhance civic events.

As written, the proposed ordinance will prevent the clogging of busy streets with numerous trucks, preserve the peaceful nature of our residential neighborhoods and establish fair and effective enforcement measures, all while increasing food options and enhancing our community.

My wife and I encourage you to pass these regulations without delay. Thank you for your time today.

Patrick Mullane

8
5-17-14
*submitted by
Michael Hobbs

Statement of Michael E. Hobbs
on behalf of the
Old Town Civic Association
City Council
May 17, 2014

Proposed Ordinance to Add Chapter 15 (Food Truck Vendors)

Thank you, Mayor Euille, Vice Mayor Silberberg, and members of Council. I am Michael Hobbs, speaking on behalf of the Old Town Civic Association.

OTCA respectfully—but earnestly—urges that you not adopt the ordinance on food trucks that you have set for public hearing today. We strongly disagree both with the substance of this proposal, and with the process that has brought it to you at this point.

OTCA's mission since its formation more than sixty years ago has been to advocate for the preservation of the historic and residential character of Old Town. On both grounds, we are deeply concerned about the impact that little- or non-regulated food trucks could have on both the residential and commercial components of our community, and on the longer term wellbeing of our City at large. The core principle of the Old Town Small Area Plan is the preservation of the "fragile balance" among the residential, restaurant and retail sectors which are the keystone of our community's unique character and vitality. The proposal before you threatens to undermine that balance, for no identified, compelling public need or purpose.

It has been said that this is not a land use matter, and thus not appropriate for the usual processes of our Zoning Code and our Planning Commission, because food trucks are wheeled vehicles on the streets rather than fixed structures on adjacent parcels of land. But that distinction borders on sophistry. The operation of food trucks should be carefully scrutinized, fairly regulated, and permitted only after a process which affords an opportunity for public awareness and comment—for precisely the same reasons that restaurants are subject to the same careful process of review and approval. Restaurants prepare and serve food for their patrons' enjoyment. Food trucks prepare and serve food for their patrons' enjoyment. The conduct of the restaurant's business potentially generates cooking odors, noise, litter, or other effects which, if not contained, could have negative impacts on nearby residential or other commercial property. The same is true of food trucks. Restaurants in Old Town which employed inappropriate signage or incompatible appearance could damage the visual character and integrity of the Old and Historic Alexandria District. The same is true of food trucks. The potential impacts of restaurants and food trucks are not identical, of course. Restaurants probably generate additional demand for parking; food trucks would probably not. But food trucks would occupy a portion of the finite space on Old Town's strictly limited street grid; restaurants do not.

For these reasons, Alexandria has historically and consistently determined that the authorization and operation of restaurants in Old Town should be permitted only with the careful scrutiny, opportunity for public participation, and specific conditions of a Special Use Permit. That was your carefully considered conclusion when you adopted the Old Town Small Area Plan that still governs today. During my own experience, you reviewed and reaffirmed that conclusion in the

King Street Retail Strategy of 2005; the Small Business Zoning revisions of 2008; and most recently, the Waterfront Small Area Plan of 2012. For the same reasons, and for the sake of fundamental fairness, we believe that food trucks, like their fixed-place food service brethren, should be held to no less rigorous a standard now.

The process that has brought this proposed ordinance before you today has also fallen woefully short of the standard that you the Council and we the citizens have a right to expect.

The broad outlines of the substance of this proposal were made known at your work session barely three weeks ago. There has apparently been no final report and recommendations from the citizen/industry panel that you appointed to advise you on the subject. The proposed ordinance was made available for public awareness and consideration just within the past week. Your decision to hold a public hearing on the entirety of that ordinance was taken just three days ago. The alternative ordinance that you discussed at your May 13 meeting has not yet been made available for public inspection.

In keeping with the civic engagement principles of your recently adopted "What's Next Alexandria" policy, which call for full, open and transparent discussion, informed consideration, and broad public participation before governmental action, we urge you not to act on this proposal on the basis of such limited public awareness and opportunity for participation.

The Old Town Civic Association Board of Directors adopted the attached Statement of Position on Food Trucks at our most recent meeting, and we commend it to your consideration.

The subject was discussed at the OTCA Membership meeting on May 14, and I think it would be fair to say that the overwhelming preponderance of opinion vigorously supported the principles of our resolution. Councilman Chapman briefed our members on the origins of this proposal, the process to date, and the alternative way forward that he had suggested to you the day before. As to process, he ventured the observation that a public hearing and final adoption of an important public policy are likely to be most effective when they are the culmination of a broadly participatory civil process that has led to a broad consensus of public understanding and support—rather than a substitute for or short-ciruit of such a process. That is a sentiment with which we heartily agree.

Thank you for your consideration.

8
5-17-14

Arepa Zone
Ball or Nothing
BBQ Bus
Big Cheese
BonMi
Boringuen Lunch Box
BurGorilla
Cajunators
Capital Chicken & Waffles
Captain Cookie and the Milk Man
Caribbean Cafe
Carmen's Italian Ice
Carnivore BBQ
Carolina Q
Crab Cab
Crepe Love
Crepes Parfait
Crusty Dog
Curbside Cupcakes
Dangerously Delicious Pies
DC Ballers
DC Empanadas
DC Greek Food
DC Pollo
DC Slices
DC Sliders
DC Taco
Dolci Gelati Truck
Doug the Food Dude
Feelin' Crabby
Fire & Rice
Goode's Mobile Kitchen
Good Grubin'
Goodies Frozen Custard & Treats
Halal Grill
Hala Gyro Plus
Hardy's BBQ
Hula Girl Truck
Jamaican Mi Crazy
Kabab Bites
KaftaMania
Lemongrass Truck
Midnight Confection's Cupcakery
Mighty Dog and Acai
Neat Meat
OoH DaT ChickeN
Orange Cow
Pepe
Peruvian Brothers
PhoWheels
Popped! Republic
Rebecca's Ethiopian Cuisine
Red Hook Lobster Pound-DC
Reggae Vibes
Rito Loco
Sang on Wheels
Scoops2u
Sinplicity Ice Cream
South Meets East
Stella's PopKern
SUNdeVich
Sweetbites
TaKorean
Tasty Fried
That Cheesecake Truck
Top Dog
Tortuga
TSR Quesadillas and Empanadas
Woodland's Vegan Bistro

DISTRICT MARYLAND VIRGINIA
FOOD TRUCK ASSOCIATION

DATE May 16, 2014

TO Honorable Mayor William D. Euille
Honorable Vice Mayor Allison Silberberg
Honorable Councilman John T. Chapman
Honorable Councilman Timothy B. Lovain
Honorable Councilwoman Del Pepper
Honorable Councilman Paul C. Smedberg
Honorable Councilman Justin Wilson

FROM Che Ruddell-Tabisola, Executive Director, DMV Food Truck Association

RE Support for Food Trucks from Carlyle Residents and Workers.

Please accept the attached 370 signatures from Carlyle residents and workers who ask you to say yes to food trucks in Carlyle.

The petition reads: **I live/work in the Carlyle community and want more lunchtime choices and competition for my hard-earned dollars. Food trucks make Alexandria a more enjoyable place to work and live!**

The signatures were collected on May 8 during the annual Community Day at the U.S. Patent and Trade Office, which hosted several food trucks outside its office.

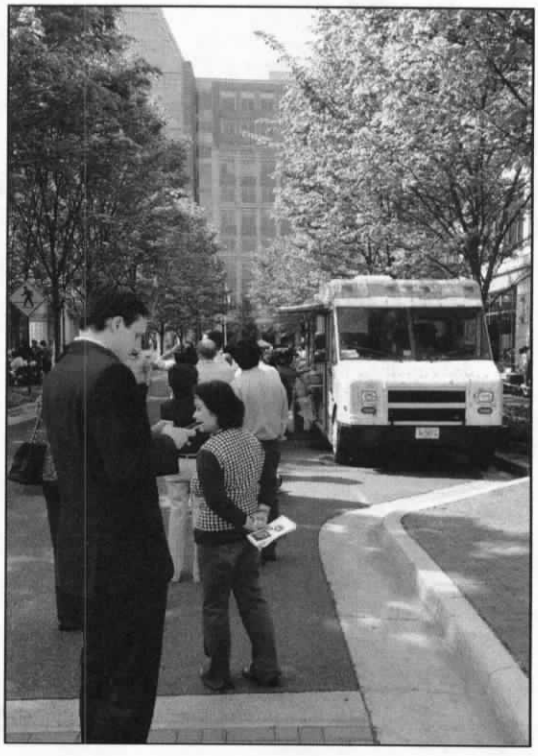
Passage of the complete food truck ordinance would allow Carlyle residents and workers to enjoy food trucks regularly without the need to apply for a special events permit. The ordinance allows the City of Alexandria to designate areas such as Carlyle as a restricted zone, placing strict limits on the number of food trucks and where food trucks can operate.

On the following page are photos from Community Day.

Photos from May 8 Community Day at the U.S. Patent and Trademark Office









8
5-17-14

Jackie Henderson

From: htfairfax@yahoo.com
Sent: Friday, May 16, 2014 1:16 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51402: Mayor, Vice Mayor City Council Food Truck Issue: I am very disturbe

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51402.

Request Details:

- Name: H. Talmage Day
- Approximate Address: No Address Specified
- Phone Number: 703-684-9849
- Email: htfairfax@yahoo.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Food Truck Issue:

  I am very disturbed by the proposal that food trucks may be approved to set up in any legal parking zone in Alexandria's commercial and residential neighborhoods.

  I am familiar with food truck operations around Metro Center, DC, where streets are wider and all outdoor dining has a greater setback.

  In that area, the trucks create bad odors and congestion. In Alexandria, the street congestion would be worse, the impairment for other commerce would be more severe, and there would be a greater litter problem as well.

  Food trucks are not a good idea in Alexandria.

  Thank you,

  Tal Day
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a ***Call.Click.Connect.*** request. Please do not reply to this email.

Jackie Henderson

From: dnstraub@netscape.net
Sent: Friday, May 16, 2014 10:36 AM
To: Jackie Henderson
Subject: Call.Click.Connect. #51375: City Clerk and Clerk of Council As a long-standing resident and Council-

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51375.

Request Details:

- Name: daniel straub
- Approximate Address: No Address Specified
- Phone Number: (703) 6848575
- Email: dnstraub@netscape.net
- Service Type: City Clerk and Clerk of Council
- Request Description: As a long-standing resident and Council-appointed representative to a local committee (8 years), I would like to respectively request City Council to defer any discussion and vote on the FoodTruck item scheduled for the Saturday session.

  daniel straub, co-chair
  UrbanDesignAdvisoryCommittee
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: vanhorns1@verizon.net
Sent: Friday, May 16, 2014 11:54 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51392: Mayor, Vice Mayor City Council Please see attached letter.

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51392.

Request Details:

- Name: Hugh & Mary Van Horn
- Approximate Address: No Address Specified
- Phone Number: (703) 836-1066
- Email: vanhorns1@verizon.net
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Please see attached letter.
- Attachment: http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/docx/07e7d748-41b0-442b-be7d-05d33de19db7
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a ***Call.Click.Connect.*** request. Please do not reply to this email.

16 May 2014

Dear Mayor Euille, Vice Mayor Silberberg, and Members of City Council:

We are unable to attend the City Council meeting on Saturday, 17 May 2014, but we want to go on record as being vehemently opposed to the operation of food trucks on any public property in the City of Alexandria. We are not opposed to food trucks on private property with the landowner's permission.

We also regard it as unconscionable that this controversial issue has been rushed through without even waiting for the report of the committee that was established for the specific purpose of studying this matter.

The proper course of action at Saturday's meeting is to defer any action until after the food-truck committee's report has been finished and submitted, and Council has had time to digest and act in a thoughtful manner on the issue. We urge you to do this!

Remember the old adage: "Act in haste; repent at leisure!"

Hugh & Mary Van Horn

Jackie Henderson

From: kljhoffman2@verizon.net
Sent: Friday, May 16, 2014 1:05 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51401: Mayor, Vice Mayor City Council Please vote against allowing food trucks

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51401.

Request Details:

- Name: Katherine Hoffman
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: kljhoffman2@verizon.net
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Please vote against allowing food trucks in Alexandria.

  Food trucks parked on King Street would destroy the appearance of the Old Town historic area and negatively effect business owners.

  As a 30 year resident of Alexandria, I've overheard visitors say they are charmed with the historic area. Don't change what makes Alexandria unique to visitors. By allowing food trucks you will be destroying part of Alexandria's charm. Don't try and make Alexandria like every other place. Keep it unique or you will lose visitors and have unhappy residents.

  As a volunteer teacher of English to immigrants, I am aware of the large number of different ethnic groups in Alexandria. If you want to try something to draw tourists, perhaps a once-a-year food festival featuring foods of the different ethnic groups that live here. Pittsburgh does an annual food festival like this and it is very successful.

  Or if you are pushed to allow food trucks, do it on an experimental, provisional basis so that it can be cancelled when you see how it negatively effects existing restaurants and how much trash it generates. Or only allow one or two food trucks to serve Market Square on King Street. And if you allow food trucks, who is going to monitor safety/health regulations? And what about parking and traffic congestion? Please think all this through and do not allow food carts.
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a ***Call.Click.Connect.*** request. Please do not reply to this email.

Jackie Henderson

From: mallen@markallenlaw.com
Sent: Friday, May 16, 2014 12:58 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51400: Mayor, Vice Mayor City Council Dear Friends,Can any of you explain

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51400.

Request Details:

- Name: Mark Allen
- Approximate Address: No Address Specified
- Phone Number: 703-836-8787
- Email: mallen@markallenlaw.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Friends,

  Can any of you explain the rush to judgment you're engaged in with respect to food trucks? Ignoring your own work group. Distorting their interim findings. There seems to be an nothing that can affect this unnatural alliance with the food truck movement, all to disregard of your own citizens.

  The same is true for your embrace of the pro-bicycle folks. In your arrogant zeal to have Alexandria become as "progressive" as you can, you've repeatedly disregarded the will of the people who elected you. What happened to the collaborative way of doing things we used to have?

- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

This is an automated email notification of a ***Call.Click.Connect.*** request. Please do not reply to this email.

Jackie Henderson

From: higs743@yahoo.com
Sent: Friday, May 16, 2014 12:23 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51396: Mayor, Vice Mayor City Council Dear Mayor Euille, Vice Mayor and City C

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51396.

Request Details:

- Name: John Higgins
- Approximate Address: No Address Specified
- Phone Number: 703-623-1116
- Email: higs743@yahoo.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Mayor Euille, Vice Mayor and City Council,
  On behalf of the owners at The Henry Condominium, we would like to register our opposition to food trucks in the Old Town Alexandria area. I have attached a letter expressing our opposition and concern with this issue. We are opposed to anything that would degrade the quality of our community and increase traffic congestion.
  Sincerely
  John Higgins
  President
  Unit Owners Association of The Henry Condominium
- Attachment: http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/pdf/4d45481f-4071-462f-acae-b7569b84ebc0
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Unit Owners Association of

The Henry Condominium

THE HENRY

May 16, 2014

Dear Mayor Euille, City Council, City Manager and Members of the Planning Commission,

Re: Proposed Food Truck Ordinance

The Unit Owners Association of The Henry Condominium representing 168 residential units joins the Old Town Civic Association (OTCA) in opposing Food Trucks in the Old Town area. The King Street area is characterized by overextended parking, heavy vehicle and foot traffic, lots of good food, and a nice trolley. Adding food trucks would make the problems worse and not fill a need.

Other parts of Old Town are characterized by quiet residential neighborhoods that need neither more curbside food nor more noise and congestion.

We are also concerned with the insufficient controls (parking, noise, competition, etc.) in the legislation as enumerated by the OTCA letter. We are also aware of how other communities have struggled greatly with truck vs hardstand vendor competition as well as increased litter and burden on municipal services. These additional issues add to the risks of this plan without filling a need.

The Henry welcomes further discussion on the issue, but currently sees problems without benefits in the Food Truck plan.

Respectfully,

John Higgins
President
Unit Owners Association of The Henry Condominium

CC: Board Members of Unit Owners Association of The Henry Condominium

Jackie Henderson

From: Poul Hertel <poulh@erols.com>
Sent: Friday, May 16, 2014 1:55 PM
To: William Euille; Paul Smedberg; Del Pepper; delpepper@aol.com; John Chapman; Allison Silberberg; Justin Wilson; Timothy Lovain
Cc: Jackie Henderson; Joanna Anderson
Subject: food ruck ordinance

Re; Food truck ordinance

Dear Mr. Mayor and members of the City Council

I suggest the following changes to the proposed ordinance

1. Food trucks should be subject to fire prevention permit regardless of venue.(page 2 of 9)

   Sec. 9-15-7 Permits and Licenses Required

   42 D. Fire Prevention Permit~~, if required~~, pursuant to Title 4, Chapter 2, Article B of

   43 this Code.

   They should also be required to have automatic fire suppression systems, a one-button fire suppression activation system to eliminate grease/stove fires.

2. Food truck should be required to use "Whisper Generators" since three in a row can cause significant noise issues. The noise ordinance is neither sufficiently clear nor applicable for continued use of an average food truck generator. (see http://alexandriava.gov/tes/oeq/info/default.aspx?id=4034#1151)

Sincerely
Poul Hertel

8
5-17-14

Jackie Henderson

From: csimagine@aol.com
Sent: Friday, May 16, 2014 3:40 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51433: Mayor, Vice Mayor City Council Re: Saturday, May 17, 2014, Docket Item

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51433.

Request Details:

- Name: Carol Supplee
- Approximate Address: No Address Specified
- Phone Number: 703-969-6820
- Email: csimagine@aol.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Re: Saturday, May 17, 2014, Docket Item 14-2809, Food Truck Vendors, please see my support attached.
- Attachment: http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/doc/e9070bd2-c1b9-4921-a0b2-5643656f288a
- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Imagine

ARTWEAR

1124 King Street, Alexandria, Virginia 22314 703-548-1461

May 16, 2014

The Honorable William Euille, Vice Mayor Allison Silberberg and Members of the Alexandria City Council:

As a resident of Alexandria, I believe that the only legitimate argument for excluding a class of businesses is whether that class contributes their fair share of cost overhead and sales tax revenue. Licenses and permits will assure that.

As a business owner, I believe no argument can be made that one type of business should be excluded on the basis of not wanting competition. Some of my business friends have been calling to warn me that clothing trucks are coming next. I could not in good conscience oppose that.

Over the 20+ years I have owned Imagine Artwear on King Street, I have listened to the fears of people about First Night Alexandria, tattoo parlors, mental health facilities, outdoor dining, sex shops and now food trucks. I have never seen any of the fears expressed over any of those issues cause any hardship on residents or businesses. And I have not heard of any documented case of a restaurant going out of business because of food trucks.

By defining where food trucks may operate and knowing that if problems arise those issues can be addressed by revisions, the City has the opportunity to take preemptive action without throwing open the entire City.

A vibrant community does not come about because we have excluded businesses or choices for people. It comes from allowing as many legitimate businesses as will fit on the street and then letting the marketplace – the consumer – decide which of those businesses he or she will support.

Sincerely,

Carol Supplee

Owner, Imagine Artwear

8
5-17-14

Jackie Henderson

From: julieokkema@me.com
Sent: Friday, May 16, 2014 4:48 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51443: Mayor, Vice Mayor City Council Dear Mayor Euille, Vice Mayor Silberberg

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51443.

Request Details:

- Name: Julie Okkema
- Approximate Address: No Address Specified
- Phone Number: 703-801-7522
- Email: julieokkema@me.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Mayor Euille, Vice Mayor Silberberg and Council Members Chapman, Lovain, Pepper, Smedburg and Wilson,

  We are out of town this weekend at our daughter Justine Johnson's (TCWHS '10) McIntire School of Commerce, UVA graduation and are unable to attend the City Council public hearing May 17, 2014.

  We do wish to submit our comment regarding off-site food trucks as we understand Council wishes to focus on this on Saturday. We read through the documents provided on the Council Agenda for May 13, 2014, on food truck regulation.

  Our personal residential concern is over Chinquapin Park and possibly TCWHS (if Superintendent allows) and the presence of rats, etc. As we understand the Ordinance, it states the food truck vendor has sole/full responsibility for garbage pickup. We are wondering if Council will consider how this will work when residents buy their food at the truck, yet eat it around Chinquapin such that food, containers etc are spread out throughout the Park? Will the vendor truly go around Chinquapin and pick up all garbage and empty trash containers each time? Point of information, at times on weekends all Park trash containers are overflowing as it is.

  Knowing human nature, we have significant reservations that the needed clean up of left over food, plates, utensils, drinks etc will occur. This raises a true public health issue. Rats already come over from the Park and TCW so neighbors, including us, bate traps. But none of us are prepared for an onslaught such as may occur if left over garbage becomes a problem with the introduction of Park food trucks. It strikes both of us this issue of responsibility needs to be more thought out. Will Parks and Recreation maintenance truly have no roll here, seeing Chinquapin is a City Park? Will they and City Department of Health monitor this issue so it does not become a significant public health issue due to vermin disease transmittal and even standing water?

  We had a major rat problem in 2004-2007 when TCWHS was being constructed. We personally paid for regular pest control via bait boxes which did not fully work (no spray chemicals). We do not wish to have to hire private pest control chronically (we border Chinquapin Park) as it's expensive and because of the pesticide chemicals used to combat rats, mice, possums, chipmunks, other rodents and foxes. We do not use spray pesticides nor yard chemicals: we are completely green due to one family member's active Neuropathy. We do not want mice , etc., coming into our house and the cost of eliminating them as happened in 2004-2007.

  We do not therefore support food trucks off-site in Chinquapin or any other City Park given the current Ordinance. If the Ordinance read that food is purchased and must be eaten in a restricted, immediately cleanable area by vendor near King Street entrance that may be one thought, but who is going to keep to that in reality? And who in Parks and Recreation or City is going to monitor this issue.

We know you will be inundated with comments, yet we do ask that no very real public health nuisance be added to our City which residential homeowners to have to pay the price for, both by health issues and cost to avoid.

Thank you for your consideration of this important comment.

Sincerely yours,
Julie Okkema MD and Kurt Johnson PhD
1300 Bishop Lane
Alexandria VA 22302

- Expected Response Date: Friday, May 23

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: website <webmaster@alexandriava.gov>
Sent: Friday, May 16, 2014 11:33 AM
To: Jackie Henderson; Gloria Sitton
Subject: City Council speaker's form submission received

Meeting Date: 05/17/2014
Docket Item# 8

Speaker's Name: Jeffrey Hoffman
Phone #: 7025680600
Email:
Address: 210 E Howell Ave. #3

Representing self? Yes
If representing other:

Position on the item: For

Nature of interest: Employee of affected business, resident of area

Are you being compensated? No

Please click the link below to access your file. Larger files can take longer to upload, so if your file isn't immediately available please try again in a few minutes. If you are still unable to access your file after 30 minutes please contact the survey administrator:
http://surveygizmoresponseuploads.s3.amazonaws.com/fileuploads/118293/1021442/52-cfe107522db5e0579d5d1dd16774bf39_Jeff+Hoffman+-+Testimony.docx

May 17, 2014

Dear Mayor Euille and Members of the City Council,

My name is Jeff Hoffman and I support lifting our community's near-total ban of food trucks and allowing them to serve residents and workers on public streets and private property.

My family and I are lifelong Alexandria residents. I have seen this area change massively, from the big changes like the construction of the Trademark Office and the Carlyle area, to the small changes like the closing of Tiffany Tavern. This area is an incredible and dynamic place that thrives on small business and the opportunity to create. To deny trucks, an equal opportunity to participate is unfair to the very same kinds of small businesses that make up the city.

Food trucks make our community a more enjoyable place to live and work! They help to draw people to restaurant and shopping areas and increase foot traffic for all surrounding businesses. And every day food trucks are growing into brick-and-mortar restaurants, creating jobs and contributing to city revenues.

The proposed food truck ordinance ensures proper licensing, permitting and enforcement of violations. It also places numerous rules and regulations for how food trucks operate, including prohibiting food trucks from vending in residential areas, and creates additional limitations on the number of food trucks in city-identified restricted zones.

The proposal provides Alexandria residents and workers more choices at lunchtime and more competition for our dollars. Everybody should support that!

Please pass the complete ordinance without delay.

Sincerely,

Jeff Hoffman

(4)

Gloria Sitton

From: website <webmaster@alexandriava.gov>
Sent: Wednesday, May 14, 2014 12:19 PM
To: Jackie Henderson; Gloria Sitton
Subject: City Council speaker's form submission received

Meeting Date: 05/17/2014
Docket Item# 8

Speaker's Name: Janet Gregor
Phone #: 571-551-6048
Email: jgregor@carlylecouncil.com
Address: 2050 Ballenger Ave., Alexandria, VA 22314

Representing self? No
If representing other: Carlyle Council

Position on the item: Against

Nature of interest: represent Carlyle property owners

Are you being compensated? Yes

OLD TOWN CIVIC ASSOCIATION
Board of Directors
April 24, 2014

Statement of Position On Food Trucks

A. In general, food trucks should not be permitted in the Old and Historic Alexandria District.

In particular, food trucks should not be permitted:

1. On Washington Street, which would degrade the memorial character of the George Washington Memorial Parkway as it passes through the City of Alexandria.

2. On blocks which bound historic sites and properties (e.g., Lee-Fendall House, Lee Boyhood Home, Gadsby's Tavern, The Lyceum, Carlyle House, Contrabands & Freedmen Cemetery Memorial, Stabler-Leadbeater Apothecary, Christ Church, Old Presbyterian Meeting House, Alexandria Black History Museum, Friendship Firehouse Museum, the Athenaeum, George Washington Masonic Memorial, Torpedo Factory, etc.)

3. On the narrow street grid in Old Town, or otherwise where their presence would interfere with the free flow of other vehicles or exacerbate existing congestion.

B. Wherever food trucks are permitted in Alexandria:

1. They should not be permitted on blocks fronted partially or entirely by residences, or on blocks abutting or intersecting with such partially or fully residential streets.

2. They should not be permitted in zones in which other food service establishments (e.g. restaurants) are not permitted.

3. They should not be permitted where their location would be likely to have a significant negative impact on Alexandria's economic sustainability or economic development.

4. In areas covered by Small Area Plans which permit restaurants, food trucks should be permitted only in accordance with the same scrutiny, review and approval process, and health and safety inspections which apply to other food service establishments.

5. In areas in close proximity to residential areas, food trucks should be subject to the same scrutiny as are other food service establishments, to avoid negative impacts (e.g., noise, litter, odor, hours of operation, traffic and parking impacts) on the nearby residential neighborhoods.

6. Food trucks should not be permitted in zones or Small Areas where fast food establishments are not permitted, or encouraged in areas where fast food establishments are discouraged. Where fast food establishments are permitted, food trucks should be subject to the same scrutiny, review and approval process, and health and safety inspections.

7. Where other business and residential buildings are subject to review and approval of architectural standards, quality of design, signage, and the like, in order to preserve the visual character, quality, and compatibility of the area (i.e., the Historic Districts), food trucks should be subject to the same standards of scrutiny, review and approval.

8. In zones and Small Areas where outdoor dining is permitted, food trucks should be subject to the same standards of scrutiny, review and approval, and health and safety inspections. Food trucks should not be permitted in such close proximity to outdoor dining facilities as to exacerbate any noise, litter, odor, traffic or pedestrian congestion, or other potential negative impacts of such facilities.

9. Where food trucks are permitted, they should be subject to the same standards, rules and regulations which apply to other commercial or private motor vehicles, and should receive no preferential treatment in this regard (e.g., as to traffic regulations, parking, circulation, proscriptions against idling, and the like.)

10. Food trucks should not be permitted where they would significantly interfere with visual or physical access to other commercial enterprises, historic properties, or public facilities.

11. Food trucks should not be permitted where other mobile vending establishments are not permitted.

Alexandria ♥s Food Trucks

Alexandria City Council - Please say YES to the Food Trucks at Carlyle

I work/live in the Carlyle community and want more lunchtime choices and competition for our hard-earned dollars. Food trucks make Alexandria a more enjoyable place to work and live!

Signature	Email address
	brandon.rusak@uspto.gov
	nancy.le@uspto.gov
	RADKIM1@yahoo.com
Jason T. Whipkey	Jason.Whipkey@uspto.gov
	Aaron_Gritzan@yahoo.com
	jgblende@gmail.com
	Claire.Rojohn@gmail.com
Michael Crawford	Kileo221@gmail.com
Anthony Nguyen	ANGUYEN83@GMAIL.COM
Soo Jin Park.	soobak84@hotmail.com
	kcarlos111@yahoo.com
	mjlee00@gmail.com
	tagasangat@yahoo.com
	greg_bengzon@hotmail.com
H. Kassim	hafiz.kassim@yahoo.com
	ewood720@gmail.com

Name	Email
Cynthia Wallace	TheTenderRub@verizon.net
lydia Edwards	lecaues@yahoo.com

Alexandria ♥s Food Trucks

Alexandria City Council - Please say YES to the Food Trucks at Carlyle

I work in the Carlyle community and want more lunchtime choices and competition for our hard-earned dollars. Food trucks make Alexandria a more enjoyable place work and live!

Signature	Email address
Valerie Brown	valerie.brown@uspto.gov
F. Agh	farhad.aghahosseini@uspto.gov
Joe Stanton	
A. Soltanzadeh	Amir.Soltanzadeh@Uspto
C. Thompson	C. Thompson
[illegible]	thank1081@gmail.com
[illegible]	yayjeffy@gmail.com
[illegible]	christopher.fredericks@uspto
[illegible]	carter.thomas@gmail.com
[illegible]	Fraelke.thom@gmail.com
Hee Kook Song	hee.song@uspto.gov
[illegible]	Allister.Prince@gmail.com
Andres I Gutierrez	Andres.gutierrez@uspto.gov
[illegible]	
K Oswald	Kirstin Oswald @ USPTO GOV
Helen Bryan-Johnson	Helen.Johnson2@uspto.gov

Alexandria ♥s Food Trucks

Alexandria City Council - Please say YES to the Food Trucks at Carlyle

I work in the Carlyle community and want more lunchtime choices and competition for our hard-earned dollars. Food trucks make Alexandria a more enjoyable place work and live!

Signature	Email address
	Lance.cai@uspto.gov
	ha.hachou@gmail.com
	POgaletta@gmail.com
Jeramy Dardun	
Hannah Faye-Joyner	Hannah.FayeJoyner@GOV USPTO.
Candice Rankin	anquanette3909@yahoo.com
Brandi Hopkins	Brandi_Hopkins@yahoo
Ieisha Price	Ieisha_Price@gmail
Robert Brown	r.d.brown710@gmail.com
Irving Campbell	irving.campbell@gmail.com
Jessica Kebea	jessica.kebea@uspto.gov
DUJUAN HORTON	HORTON.DUJUAN@GMAIL.COM
	NDUREA@YAHOO.com
	lembo.aaron@gmail.com
	mylesthroop@yahoo.com

Alexandria ♥s Food Trucks

Alexandria City Council - Please say YES to the Food Trucks at Carlyle

I work in the Carlyle community and want more lunchtime choices and competition for our hard-earned dollars. Food trucks make Alexandria a more enjoyable place work and live!

Signature	Email address
	sharla.magana@gmail.com
	kreilly10@gmail.com
	kdarby17@gmail.com
	christiemills@gmail.com
	atkinsongk@vcu.edu
	Tawanda.Plater@uspto.gov
	Lynn.miller@uspto.gov
	brandi.dayt@uspto.gov
	afewon.demisse@uspto.gov
	mark.edwards@uspto.gov
	pamela.lloyd@uspto.gov
	patricia.beck@uspto.gov
	Leekg85@gmail.com
	Nethia.Pence@uspto.gov

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Signature	Email address
	Luan_van@hotmail.com
	JonJohnson@gmail.com
	Shawkat22@aol.com
	amyfmnyc@gmail.com
	speekiw@hotmail.com
	psirrow@gmail.com
Matthew Hopkins	matthopkins010@gmail.com
	skkdc72@gmail.com
	LIESL.BAUMANN@gmail.com

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Signature	Email address
	julianchang@gmail.com
	lakaisha.jackson@uspto.gov
	jon.jingleheimer@gmail.com
	zwwilkes@gmail.com
	shamuswl@ychoo.com
	jacobshen@aol.com
Chelsea Schmidt	
Creepy Pe	

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Signature	Email address
Sydney Johnson	sydney8786@gmail.com
Dan Z	
Wayne	WAYNE.A.LAMBERT@HOTMAIL.COM
Jan C. Lyon	jecozart@hotmail.com
Andrew D Lawrence	andrew.lawrence@uspto.gov
Miroslav Novakovic	MIROSLAV.NOVAKOVIC@GMAIL.com
Li Zhen	lizhen@yahoo.com
Brian	bumzy15@me.com
Randi Webb	RMWebb145@gmail.com
Jacqueline	Lacedout101@yahoo
Terell	tjohnsonee@yahoo.com
Dal Cain	dcz2015@gmail.com
Tony Fuller	
Jay Wilson	
Bijin Gyawali	gyawali.bijin@gmail.com
Kathy Jones	whw4_2000@yahoo.com

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Signature	Email address
	rajesh.sharma@live.com
	VIKASAKAY@HOTMAIL.COM
	tommekapleasure@gmail.com
	trucnmai@yahoo.com
	KANDREJK@GMAIL.COM
	THPHAM419@GMAIL.COM
	pamela_perkins@hotmail.com
	jhalstr@hotmail.com
Kim Berova	
RAMYA BORGESS	
Jackie Whitfield	Jackie.Whitfield@USPTO.G
Sharmalla Coates	sharmalla.coates@uspto.gov
Denise Boyd	denise.boyd@uspto.gov
Anita Andrew	

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Signature	Email address
	Amurphyman@Aol.com
	empsol7@gmail.com
	mailme@hotmail.com
	f.hagrax.22@gmail.com
	bgAuth@catholiccharities.org
	Sanjay.altekar@uspto.gov
	Inge.Jeleshoff@gmail.com
	Tmanahan@verizon.net
	gerrj2@gmail.com
	jamkazan@hotmail.com
	Nafrm2@gmail.com

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Signature	Email address
Christen English	christenenglish@gmail.com
B Okeke	benjamin.okeke@gmail.com
	milcewany516@gmail.com
	lynettesample@yahoo.com
	minhpham26@gmail.com
	kanesaks@gmail.com
	yanglusi@gmail.com
	eaplummer2@gmail.com
Danielle Jackson	danielle.n.jackson1@gmail.com
Craig Renner	craig.Renner@USPTO.GOV
H S. H	Henry S. Zhu
	david.r.hare@gmail.com
	ssmyth90@vt.edu
	ter83@verizon.net
	david.jones4@uspto.gov
	Ashley.brown08@gmail.com

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Signature	Email address
(limit 3 trucks)	[illegible]
	alissa.tompkins@gmail.com
	tashianaadams@hotmail.com
	derona@hotmail.com
	chang.leonard@gmail.com
	daniel.chang1@uspto.gov
	calvinychai@yahoo.com
	finch@gmail.com
	simsjaso@gmail.com
	ac90011@gmail.com
	flyray468@gmail.com
	SLTheiber@yahoo.com
(23)	Sam.Thyot@gmail.com
	armonche@gmail.com
	quinhulaan@yahoo.com
	christiandorman@gmail.com

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Signature	Email address
Michelle Lynn Ewing	mikay@rocketmail.com
SHARON PAPCIAK	shmpack16@gmail.com
	jondurant@gmail.com
Aryan Weisenfeld	aew328@gmail.com
Majeed Aziz	majeedaziz@hotmail.com
Stephanie Durant	stephadurant@gmail.com
	rg171352@hotmail.com
	mysailor[illegible]@gmail.com
	ttpoly@gmail.com
	riship306@gmail.com
	matt.powell21@gmail.com
	sewitseams85@gmail.com
Nicole Belson	nmplourde@gmail.com
	KKGRACZ@SMAIL.COM
	cacarte2@gmail.com
	aundria[illegible]@yahoo.com

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Signature	Email address
	gbr1994@yahoo.com
	amitzkhere72@yahoo.com
	llowman_2001@hotmail.com
	MKing3178@Gmail.Com
	gmandesigns@hotmail.com
	alw65@cox.net
	ansykes@msn.com
	[illegible]@yahoo.com
	polanskys@verizon.net
	shinyhappy4ever@yahoo.com
	jhelfman@gwu.edu
	[illegible]
	eugeniamartin2001@yahoo.com
	mhbrito@gmail.com
	cborales@gmail.com
	jlbielski890@gmail.com
	ZACHSNYDER@GMAIL.COM

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Signature	Email address
	John.davis@uspto.gov
	Shanika.Bramfield@uspto.gov
	[illegible]
	[illegible]
	Eleanor.Cook@uspto.gov
	scottcanderson1962@gmail.com
	yunqing.wang@uspto.gov
	no1cares5@yahoo.com
	ariana.zimbonski@uspto.gov
	aug.nicholson@gmail.com
	eewong@cox.net
	colleen.raphael@gmail.com
	xesquire6@yahoo.com
	lesajones@yahoo.com
	Vmr117@yahoo.com
	mbredefeld@yahoo.com

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Signature	Email address
Jackie Z Abad	jackiezun@hotmail.com.
J. Wh Cla	JPod@yahoo.com
[illegible]	angel.garcez@gmail.com
Zeh W Rob	dcred1@yahoo.com
Victoria K Hall	vhkane@aol.com
Tabitha Fuelling	tabitha.fuelling@outlook.com
[illegible]	alia.sabar@gmail.com
Thang Pham	thang.pham@uspto.gov
Tim Sayasithsena	tim.Sayasithsena@uspto.gov
Kendra Mellers	Kendra.Mellers@uspto.gov
Kim Johns	Kimberly.Johns@uspto.gov
MalvyChavez	malvyChavez@uspto.gov
Nina Bhat	nblecher+@verizon.net
Joe Wong	joseph.wong@uspto.gov
Jessica Wong	jbwong3@gmail.com
Angela Wilson	angela.wilson@uspto.gov

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Signature	Email address
	richrschevrn@hotmail.com
	Ivangoldberg7@yahoo.com
	dennispgc@yahoo.com
	rct301@msn.com
	DForte2112@Gmail.com
	leawas@aol.com
	Johnsrx7@gmail.com
	cpearson@uspto.gov
	Michael.cross@uspto.gov
	christine.m.rea@gmail.com
	derek.behr@gmail.com
	aharrison08@gmail.com
	chrisWRGmail.com
	Mhuilsonvmi99@gmail.com
	despeyton@msn.com
	farley.abad@xxxx.com

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Signature	Email address
Sarah Arnold	saa7t@virginia.edu
Amanda Dela	adenda31@gmail.com
Carmen Mura	cdmura@uw.edu
Manuel J. Shirat	mcl566a@student.american.edu
Vivek Shirgat	Vivek.K.Shirgat88@gmail.com
Robert J. Mac	ROBERT.MACE@[illegible]
[illegible]	rex.rooker2@gmail.com
[illegible]	Walker42189@gmail.com
[illegible]	ch20586@[illegible]
[illegible]	sinhara@msu.edu
John Royston	jroyston83@gmail.com
Christyer McAndrew	chrismc01@hotmail.com
Kevin C. Symons	Kevin.Simmons@usps.gov
[illegible]	cjb12747@yahoo.com
[illegible]	Oblivion226@hotmail.com
[illegible]	justinpats@gmail.com

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Signature	Email address
	Duane.Smith@uspto.gov
	echang_8@hotmail.com
	jeff.smith4@uspto.gov
	rey2062@yahoo.com
	delaineduncan@gmail.com
	mgait1@uspto.gov
	maria.thein@uspto.gov
	Wesley.chiu@uspto.gov
	Plinganh@yahoo.com
	vumindy@gmail.com
	elaingort@mac.com
	alshriver@aol.com
	Mdmccan@yahoo.com
	sadie.irene.white@gmail.
	richbfernandez@yahoo.com
	Huonglopez@yahoo.com

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Signature	Email address
	brokedoes@hotmail.co
	janeisgood0@gmail.com
	SaKynaSalaam@yahoo.com
	Jazzyhomes@hotmail.com
	cpcheyney@yahoo.com
	gleesha@hotmail.com
	shamela_lala@yahoo.com
	whalen247@aol.com
	WHLFMAGE2002@YAHOO.C
	IX-fe0@yahoo.com
	ALANTRIS2000@Hotmail.com
	jon_elle@MAC.com
	marykeuser@gmail.com
	Christin_107@msn.com
	Karlareneee73@gmail.com
	ijp@gwu.edu

Name	email address
Chris Chu	chrishcha@gmail.com
Kathy Chu	Kathychu.3@gmail.com
Ian Simmons	ianandsimmons@verizon.net
Rami Almatrahi	RALMATRAH@LTU.EDU
Khawaja Anwar	Khawaja.Inc@Gmail.com
Katrina Anwar	Cwestyun@yahoo.com
Raffi Isaniuns	email raffi@yahoo.com
Rajaa Elalami	Razak.ra@gmail.com
Angel Carlisle	JMCarli12@Gmail.
Francisco Grullon	franciscogrullon@gmail
Wayne An	Wayn1ak@gmail.com
Katie Hammer	katie.hammer@gmail.com
Brandon Kinsey	Kinsebr@gmail.com
Jeremy DeLozier	thepearl22@yahoo.com
Jim Goloboy	jim.goloboy@gmail.com
Tiffani Blackburn	tiffani.blackburn@yahoo.com

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Signature	Email address
Carmen Thorpe	cthorpe5@masonlive.gmu.edu
Ben	benscarpa[illegible]@hotmail.com
[illegible]	klb-[illegible]@verizon.net
[illegible]	dengbee@yahoo.ca
Liljana Bekic	lilybekic@gmail.com
Patty Lip	Party15@yahoo.com
[illegible]	mAngebarn dt@gmail.com
[illegible]	Hayptar@yahoo.com
[illegible]	chhampton@hotmail.com
Myriah Hall	myriah1977@hotmail.com
[illegible]	HV_Cat05@yahoo
[illegible]	Nirvana_Deanna[illegible]hotmail.com
Fred Saadat	fsaadat42@outlook.com
[illegible]	ka@kenandam.info
Angela Watson	angelawatson18@gmail.com
[illegible]	Phung.Chung@USPTO.gov

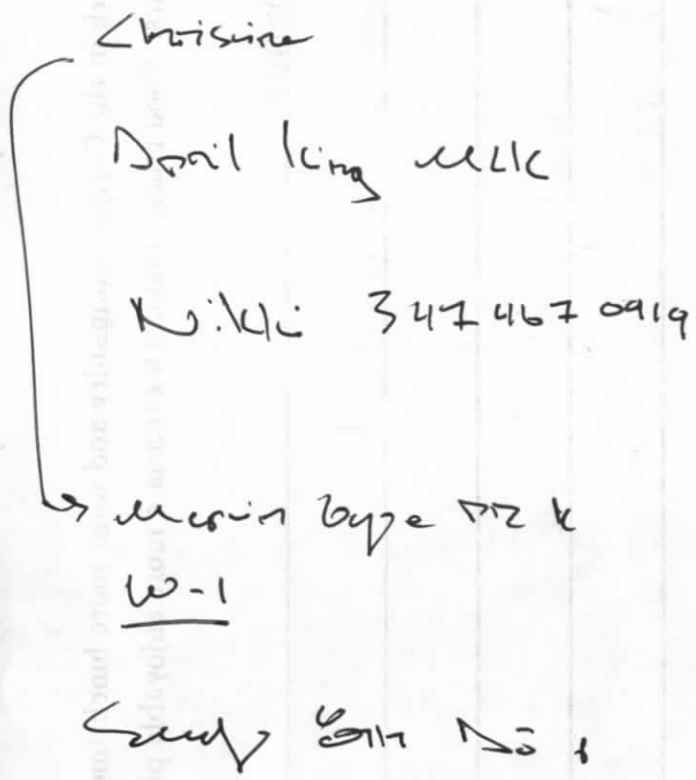
Name	E-MAIL ADDRESS
Latoosha Hines	hineslatoosha@gmail.com
Chantal Graham	dance2minister@yahoo.com
CANDICE CHAN	candiced.mark@gmail.com
TEDDY SHIH	theodore.shih@gmail.com
Ross Christie	RJChristie97@yahoo.com
ALEXIS BOATENG	aboateng98@gmail.com
Jamahl Milton	jmilton1012@gmail.com
Susan A. Lewis	skypesmom98@gmail.com
melissa mcgrath	melissa.mcgrath@uscpto.gov
Jeff Talbot	Jeffrey.Talbot@gmail.com
Kyle Riggin	krig84@gmail.com
OKSANA Silva	OKSANA_p55@yahoo.com
Kyra Abraham	kyraabraham@hotmail.com
Alix Eggerding	alix.eggerding@gmail.com
Joey Bednash	joebednash@gmail.com
[illegible]	[illegible]@yahoo.com

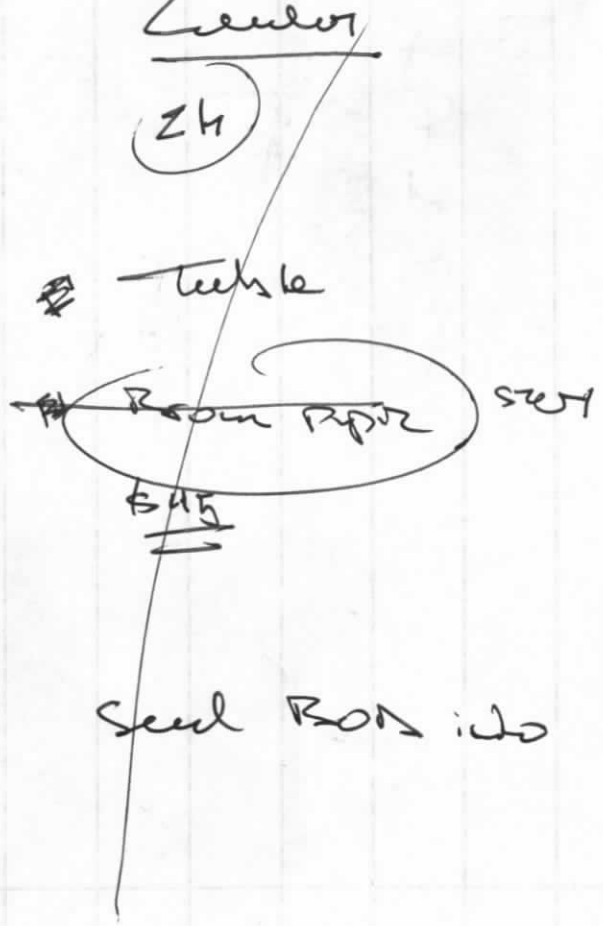
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Signature	Email address
Naomi M Wolford	naomi.wolford@gmail.com
Jennifer Rea	
Jenny R Wu	
LARRY NGUYEN	
Phuong Nguyen	
Cuong Nguyen	
PHUONG T. NGUYEN	
	CANDICEDOW@LIVE.COM
Pete Machiarolo	
Jessica Morrow	





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8
5-17-14

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Signature	Email address
Stephen Byrd	
Sean Hair	
Lourdes Velazquez	EVELAZQUEZ@GMAIL.COM
Mary Velazquez	Mavel_ous@Yahoo.com
Lori Pool	LorienBenson@gmail.com
	stephanie.a.yingling@navy.mil
	mwfiedler@gmail.com
	brypry2011@mail.com
	ROB_MAIL@ROCK.COM
	MELISSA.RUBENSTEIN@HOTMAIL.COM
Rose Jimenez	ROSEEJIMENEZ@ME.COM
Ashwini Yelchuri	ashwini.yel@gmail.com
	avi8tor71@gmail.com

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Signature	Email address
	rphilly11@verizon.net
Toena Haverty	thou1@yahoo.com
	sharte325@gmail.com
	RANDOM_76@HOTMAIL
	HaskinA@gmail.com
Michael Hodges	
KATRINA LOGAN	Kllogan1@yahoo.com
LaVerne Holland	lavernecholland@yahoo.com
LA Shawan Bogues	ldbogues@yahoo.com
DAVE BARNETT	db.army@gmail.com
	alandez@gmail.com
	Bethe@aol.com
Sulceena Bla	
Catherine Scavello	scavello@gmail.com
	matt.oconnell@gmail.com

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Signature	Email address
	brynnemw@gmail.com
	estirling@diabetes.org
	twirlingdust@gmail.com
	Timothy.Kearney66@gmail.com
	Delmyghernandez@gmail.com
	CWhittaker@diabetes.org
	scotian42@hotmail.com
	1ydnt@me.com
	V.elizee@yahoo.com
	blessed[illegible]@hotmail.com
	jluv525@yahoo.com
	aprghostking1977@hotmail.com

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Signature	Email address
Danaeka L Green	Neaka78@gmail.com
Scott A. Bradley	
David Howard	
Kiona Marshall	
Shari Spriggs	
Conchita Spriggs	
Marlene Abshire	
Shana ~~Foster~~	
	jetair2@yahoo.com
	mjiii2003@gmail.com

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Signature	Email address
Kym Yuan	Kymmanh@yahoo.com
Travis Cavanaugh	Ctraviscavanaugh@gmail.c
Rufus Appiah-Kubi	cymmercy@gmail.com
Justin Frye	justinfaye@ymail.com
Minnie Hankin	tribute1913@yahoo.com
Pia Rose	ms.prose99@gmail.com
Carolyn Wheeler	cwheeler@asced.org
Ilona Cook	ilcook@hotmail.com
Stephanie Curtis	Stephanie.Curtis8@gmail.c
EMILY MATHIS	emily.dem@gmail.com
Derrick Carr	derrick carr70@gmail.co
Lynda G Jones	
Jakeyn Green	
Andi Salazar	muffet02@hotmail.com
[illegible]	
George Jamison	george.jamison02@gmail.com

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Signature	Email address
Susie D. Wiles	
Kimberly Rosenthal	rosiewins@cox.net
Michael Fantus	knightofspears@yahoo.com
Graham Fisher	fisherg2@gmail.com
Piper Falvo	
Jacob Cofer	
Agnes Jarocki	agnes.jarocki@gmail.com
Julian Freeman	Julian.Freeo1@gmail.com
Rishae Hodson	Shaeball@yahoo.com
[illegible] Sullivan	[illegible]
[illegible]	[illegible]
Dani Nakeen	dynakado@yahoo.com
[illegible]	
[illegible]	
Miguel J. Aviles	miguel_aviles_perez@yahoo.com

(19)

Gloria Sitton

From: website <webmaster@alexandriava.gov>
Sent: Friday, May 16, 2014 7:09 AM
To: Jackie Henderson; Gloria Sitton
Subject: City Council speaker's form submission received

Meeting Date: 05/17/2014
Docket Item# 8

Speaker's Name: Rodney Goh
Phone #: 5712306480
Email: rodney.goh@gmail.com
Address: 3080 White Birch Court Fairfax, VA 22031

Representing self? Yes
If representing other:

Position on the item: For

Nature of interest: Food truck owner

Are you being compensated? No

Please click the link below to access your file. Larger files can take longer to upload, so if your file isn't immediately available please try again in a few minutes. If you are still unable to access your file after 30 minutes please contact the survey administrator:
http://surveygizmoresponseuploads.s3.amazonaws.com/fileuploads/118293/1021442/54-620f46ab9adab2c97054c6420eefeb39_Testimony-rgoh.docx

May 17, 2014

Dear Mayor Euille and Members of the City Council,

My name is Rodney Goh, and I support lifting our community's near-total ban of food trucks and allowing them to serve residents and workers on public streets and private property.

Food trucks directly support local suppliers, commercial kitchens, storage facilities, etc, by creating business for them.
Food trucks offer fresh, vibrant, healthy food that is worth getting out and taking a walk for.

Food trucks make our community a more enjoyable place to live and work! They help to draw people to restaurant and shopping areas and increase foot traffic for all surrounding businesses. And every day food trucks are growing into brick-and-mortar restaurants, creating jobs and contributing to city revenues.

The proposed food truck ordinance ensures proper licensing, permitting and enforcement of violations. It also places numerous rules and regulations for how food trucks operate, including prohibiting food trucks from vending in residential areas, and creates additional limitations on the number of food trucks in city-identified restricted zones.

The proposal provides Alexandria residents and workers more choices at lunchtime and more competition for our dollars. Everybody should support that!

Please pass the complete ordinance without delay.

Sincerely,

Rodney Goh

8
5-17-14

Jackie Henderson

From: jjkingconsulting@yahoo.com
Sent: Thursday, May 15, 2014 10:06 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51351: Mayor, Vice Mayor City Council Mayor and City Council,The food truck

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51351.

Request Details:

- Name: Jerry King
- Approximate Address: No Address Specified
- Phone Number: 703-362-7673
- Email: jjkingconsulting@yahoo.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Mayor and City Council,
  The food truck issue has not been researched enough at this point to enact the full ordinance. I attended the Old Town Citizens Association meeting last evening and heard John Chapman discuss the issue. Without going into detail I strongly believe John has the best option to go forward with the non-controversial parts of the ordinance. I will back him on this issue. Further research is required on the controversial parts of the issue.
  Jerry King
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: dacava1@yahoo.com
Sent: Thursday, May 15, 2014 6:55 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51348: Mayor, Vice Mayor City Council Food TrucksWhose idea was this? Did

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51348.

Request Details:

- Name: Dave Cavanaugh
- Approximate Address: No Address Specified
- Phone Number: 703-461-3310
- Email: dacava1@yahoo.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Food Trucks

  Whose idea was this? Did City staff embark on bringing Food Trucks to Alexandria on their own or have City Council members given a "wink and a nod" under the umbrella of being "business friendly". Who is going to take ownership of this boneheaded idea?

  The Mayor, City Council and staff have, without much thought, embraced a "friendly" approach--business friendly, pedestrian friendly, transit friendly- not understanding the long and short term impacts on their community. This is not the way to run City Government. In my unfriendly approach--this is stupid.

  I do not want food trucks on public streets in Alexandria. It is not good for tourism, local restaurants, and more importantly they are a eyesore. A simple City ordinance should ban food trucks on City streets and in parks, allowing them only on private property with a City permit. This is not the way to generate local taxes or contribute to unhealthy life styles.
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: SIJI821@COMCAST.NET
Sent: Thursday, May 15, 2014 11:34 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51286: Mayor, Vice Mayor City Council Please do not allow food truck in Old To

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51286.

Request Details:

- Name: PATRICIA MILLER
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: SIJI821@COMCAST.NET
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Please do not allow food truck in Old Town. We have lived here in the historic area for 37 years, in three different houses, and have always enjoyed the charm of our streets.

  Food trucks would have a negative impact on our community. They are not only unsightly, from a curb appeal standpoint, but they would take income from the local businesses in our area—businesses that pay tax, employ area people, and follow city guidelines on noise abatement and cooking ventilation.

  Such vendors have no place in Old Town!

  Pat and JJ Miller
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

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Jackie Henderson

From: SIJI821@COMCAST.NET
Sent: Thursday, May 15, 2014 11:35 AM
To: Graciela Moreno; Cicely Woodrow; Sam Shelby; Amirah Lane; Kristen Walentisch
Subject: Call.Click.Connect. #51290: Zoning Inquiries, Compliments, Complaints Please do not allow food truck in Old To

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51290.

Request Details:

- Name: PATRICIA MILLER
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: SIJI821@COMCAST.NET
- Service Type: Zoning Inquiries, Compliments, Complaints
- Request Description: Please do not allow food truck in Old Town. We have lived here in the historic area for 37 years, in three different houses, and have always enjoyed the charm of our streets.

  Food trucks would have a negative impact on our community. They are not only unsightly, from a curb appeal standpoint, but they would take income from the local businesses in our area—businesses that pay tax, employ area people, and follow city guidelines on noise abatement and cooking ventilation.

  Such vendors have no place in Old Town!

  Pat and JJ Miller
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

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Jackie Henderson

From: CommunityRelations@alexandriava.gov
Sent: Thursday, May 15, 2014 11:16 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51276: Mayor, Vice Mayor City Council Do not bring food trucks to Old Town Ale

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51276.

Request Details:

- Name: ***Call.Click.Connect.*** Customer
- Approximate Address: No Address Specified
- Phone Number: No Phone
- Email: No Email
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Do not bring food trucks to Old Town Alexandria. It is already difficult to get around with buses, delivery trucks, taxis, cars and large trolleys. We need to also think of safety so that emergency responders can do their job and get to where they need to go.
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

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Jackie Henderson

From: joelhoffman9@msn.com
Sent: Thursday, May 15, 2014 11:23 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51278: Mayor, Vice Mayor City Council As an Old Town resident and property own

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51278.

Request Details:

- Name: Joel Hoffman
- Approximate Address: No Address Specified
- Phone Number: 703/549-4245
- Email: joelhoffman9@msn.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: As an Old Town resident and property owner for almost 30 years, I am horrified and appalled by the food truck proposal. The only interests it serves are those of some tourists and, possibly, those who work but don't necessarily live in the City (not to mention the food truck industry, of course). Few if any actual residents will benefit.

  What the residents of Alexandria will receive is yet-worsened commercialization of our neighborhoods, and the degradation of our lovely streets by a plague of visual blight, electric-generator noise, greasy food smells, crowding of sidewalks, and garbage. Patrons of our taxpaying local restaurant sidewalk seating areas will be driven out if these food-truck monsters are allowed only 20 feet away. And the proposal to require the trucks to shuffle themselves around every 2 or 3 hours, so as to comply with parking restrictions, will create continuing chaos and traffic obstructions throughout the allotted vending period.

  Go over to DC and take a look at the Constitution Avenue side of the Federal Triangle, or 17th St. NW alongside the Ellipse, now devoted to food trucks and the occasional cheap-souvenir vending truck. Could anyone deny with a straight face that these eyesores have turned those formerly elegant and beautiful cityscapes, once the pride of our Nation and its Capital, into tawdry bazaars? Is that what Alexandria is to become?

  It may be true that those who want to wander our streets while stuffing their faces, or convert our streets and parks into picnic grounds, will benefit from the new "competition." But the citizens of Alexandria have many other important civic interests and values, not just the instant availability of cheap food on demand anywhere they happen to be.

  Please consider the interests of your constituents and abandon this ill-conceived proposal.
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: Robertl522@aol.com
Sent: Thursday, May 15, 2014 12:17 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51297: Mayor, Vice Mayor City Council Re Food TrucksI regret that I cannot a

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51297.

Request Details:

- Name: Robert L Calhoun
- Approximate Address: No Address Specified
- Phone Number: 703 624 3763
- Email: Robertl522@aol.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Re Food Trucks
  I regret that I cannot attend the Public Hearing on this subject. However I have the statement submitted by the Alexandria Chamber of Commerce ans agree with it entirely. I wouod only add that the staff-driven procerss on this issue and the apparent dismissal of the citizens task force on this issue does not seem consistent with the advowed goal of Whats Next Alexandria ["to improve the quality of the public participation process". And you wonder why people are cynical about govenment. Bob Calhoun
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: arnold@31415926e-7.com
Sent: Thursday, May 15, 2014 1:14 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51305: Mayor, Vice Mayor City Council From Ayne Furman and Arnold Miller

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51305.

Request Details:

- Name: Arnold Miller
- Approximate Address: No Address Specified
- Phone Number: 7035491047
- Email: arnold@31415926e-7.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: From Ayne Furman and Arnold Miller
- Attachment: http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/docx/fb25da07-ddc3-4cbd-a95f-ad768720a9d4
- Expected Response Date: Thursday, May 22

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

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On Food Trucks:

What is the perceived benefit to the City of Alexandria in allowing food trucks to conduct business in Old Town? Old Town offers a wealth of restaurants to its residents and its visitors. These restaurants pay business and personal property taxes to the City and honor the many signage and appearance regulations of the BAR. They are subject to safety and health inspections that give the customers confidence in the food served.

How much of these attributes will each food truck have to meet? Will a food truck's signs and appearance be reviewed and mandated by the BAR? While it is true that a food truck is a vehicle, and the City does not judge such items in vehicles, a food truck is also a business and if that business is present daily in the City it becomes a part of the image of the City. Will a food truck pay taxes and fees similar to that of an actual restaurant in Old Town or will it enjoy a profit advantage over its stationary rivals?

It is heartening to read that a food truck may not park in a residential permit parking place. But there are areas of residential neighborhoods in Old Town offering parking that is either unrestricted or at least not residential permit controlled. May food trucks park in these areas? And what of residential parking areas that indicate "Except holidays"? May a food truck park in such residential areas on holidays? Might we suggest that the parking limitation be expanded to not parking in residential permit locations as well as any area where a city restaurant license would not be allowed. This seems to cover all of the residential portions of Old Town as well as even the competitive arena between food trucks and restaurants.

Even if all these suggested changes are accepted by Council the question remains of the benefit to Alexandria of food trucks in Old Town and whether their presence will be a detriment to the store owners that help to make Old Town the quaint and charming location it is. It would be good to hear Council tell us, the residents of the City, what we will be gaining by approving food trucks in Old Town. Will an unintended consequence be discouraging new restaurants from opening up for business in Old Town?

Ayne Furman & Arnold Miller

Jackie Henderson

From: cziegler1@hotmail.com
Sent: Thursday, May 15, 2014 2:23 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51312: Mayor, Vice Mayor City Council Mayor Euille, Vice Mayor Silberberg, and

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51312.

Request Details:

- Name: Charles Ziegler
- Approximate Address: No Address Specified
- Phone Number: 703 370 0648
- Email: cziegler1@hotmail.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Mayor Euille, Vice Mayor Silberberg, and Members of the City Council,

  With regard to consideration by the City Council of the proposed Ordinance to Amend and Reordain Title (Licensing and Regulations) of the Code of the City of Alexandria, Virginia, as Amended, to Add Chapter 15 (Food Truck Vendors), the Ad Hoc Fort Ward Park and Museum Area Stakeholder Advisory Group at its meeting of May 14, 2014 voted unanimously to oppose permitting food trucks to conduct business within City parks or streets directly adjacent to them. It was noted that, especially in an historic park, such as is Fort Ward Park, food trucks would significantly detract from the ambience and character of the park, adding litter and excessive noise that would altogether outweigh any possible compensating benefits.

  Yours sincerely,
  Charles Ziegler
  Chairman, Ad Hoc Fort Ward Park and Museum Area Stakeholder Advisory Group
- Expected Response Date: Thursday, May 22

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Jackie Henderson

From: annekelly4@aol.com
Sent: Thursday, May 15, 2014 2:15 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51310: Mayor, Vice Mayor City Council Dear Mayor Euille: My name is Anne K

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51310.

Request Details:

- Name: Anne Kelly
- Approximate Address: No Address Specified
- Phone Number: 703-684-1209
- Email: annekelly4@aol.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Mayor Euille:

  My name is Anne Kelly and I am a small business owner in Alexandria and a member of the Alexandria Chamber of Commerce. I am writing to express my concern and disagreement with the upcoming decision regarding food trucks in Alexandria. I earnestly ask you to defer your decision until additional work can be done.

  As a member of the Chamber, I fully support the rights of business owners to start and grow their business in Alexandria. Under defined conditions, I support the concept of food trucks in our community. However, given the unknown impact of food trucks on Alexandria's existing "brick and mortar" restaurants, many of whom are part of the very fabric of City life, I am concerned that insufficient analysis has been done that anticipates the impact on Alexandria restaurants.

  Additionally, not enough planning has been given to the impact on traffic and parking for these food trucks and residents and visitors.

  Moreover, I am concerned that the Food Truck Policy Advisory Group has not briefed City Council directly on its findings.

  The proposed Food Truck implementation appears on all fronts to have been a hastily made decision which may benefit a small unknown constituency, but not the majority of business owners nor citizens.

  Given these uncertainties, I support the Chamber of Commerce's recommendation to defer this item until such time as a business impact analysis can be conducted and the Food Truck Policy Advisory Group briefs Council directly on its findings.
  I appreciate the opportunity to express my views and thank you in advance for your serious consideration and defer action till further study is completed and many of the unanswered concerns and questions are addressed.

  Very sincerely,

  Anne Kelly,CEO
  IAMA Ventures, LLC

  213 Prince Street
  Alexandria, Virginia 22314
- Expected Response Date: Thursday, May 22

Jackie Henderson

From: msauls@dudinskyassociates.com
Sent: Thursday, May 15, 2014 2:58 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51321: Mayor, Vice Mayor City Council I hope you are well. I know you are bus

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51321.

Request Details:

- Name: Michael Sauls
- Approximate Address: No Address Specified
- Phone Number: 703 549-5799
- Email: msauls@dudinskyassociates.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: I hope you are well. I know you are busy.

  On behalf of myself and every Alexandrian with whom I have spoken, I wish to strongly oppose the proposal before Council to allow food trucks to operate throughout our City of Alexandria. While I understand that in some locations, food trucks may be appropriate, without question, in Old Town Alexandria, they are not. Our unique, historic city, is a precious jewel to be cherished and protected, and not smothered in mustard.

  To allow food trucks to jam our already crowded streets, create traffic backups, blind-spots for drivers and people darting out into the streets, would destroy the peaceful atmosphere which attracts people to visit, shop and dine, and yes, live, in Alexandria. For those thousands of Alexandria residents who have chosen to live here, it will further undermine our property values, reduce our already limited parking and lead to a loss of jobs in the city.

  And, for what purpose? To what good? To whose benefit? Certainly, not the people, the residents, the voters of Alexandria.

  Once again, in the strongest terms, I ask that you deny the proposal to allow food trucks in our fair city.

  Thanks very much for your consideration.

  All the best,

  Michael Sauls
  Alexandria, VA
- Expected Response Date: Thursday, May 22

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Jackie Henderson

From: Lauren Kramer <lauren@meetingpriorities.com>
Sent: Wednesday, May 14, 2014 9:44 AM
To: Jackie Henderson
Subject: Against food trucks

Dear Jackie,

This is to express concern about the Mayor and City Council taking action on yet another move to destroy the character and charm of our beloved Old Town. This is a quaint town. A historic town. There is no place for food trucks - let alone any parking to spare for them! As a resident since 1998, I am alarmed by the foolhardy actions the Mayor (who I voted for and will not vote for again) and his City Council are taking to commercialize our city.

I urge the Mayor and City Council members to vote AGAINST food trucks that will further ruin this lovely, charming destination.

Respectfully,

Lauren Kramer
(c) 703-615-1595
928 S. St. Asaph Street
Alexandria, VA 22314

lauren@meetingpriorities.com

Jackie Henderson

From: robert.weinhagen@mail.house.gov
Sent: Wednesday, May 14, 2014 10:41 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51176: Mayor, Vice Mayor City Council My wife and I live on the 200 block of C

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51176.

Request Details:

- Name: Bob Weinhagen
- Approximate Address: No Address Specified
- Phone Number: 703-549-2560
- Email: robert.weinhagen@mail.house.gov
- Service Type: Mayor, Vice Mayor City Council
- Request Description: My wife and I live on the 200 block of Cameron Street. I rarely write the council about anything, but I strong disagree with allowing food trucks in Old Town. we have plenty of restaurants - more than much larger towns. Also, it will increase street congestion and noise levels. it will also reduce available parking spaces, thus increasing the demand on residential spaces. I fail to see any upside to having them in the city.

  Bob Weinhagen
- Expected Response Date: Wednesday, May 21

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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Jackie Henderson

From: vmgthehill@aol.com
Sent: Wednesday, May 14, 2014 11:53 AM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51185: Mayor, Vice Mayor City Council Dear Council:Your handling of the food

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51185.

Request Details:

- Name: Van Van Fleet
- Approximate Address: No Address Specified
- Phone Number: 703-836-6402
- Email: vmgthehill@aol.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Council:
  Your handling of the food truck issue last night was pathetic. In the interest of fairness to the citizens you should DEFER this issue until it can be properly vetted as you are getting poor and inaccurate information from your attorneys, planners and God knows who else. This is the worst mishandled issue by staff I have witnessed in my 29 years of living here. Let the Food Truck Group finish their work. THERE IS NO HURRY TO FINISH THIS NOW !!!! DEFER

  Van Van Fleet
- Expected Response Date: Wednesday, May 21

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

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Jackie Henderson

From: Karen Zent <karenzent@gmail.com>
Sent: Wednesday, May 14, 2014 2:02 PM
To: Jackie Henderson
Subject: Food Trucks - Support

Dear Clerk Henderson -

I'd like to go on the record of supporting food trucks in Old Town and other parts of Alexandria. I have been a resident since 1995 and would welcome the energy, creativity and options that food trucks bring to our city. I believe these businesses are consistent with our city values of being small-business oriented and tourist- and family-friendly.

I have seen firsthand the positive effect food trucks can have on a business district, and although accommodating the trucks can present challenges initially, I believe the results are well worth the effort. Food trucks will enrich our already diverse city, bringing more options to residents and people who work in Alexandria, and attracting new people to our city. The social media aspect to food trucks and how they have become popular lunchtime destinations is well known. And if those same visitors stay to shop or visit one of our many historical sites, all the better.

I thank you and the members of the City Council for your consideration,

Karen Zent
907 South Saint Asaph Street
Alexandria, Virginia 22314
703-836-6049

Jackie Henderson

From: jgregor@carlylecouncil.com
Sent: Wednesday, May 14, 2014 3:54 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51224: Mayor, Vice Mayor City Council Dear Mayor, Vice Mayor and City Council

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51224.

Request Details:

- Name: Janet Gregor
- Approximate Address: No Address Specified
- Phone Number: 571-551-6048
- Email: jgregor@carlylecouncil.com
- Service Type: Mayor, Vice Mayor City Council
- Request Description: Dear Mayor, Vice Mayor and City Council Members,

  In light of the decision not to defer action on the proposed food truck ordinance, we wanted you to have this letter before Saturday's hearing and consideration of the proposed ordinance. Thank you.
- Attachment: http://request.alexandriava.gov/GeoReport/UploadedFile.ashx/pdf/36ecd145-8c19-4264-bc71-435d6262a350
- Expected Response Date: Wednesday, May 21

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If you need assistance with handling this request, please contact CommunityRelations@alexandriava.gov or call 703.746.HELP.

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CARLYLE
COUNCIL

May 14, 2014

The Honorable William D. Euille, Mayor
and Members of the City Council
Alexandria City Council
301 King Street
Alexandria, Virginia 22314

Re: Docket Item 8: Second Reading and Final Passage of an Ordinance to Amend and Reordain Title (Licensing and Regulations) of the Code of the City of Alexandria, Virginia, as Amended, to Add Chapter 15 (Food Truck Vendors) (the "**Ordinance**")

Dear Mayor Euille and Members of the City Council:

The purpose of this letter is to present Carlyle Community Council's (the "**CCC**") concerns in opposition to the Ordinance as currently drafted.

The memorandum accompanying the Ordinance designates the Carlyle community as a "Restricted Vending Zone". However, the Ordinance itself does not codify the Restricted Vending Zones. Rather, the Ordinance delegates to the City Manager broad discretion over both the location and operation of these zones without public oversight. This aspect of the Ordinance gives the City Manager considerable latitude in dictating the boundaries of Restricted Vending Zones, where food trucks are permitted within those Restricted Vending Zones and how many food trucks may operate within those areas. The Ordinance does not provide any opportunities for public input in making these determinations. We strongly believe that more public oversight should influence these decisions since where food trucks operate has impacts on economic development as well as health and safety.

Additionally, we have consulted with McGuireWoods LLP about the impacts the proposed Ordinance has on Carlyle and we remind you that the streets within Carlyle are privately owned. The terms of the public access to these streets are delineated in the Deed of Easement (the "**Public Access Easement**") between the Carlyle Development Corporation and the City of Alexandria, dated September 29, 1994 and recorded in Deed Book 2510, Page 0207 in the land records of the Circuit Court Clerk's Office for the City of Alexandria (the "**Land Records**"). Pursuant to Paragraph A of the Public Access Easement, the use of this easement area is limited to a "public vehicular and pedestrian right-of-way". Operating a business, such as a food truck, is outside of the scope of the permissible use granted in the easement. Therefore, any person wishing to operate a food truck within Carlyle would need a license or easement to do so from

the CCC Board and would be subject to the use restrictions of the Carlyle Declaration dated December 20, 1994 and recorded in Deed Book 1517, Page 1346 in the Land Records (the "**Declaration**").

Furthermore, the Carlyle community is within a Coordinated Development District (the "**CDD**"). As such, the use of each space within Carlyle affects the whole CDD. Allowing restaurant uses within Carlyle without a special use permit process compromises the purpose and viability of the CDD.

In summary, we take issue with the broad authority given to the City Manager under the Ordinance. Furthermore, we assert that the operation of food trucks within the private roadways of Carlyle is contrary to both the terms of the Public Access Easement and the spirit of Carlyle's CDD. While we appreciate the City's effort to restrict food trucks in high traffic areas, we do not support the Ordinance as currently drafted and respectfully request that you deny approval of the Ordinance.

Sincerely,

Philip D. Weber
President, Carlyle Community Council

Cc: CCC Board of Directors
Rashad Young, City Manager
James L. Banks, City Attorney

Jackie Henderson

From: fredeottinger@comcast.net
Sent: Wednesday, May 14, 2014 6:17 PM
To: City Council; City Council Aides; Jackie Henderson; Community Relations
Subject: Call.Click.Connect. #51234: Mayor, Vice Mayor City Council I strongly urge City Council to send thi

Dear ***Call.Click.Connect.*** User

A request was just created using ***Call.Click.Connect.*** The request ID is 51234.

Request Details:

- Name: Winifrede Ottinger
- Approximate Address: No Address Specified
- Phone Number: 703-548-1311
- Email: fredeottinger@comcast.net
- Service Type: Mayor, Vice Mayor City Council
- Request Description: I strongly urge City Council to send this draft ordinance back for further study and improvement so that Alexandria may have food truck regulations that are fair, comprehensive, and acceptable to the entire community. Thank you for your consideration of my views.
- Expected Response Date: Wednesday, May 21

Please take the necessary actions in responding, handling and/or updating this request at the ***Call.Click.Connect.*** staff interface.

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