

EXHIBIT

1

10  
6-16-01

Docket Item #10  
SPECIAL USE PERMIT #2001-0045

Planning Commission Meeting  
June 5, 2001

**ISSUE:** Consideration of a request for a special use permit to add a patio dining area to the existing restaurant.

**APPLICANT:** Dimitri Alexakis

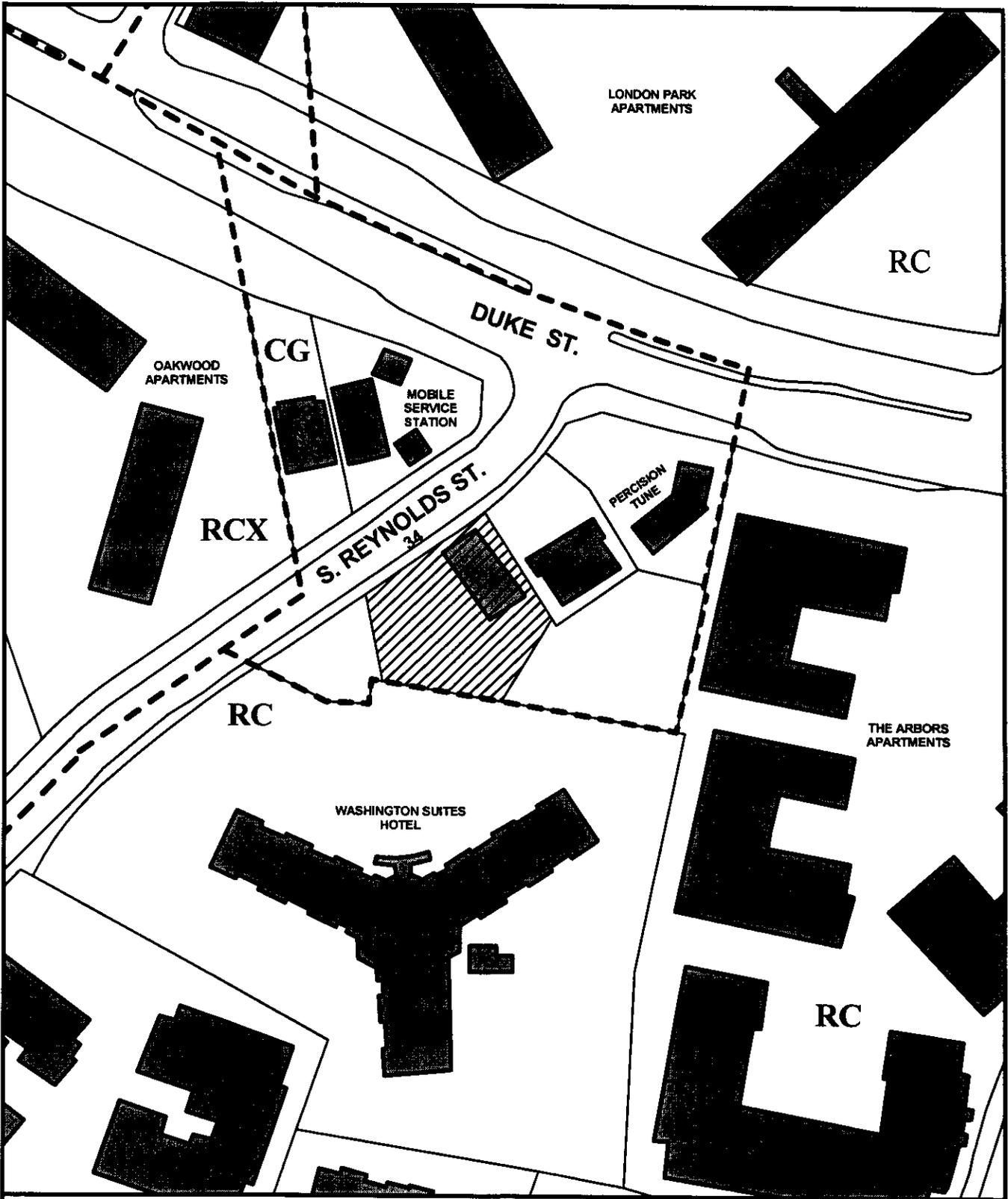
**LOCATION:** 34 South Reynolds Street  
Reynolds Street Bar & Grille

**ZONE:** CG/Commercial General

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**PLANNING COMMISSION ACTION, JUNE 5, 2001:** By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

**Reason:** The Planning Commission agreed with the staff analysis.



**SUP #2001-0045**

**06/05/01**



STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2735)
2. **CONDITION AMENDED BY STAFF:** Seating shall be provided inside for no more than ~~44~~ 92 patrons; the total number of seats outside shall not exceed 50. (P&Z) (SUP #2735-A) (P&Z)
3. **CONDITION AMENDED BY STAFF:** ~~Outside dining facilities shall be provided for no more than 50 patrons within the area delineated on the accompanying plan.~~ Litter shall be picked up as it is generated, and the outside dining area shall be scrubbed and washed down at the close of each day of operation. (P&Z) (SUP #2735-A) (P&Z)
4. The hours of operation shall be limited to the following:  
(P&Z) (SUP #2735-A)  

Indoor Seating	6:30 AM - 1:00 AM	7 days/week
Outdoor Seating	6:30 AM - 11:00 PM	7 days/week
5. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2735)
6. Trash and garbage shall be stored inside or in a dumpster. (P&Z) (SUP #2735)
7. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be ~~collected every day that service is available~~ placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2735) (P&Z)
8. No music or amplified sound shall be audible at the property line. (P&Z) (SUP #2735)
9. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2735)

10. Condition deleted. (SUP #95-0193)
11. **CONDITION AMENDED BY STAFF:** One ~~standard~~ Model SD-42, Black Ironsides City trash container shall be furnished to the City of Alexandria for installation by the City on the adjacent public right-of-way. ~~(P&Z) (SUP #2737)~~ (P&Z)
12. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business each day, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #2735)
13. **CONDITION AMENDED BY STAFF:** The dumpster shall be enclosed and the screening shall be maintained in good condition to the satisfaction of the Director of Planning and Zoning. ~~(P&Z) (SUP #2735)~~ (P&Z)
14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys or storm sewers. (T&ES) (SUP #2735)
15. Condition deleted. (SUP #95-0193)
16. **CONDITION DELETED BY STAFF:** ~~The applicant shall provide Americans With Disabilities Act (ADA) handicap access across driveway entrance. (T&ES) (2735-A) (T&ES)~~
17. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program. (Police) (SUP #95-0193)
18. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit ~~after it has been operational for one year~~ after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. ~~(P&Z) (T&ES) (SUP #95-0193)~~ (P&Z)

19. **CONDITION ADDED BY STAFF:** The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
20. **CONDITION ADDED BY STAFF:** No live entertainment shall be provided at the restaurant. (P&Z)
21. **CONDITION ADDED BY STAFF:** On-site alcohol service is permitted; no off-premise alcohol sales are permitted. (P&Z)
22. **CONDITION ADDED BY STAFF:** Meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z)
23. **CONDITION ADDED BY STAFF:** The applicant shall restripe and repair the parking lot and maintain it in good condition to the satisfaction of the Director of Planning and Zoning. (P&Z)
24. **CONDITION ADDED BY STAFF:** The applicant shall replace the broken concrete curb in front of the parking spaces adjacent to the southern property line to the satisfaction of the Director of Planning and Zoning. (P&Z)
25. **CONDITION ADDED BY STAFF:** The applicant shall submit a landscaping plan to include, at a minimum, the following elements: shrubs in the landscaping bed adjacent to the patio and in front of the parking spaces along South Reynolds Street, and one tree in each grassy island between the parking spaces and in the middle of the parking lot to the satisfaction of the Director of Planning and Zoning. The applicant shall submit the plan within 90 days of approval and shall install the landscaping during the fall planting season 2001. The applicant shall be responsible for maintaining the landscaping in good condition. (P&Z)

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**Staff Notes:** In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Dimitri Alexakis, requests special use permit approval to expand an existing restaurant, known as Reynolds Street Bar and Grill, located at 34 South Reynolds Street.
2. The subject property is one lot of record with approximately 127 feet of frontage on South Reynolds Street, 108 feet of depth and a total lot area of approximately 17,321 square feet. The site is developed with a one-story restaurant constructed in 1974, with a total area of 2,520 square feet and 29 off-street parking spaces.

To the north of the site across South Reynolds Street is a Mobil gas station. To the east of the is a 7-11 convenience store. To the south and west is the Washington Suites hotel.

3. The applicant has been operating the restaurant pursuant to special us permit approval since 1993 (SUP #2735). One June 18, 1994, City Council granted Special Use Permit #2735-A allowing the installation of an interior bar, an outdoor deck to accommodate 50 seats, mixed beverage service and later hours of operation for the indoor seating. On March 23, 1996, City Council granted Special Use Permit #95-0193 allowing an extension of time to construct the improvements previously approved by SUP #2735-A. The applicant never constructed the patio and the approval expired. The applicant has filed a new special use permit request to construct the same patio for outdoor dining as was previously approved.
4. The applicant proposes to construct a 782 square foot wood deck to accommodate 50 seats for use between the months of May and October (see attached plan). The applicant also requests that patrons be permitted to dine outside until 1:00 a.m., the approved closing time for the indoor dining area.
5. No other changes are proposed to the operation of the restaurant.
6. Pursuant to Section 8-200(A)(8) of the zoning ordinance, a restaurant with 94 seats is required to provide a minimum of 24 off-street parking spaces. The applicant has submitted a plan depicting a total of 23 parking spaces after the construction of the outdoor dining area. In order to comply with the technical requirement, the applicant has agreed to reduce the total number of seats he will provide to 92.
7. On May 8, 2001, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit but did observe that portions of the required screening around the dumpster were broken. Staff has spoken with the applicant about the need to repair the screening.

8. During its inspection, staff did not observe the City standard trash container required by Condition #11. Planning staff contacted T&ES and was advised that because the restaurant will offer outdoor dining and is located adjacent to a 7-11 convenience store, T&ES staff continue to believe that a trash container is necessary in this location and recommend the new City standard container be installed. In addition, T&ES staff advise us that the existing driveway accommodates handicap access and therefore Condition #16 requiring the applicant to provide this access is not necessary.
9. Zoning: The subject property is located in the CG/Commercial general zone. Section 4-403(Y) of the zoning ordinance allows a restaurant in the CG zone only with a special use permit.
10. Master Plan: The proposed use is consistent with the Landmark/Van Dorn small area plan chapter of the Master Plan which designates the property for commercial general use.

STAFF ANALYSIS:

Staff has no objection to the applicant's request to expand the existing restaurant to include an outdoor dining area located at 34 South Reynolds Street. Staff supported the applicant's original request to provide the outdoor dining area and continues to be supportive of it. With regard to the hours of operation for the outdoor dining area, staff notes that Washington Suites, a high rise hotel, abuts the subject property to the south. Staff is concerned that noise associated with the outdoor dining area, combined with the noise created by customers and employees when leaving the restaurant at 1:00 a.m. or later, will negatively impact the hotel and its guests. Staff therefore recommends a closing time of 11:00 p.m., as was previously approved.

During staff's inspection of the property, staff observed broken curbing and loose gravel in the parking spaces located along the southern property line adjacent to the hotel and broken asphalt in the middle of the parking lot. Staff has included several new conditions requiring the applicant to replace the broken curb and asphalt, to restripe the lot, and to submit a landscaping plan to include, at a minimum, the installation of trees within the grass islands and in the middle of the parking lot, and shrubs in the planting beds adjacent to the outdoor dining area and parking lot along South Reynolds Street. Staff believes that the planting of several trees and shrubs will greatly improve the appearance of the site.

Finally, staff has updated the language of several existing special use permit conditions and added some standard conditions missing from the permit. Staff has also amended Condition #18 to require a review of the restaurant one year from approval so that if there are problems with the outdoor dining, additional conditions may be imposed. With these conditions, staff recommends approval of the special use permit.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 Applicant shall comply with off-street parking requirements and reduce seating as necessary.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- C-1 The applicant shall comply with the City Noise Control Code, Chapter 11, Section 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

- C-1 The proposed space is classified an assembly use and as such is subject to the mixed use provisions of BOCA 313.
- C-2 This use represents a change of use and therefore shall need a new certification or occupancy.
- C-3 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Construction permits are required for this project. Plan shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

- C-6 A Fire Prevention code permit is required for this operation. An egress plan shall accompany plan shall accompany the permit application.
- C-7 A rodent control plan shall be submitted to this office for preview and approval. The plan shall include the following elements:
  - a. Food stuff storage
  - b. Trash storage and removal
  - c. Rodent baiting

Health Department:

- C-1 An Alexandria Health Department permit is required for all regulated activities. This facility is currently operating as Reynolds Street Café' under health permit # 16F-277-1 issued to DGF Restaurant Group, Inc.
- C-2 Food must be produced to the point of service.
- C-3 If changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-4 Permits or approval must be obtained prior to the use of the new area(s).
- C-5 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions both indoors and at the outside dining areas.
- C-6 Certified Food Managers must be on duty during all hours of operation.

Police Department:

- R-1 No objection, there has been only one call for service at this address for the past year.

APPLICATION for SPECIAL USE PERMIT # 2001-0045

[must use black ink or type]

PROPERTY LOCATION: 34 S. Reynolds St.

TAX MAP REFERENCE: 48.00 - 01 - 08 ZONE: CG

APPLICANT Name: DIMITRI ALEXAKIS

Address: 7237 Wilburde DR., Ann. VA, 22003

PROPERTY OWNER Name: Dimitri ALEXAKIS

Address: 34 S. Reynolds St., Alex, VA,

PROPOSED USE: Patio Attached to existing Restaurant.

**THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED** hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

DIMITRI ALEXAKIS  
Print Name of Applicant or Agent

  
Signature

34 S. Reynolds St.  
Mailing/Street Address

703-751-0830 751-0836  
Telephone # Fax #

Alexandria, VA, 22504  
City and State Zip Code

03/27/01  
Date

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one)  the Owner  Contract Purchaser  
 Lessee or  Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

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If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes. Provide proof of current City business license  
 No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

**NARRATIVE DESCRIPTION**

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

Add Wooden Patio to Existing  
Restaurant, outdoor seating from  
May to October, ~~from~~ open from  
11:00 AM to 1:00 AM, Seating outdoor  
50 people, alteration proposed to  
Accomodate indoor and outdoor seating  
to be no more than 96 people.

**USE CHARACTERISTICS**

4. The proposed special use permit request is for: *(check one)*

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,
- other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

50  
\_\_\_\_\_

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

2 to 3 employees ~~and~~  
\_\_\_\_\_

6. Please describe the proposed hours and days of operation of the proposed use:

Day: 7 days a week  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Hours: 11:00 A.M. to 11:00 A.M.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Controlled by onsite staff  
\_\_\_\_\_

B. How will the noise from patrons be controlled?

Controlled by onsite staff  
\_\_\_\_\_  
\_\_\_\_\_

8. Describe any potential odors emanating from the proposed use and plans to control them:

Comply with Health requirements  
\_\_\_\_\_  
\_\_\_\_\_

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

As applicable for current Restaurant  
\_\_\_\_\_

B. How much trash and garbage will be generated by the use?

Same as A.  
\_\_\_\_\_

C. How often will trash be collected?

Same as A.  
\_\_\_\_\_

D. How will you prevent littering on the property, streets and nearby properties?

Staff will police property  
\_\_\_\_\_

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes.  No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes.  No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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12. What methods are proposed to ensure the safety of residents, employees and patrons?

Staff will police property

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### ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes.  No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

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Currently Restaurant is ~~not~~ served by  
ABC license

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**PARKING AND ACCESS REQUIREMENTS**

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

23

B. How many parking spaces of each type are provided for the proposed use:

23 Standard spaces

\_\_\_\_\_ Compact spaces

\_\_\_\_\_ Handicapped accessible spaces.

\_\_\_\_\_ Other.

C. Where is required parking located?  on-site  off-site (check one)

If the required parking will be located off-site, where will it be located:

\_\_\_\_\_

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the **PARKING REDUCTION SUPPLEMENTAL APPLICATION**.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? 1

B. How many loading spaces are available for the use? 1

C. Where are off-street loading facilities located? behind building

D. During what hours of the day do you expect loading/unloading operations to occur?

10 AM to 4:00 Mon to Friday

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

2 or 8 times a week

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Yes, Reynolds Street

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No

Do you propose to construct an addition to the building?  Yes  No

How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed <sup>deck</sup> use be?

\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 782 sq. ft. (total)  
29' x 34' =

19. The proposed use is located in: (check one)

a stand alone building  a house located in a residential zone  a warehouse

a shopping center. Please provide name of the center: \_\_\_\_\_

an office building. Please provide name of the building: \_\_\_\_\_

other, please describe: adjacent to restaurant

**RESTAURANT SUPPLEMENTAL APPLICATION**

All applicants requesting special use permit approval for restaurants shall complete the following section. Applicants requesting approval of a special use permit for a restaurant in Old Town shall complete the SUPPLEMENTAL INFORMATION FOR RESTAURANTS IN OLD TOWN section and submit the required parking management plan and litter reduction plan.

Please provide the following information:

1. How many seats are proposed?

At tables: 50 At a bar: \_\_\_\_\_ Total number proposed: 50

2. Will the restaurant offer any of the following?

yes alcoholic beverages yes beer and wine (on-premises)  
no beer and wine (off-premises)

3. Please describe the type of food that will be served:

Similar service as Restaurant

4. The restaurant will offer the following service (check items that apply):

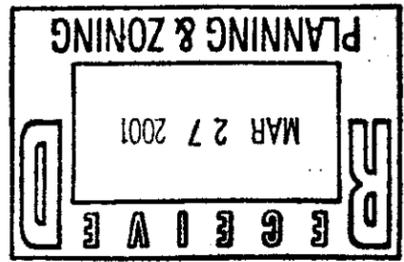
table service  bar  carry-out  delivery

5. If delivery service is proposed, how many vehicles do you anticipate? \_\_\_\_\_

Will delivery drivers use their own vehicles?  Yes.  No.

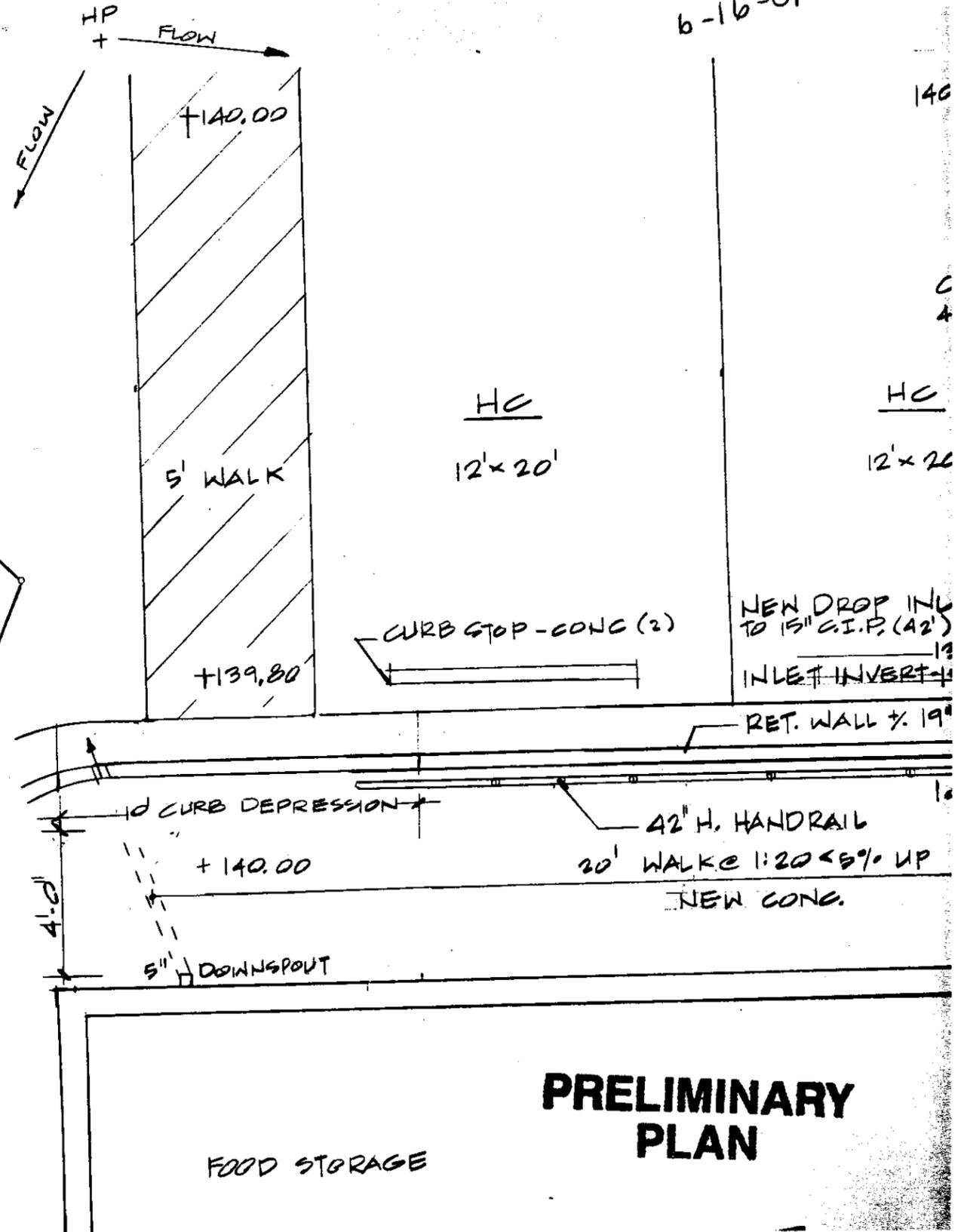
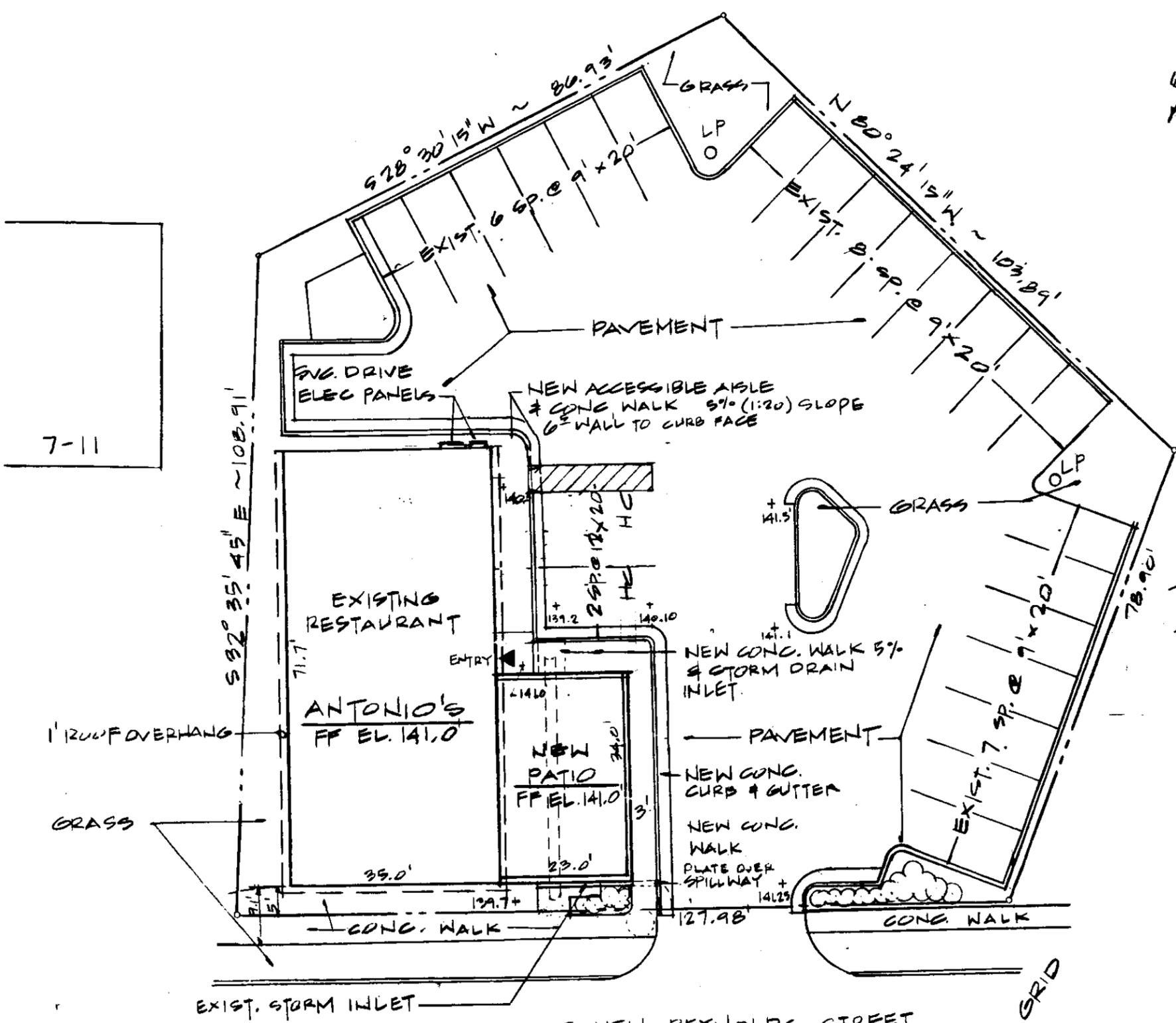
6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?  Yes.  No.

If yes, please describe: Large screen T.V. inside



SUP #2001-0045  
 34 S Reynold's St  
 Antonio's

10  
 b-16-01



**PRELIMINARY PLAN**

7-11



APPLICATION for SPECIAL USE PERMIT # 2001-0045

[must use black ink or type]

PROPERTY LOCATION: 34 S. Reynolds St.

TAX MAP REFERENCE: 48.00 - 01 - 08 ZONE: CG

APPLICANT Name: DIMITRI ALEXAKIS

Address: 7237 Wilburdale DR., Ann. VA, 22003

PROPERTY OWNER Name: Dimitri ALEXAKIS

Address: 34 S. Reynolds St., Alex, VA,

PROPOSED USE: Patio Attached to existing Restaurant.

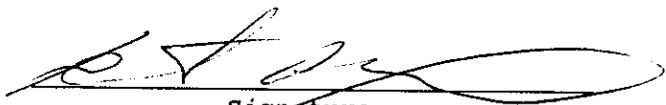
*Restaurant-expansion*

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THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

DIMITRI ALEXAKIS  
Print Name of Applicant or Agent

  
Signature

34 S. Reynolds St.  
Mailing/Street Address

703-751-0030 751-0036  
Telephone # Fax #

Alexandria, VA, 22504  
City and State Zip Code

03/27/01  
Date

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: 6/5/01 Recommended Approval UC

ACTION - CITY COUNCIL: 6/16/01PH -- See attached. (Separate Motion)

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**

**ACTION CONSENT CALENDAR (continued)**

**Planning Commission (continued)**

✓ 7. Councilman Speck removed this item from the consent agenda to add a condition regarding employee parking.

City Council approved the Planning Commission recommendation **with the addition of condition #20 as follows: "#20. Employees who drive to work are required to use off-street parking."** (Separate Motion)

✓ 8. City Council approved the Planning Commission recommendation.

✓ 9. City Council approved the Planning Commission recommendation.

✓ 10. Councilwoman Woodson, Planning and Zoning Deputy Director Ross, Code Enforcement Director Dahlberg and City Attorney Pessoa participated in a discussion regarding ADA compliance for this restaurant.

City Manager Sunderland stated that staff will go to the site during the week, take a look at what's required, if they are not in compliance, staff will get them into compliance.

City Council approved the Planning Commission recommendation and noted that there was a discussion about the ADA compliance and staff will go look at compliance. (Separate Motion)

✓ 11. City Council approved the Planning Commission recommendation.

✓ 12. City Council approved the Planning Commission recommendation.

13. Introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Tuesday, June 26, 2001.

✓ 14. City Council approved the Planning Commission recommendation.

✓ 15. City Council approved the Planning Commission recommendation.

✓ 16. City Council approved the Planning Commission recommendation.

17. Introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Tuesday, June 26, 2001.

**END OF ACTION CONSENT CALENDAR**

Council Action: \_\_\_\_\_