

EXHIBIT NO. 1

12
12-15-01

Docket Item #2-A
SPECIAL USE PERMIT #2001-0069

Planning Commission Meeting
December 4, 2001

ISSUE: Consideration of a request for a special use permit to increase the indoor seating, to add outdoor seating, and to expand the hours of operation of an existing restaurant.

APPLICANT: Ahmad Amarlooi

LOCATION: 315 Madison Street
Montgomery Center - Flatbreads

ZONE: CRMU-X/Commercial Residential Mixed Use

PLANNING COMMISSION ACTION, DECEMBER 4, 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.

PLANNING COMMISSION ACTION, NOVEMBER 8, 2001: The Planning Commission noted the deferral of the request.

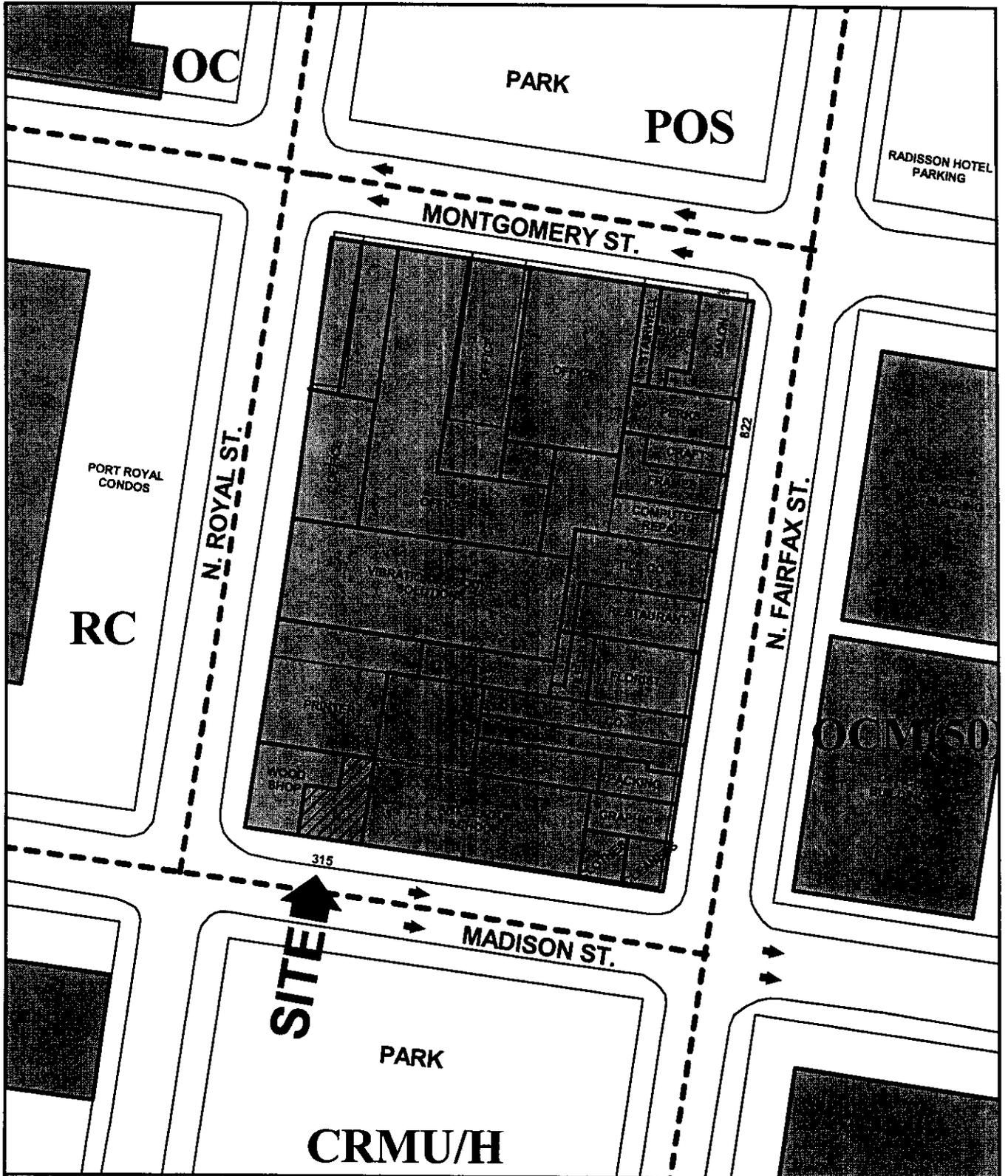
Reason: The applicant failed to comply with the requirements for legal notice.

PLANNING COMMISSION ACTION, OCTOBER 2, 2001: The Planning Commission noted the deferral of the request.

Reason: The applicant failed to comply with the requirements for legal notice.

PLANNING COMMISSION ACTION, SEPTEMBER 4, 2001: The Planning Commission noted the deferral of the request.

Reason: The applicant failed to comply with the requirements for legal notice.



SUP #2001-0069

12/04/01



SUMMARY

The applicant requests permission to add seats, to allow outdoor dining, and to increase the hours of operation for the restaurant located at 315 Madison Street. With the exception of the outdoor dining, staff supports the applicant's requests. Staff cannot support the outdoor seats because in order to provide them, mature landscaping will be removed. Staff is suggesting that the applicant, the property owner, and staff work together to find alternative sites for outdoor dining.

STAFF RECOMMENDATION:

Staff recommends **approval** of the additional indoor seats and later hours of operation and **denial** of the outdoor seats 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 #1622-A)
2. Trash and garbage shall be stored inside the building or in a dumpster. (P&Z) (SUP #1622)
3. Condition deleted. (SUP #97-0185)
4. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of these containers. (P&Z)(SUP #97-0185)
5. 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 daily 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 #97-0185)
6. Condition deleted. (SUP #97-0185)
7. No food, beverages or other material shall be stored outside. (P&Z) (SUP #1622)

8. **CONDITION AMENDED BY STAFF:** The hours of operation of the business shall be restricted from 10:30 A.M. to ~~8:00~~ 10:00 P.M. Monday through Thursday, 10:30 A.M. to ~~9:00~~ 10:00 P.M. on Friday, 10:30 A.M. to ~~9:00~~ 10:00 P.M. on Saturday and closed on Sunday as requested by the applicant. (P&Z)(SUP #97-0185) (P&Z)
9. **CONDITION AMENDED BY STAFF:** Seating shall be provided inside for no more than ~~14~~ 40 patrons. (P&Z)(SUP #1622-A) (P&Z)
10. **CONDITION AMENDED BY STAFF:** No outside dining facilities shall be ~~located on the premises~~ provided on the public right-of-way. Outside dining may be provided on private property subject to a plan that is reviewed and approved by the Director of Planning and Zoning. The applicant shall ensure that pedestrian access is provided past the outdoor seating and shall clean and wash the seating area at the close of each day of operation. (P&Z)(SUP #97-0185) (P&Z)
11. No live entertainment shall be provided at the restaurant. (P&Z)(SUP #97-0185)
12. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)(SUP #97-0185)
13. On-premise beer and wine service is permitted. For off-premises sales, the following rules apply: Beer and wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (P&Z)(SUP #97-0185)
14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES).(SUP #97-0185)
15. No amplified sound shall be audible at the property line. (P&Z) (SUP #97-0185)
16. **CONDITION DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the business and a robbery awareness program for the employees. (Police)(SUP #97-0185) (P&Z)~~

17. **CONDITION RETAINED BY STAFF:** The Director of Planning and Zoning shall review the special use permit 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 as a result of a complaint that rises to the level of a violation, 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) (SUP #2000-0075) (P&Z)
18. 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 Health. (Health) (SUP #2000-0075)
19. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program. (Police)(SUP #2001-0031)
20. **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)

DISCUSSION:

1. The applicant, Ahmad Amerlooi, requests special use permit approval to increase the number of indoor seats, to add outdoor dining, and to expand the hours of operation for an existing restaurant located at 315 Madison Street.
2. The subject property is one lot of record which encompasses most of an entire city block with approximately 250 feet of frontage on Madison and Montgomery Streets, and 362 feet of frontage along North Fairfax and North Royal Streets. The Montgomery Center is a mixed use development of 92,395 square feet.
3. A restaurant/bakery has operated in this location since 1983. Most recently it was operated by Eleanor Kathleen Caples as Flatbreads. On May 7, 2001, an administrative change of ownership was granted by the Director of Planning and Zoning allowing the ownership of the restaurant to change from Ms. Caples to Alborz Inc. by Ahmad Amarlooi.
4. The applicant has filed a special use permit request to expand the restaurant in order to increase the number of seats and to provide outdoor seating. The applicant requests permission to allow a total of 40 seats. Of that number, 28 seats will be provided inside the restaurant and 12 seats will be provided outside the restaurant (see attached plan). Condition #9 of the special use permit allows 14 seats in the restaurant and no outdoor seating.
5. As the outdoor seating is proposed to be located on the City right-of-way, an encroachment approval is also required. The applicant has filed that request which is being processed concurrently with this case (see Enc #2001-007).
6. The applicant also requests permission to extend the hours of operation in order to operate the restaurant until 10:00 p.m. daily. The approved hours of operation are as follows:

<u>Day of the week</u>	<u>Hours of operation</u>
Monday through Thursday	10:30 a.m. to 8:00 p.m.
Fridays	10:30 a.m. to 9:00 p.m.
Saturdays	10:30 a.m. to 9:00 p.m.
Sundays	Closed

7. No other changes are proposed to the operation of the restaurant.
8. The applicant indicates that five employees will operate the restaurant.
9. Pursuant to Section 8-200(A)(8) of the zoning ordinance, an increase of 26 restaurant seats would ordinarily require a minimum of seven off-street parking spaces. However, in this case, the parking for the entire center has been reduced, provided the uses fall within the categories and the space limitations permitted in the Center's SUP. Those limitations are not triggered by this application.
10. On July 30, 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.
11. Zoning: The subject property is located in the CRMU-X/Commercial Residential Mixed Use zone (Old Town North). Section 5-403(V) of the zoning ordinance allows a restaurant in the CRMU-X zone only with a special use permit.
12. Master Plan: The Old Town North small area plan chapter of the Master Plan anticipates redevelopment of the site and designates the property for commercial residential mixed use.

STAFF ANALYSIS:

Staff has no objection to the applicant's request to increase the number of seats inside the restaurant and to expand the hours of operation for the restaurant located at 315 Madison Street. Although there is no technical requirement for off-street parking for the restaurant, staff notes that the increase in seats may generate a greater demand for parking than currently experienced at the restaurant and that, at certain times of the day, especially in the early afternoon, few on-street parking spaces are available on the streets around the Montgomery Center.

On the other hand, during the weekday lunch hours, most patrons will likely walk to the restaurant from work. In the evening hours, residents may walk from nearby homes which will reduce, in part, the demand for parking. The closing hours of the other restaurant uses in the Montgomery Center are coterminous with those of the neighboring business and office uses. As a consequence, staff has observed vacant parking spaces along the streets that abut the Montgomery Center after regular business hours.

On balance, staff supports the applicant's request for additional seats, but has retained Condition #17 which requires a review of the restaurant one year after approval. At that time, if there are violations or parking problems as a result of the additional seats, additional conditions may be imposed.

With regard to the proposed outdoor seating, staff is strongly supportive of outdoor seating because it is a desirable amenity that provides vitality and interest at the street and for the community. However, in the proposed location, the seating will require the loss of mature shrubs and green space in front of the building on public property. Staff cannot support the provision of seating at the expense of the existing mature landscaping. Staff would support outdoor seating in another location at the Montgomery Center that does not require the removal of shrubs or other landscaping and has spoken with the applicant and the property owner in this regard.

Therefore, staff recommends approval of the applicant's request for additional seats and later hours of operation but not for the proposed outdoor seating.

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 has submitted a request for Encroachment (ENC #2001-0007) for the proposed outdoor seating.
- C-1 The applicant comply with the City of Alexandria's Noise Control Code, Chapter 11, Section 5. (DEQ)
- R-1 Kitchen, or other types of equipment shall not be cleaned outside, nor shall any cooking residue or wastes be washed into the street, sidewalks or storm sewers.
- R-2 Applicant shall control odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties as determined by T&ES.
- R-3 Applicant shall obtain, at their own expense, one Model SD-42 Bethesda Ironside Series trash container to replace existing container located on the adjacent right-of-way.
- R-4 As a condition of the encroachment prohibit the use of loudspeakers or musicians outside of the restaurant. (DEQ)
- R-5 Equipment shall not be cleaned outside, nor shall any cooking residue or other wastes be washed onto the streets, alleys, sidewalks or into storm sewers.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Four sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-5 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 313.0.
- C-6 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-7 The following code requirements apply where food preparation results in the development of grease laden vapors:
 - (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
 - (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders cannot discharge to the building drainage system through a grease interceptor.
- C-8 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
 - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on-site.
 - (c) Rodent baiting plan.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. This facility is currently operating as Flatbreads under health permit #16f-538-1 issued to Sol*Luna, Inc.
- C-2 Food must be protected 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 use of 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 dining areas.
- C-6 Certified Food Managers must be on duty during all hours of operation.

Police Department:

- F-1 The security survey and robbery awareness program have been completed.
- F-2 No objection to the extended hours.

APPLICATION for SPECIAL USE PERMIT # 2001-0069

[must use black ink or type]

PROPERTY LOCATION: 315 MADISON ST. ALEX VA 22314

TAX MAP REFERENCE: 5503-01-~~87~~10 ZONE: CRMLU~~X~~

APPLICANT Name: AHMAD AMARLOO

Address: 315 MADISON ST ALEX VA 22314

PROPERTY OWNER Name: M.R.E. CORP

Address: 300 MONTGOMERY ST. SUITE(200) ALEX VA 22314

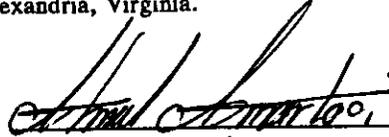
PROPOSED USE: RESTURANT - expansion (FLATCREADS)

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.

AHMAD AMARLOO
Print Name of Applicant or Agent


Signature

315 MADISON ST. ALEX
Mailing/Street Address

(703) 836-9165 (703) 836-5137
Telephone # Fax #

ALEX VA 22314
City and State Zip Code

6-25-01
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.

AHMAD AMARLOO 8915 BATTERY RD ALEX VA 22308

MAHJOUBEH KAVIAN

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)

I HAVE 14 SEATS AND 1 BATH ROOM
I REQUEST 40 SEATS (12 OUTSIDE)
28 INSIDE AND ADD ANOTHER BATH ROOM.
WE HAVE SPECIAL FOOD LIKE KABOB/PKE
WE HAVE OUR SPECIAL TANDOORI BREADS
CALL FLAT BREADS. OUR MENU INCLUDE
HOME MADE VEGGI FOODS LIKE DOLME,
(STAFFED GRAPE LEAVS) Mr GASSEMI (BAKED
EGGPLANT w/ GARLIC, TOMATO, OLIVE OIL,
AND EGGS) MOST OUR FOODS IS GRILL (KABOB)
OR BAKED AND HOME MADE WITH DIFFERENT
TEST. WE INCLUDE OUR KABOBS (GROUND BEEF)
LAMB, TOP SIRLOIN (CHENJEH) CHICKEN, FISH,
AND SEVERAL APPITIZERS.
I WOULD LIKE TO HAVE AT LEAST FEW SEATS OUTSIDE
IN OUR OWN SPACE AND ALSO I WOULD LIKE TO
HAVE EXTENDED HOURS (CLOSING 10:00 PM)

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).

100 DAY

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

5 PERSON

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

Day:

Hours:

MON - SAT

11:AM - 10:00 PM

SUNDAY

CLOSED

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

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

NONE

B. How will the noise from patrons be controlled?

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

NONE

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?

PAPER PRODUCT - VEGETABLE - MEAT.

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

TWO 50 GALLON TRASH CAN

C. How often will trash be collected?

BY TRASH COMPANT

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

WE KEEP TRASH IN CLOSED CONTAINERS INSIDE
KITCHEN AND EVERY OTHER DAY WILL BE
PICKED UP BY TRASH COMPANT.

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:

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:

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

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.

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

8:00 AM TO 11:00 AM

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

3 TIMES WEEKLY

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

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 use be?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

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: _____

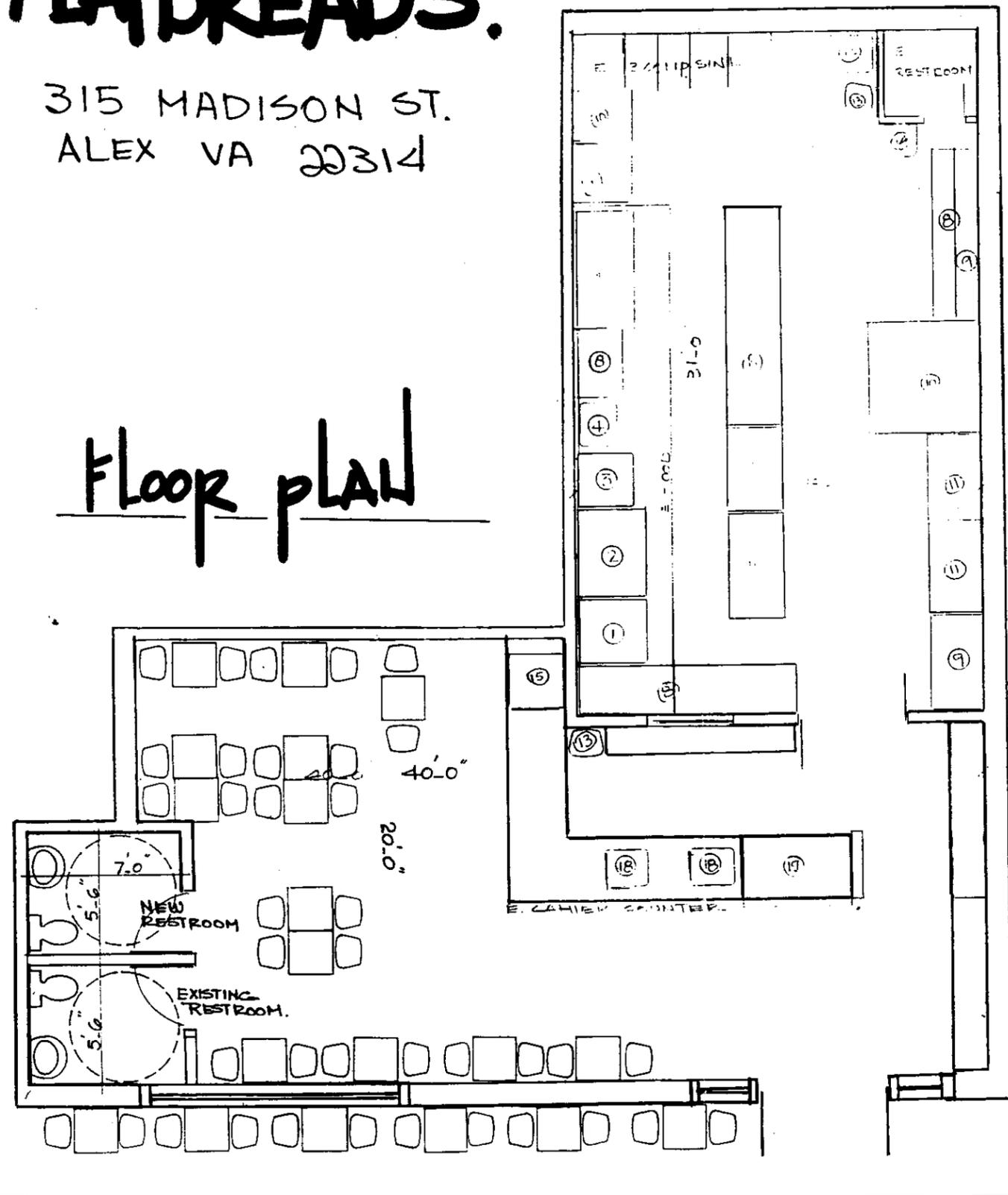
an office building. Please provide name of the building: M.P.E. CORP

other, please describe: _____

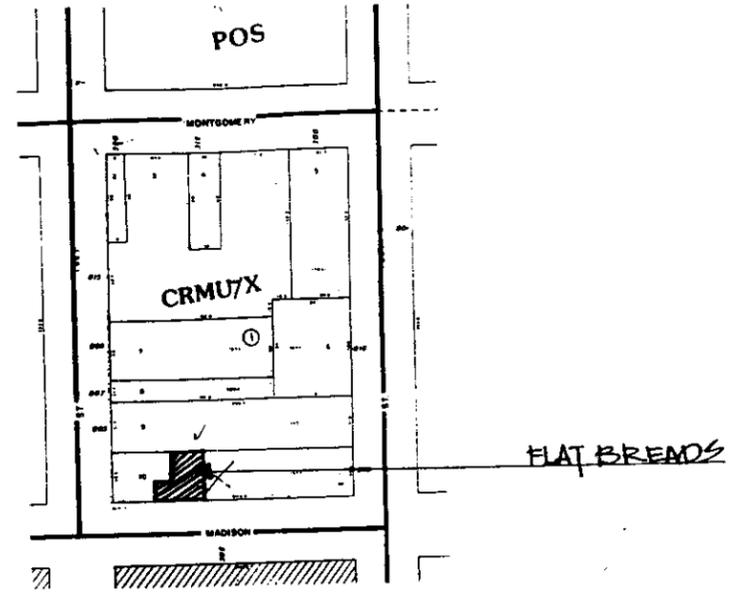
FLATBREADS.

315 MADISON ST.
ALEX VA 22314

FLOOR PLAN



SUP #2001-0069
315 Madison St
Flatbreads Restaurant



SITE PLAN

12
12-15-01

EQUIPMENT SCH.

DESCRIPTION	
1- TANDOORI OVEN	NEW
2- CHAM-BROILER	NEW
3- RANGE	EXISTING
4- SOCK POT STOVE	NEW
5- PIZZA OVEN	EXISTING
6- PREP REFRIGERATOR	EXISTING
7- UNDER COUNTER REFRIGERATOR	NEW
8- S.S. WORK TABLES	EXISTING
9- SHELVES	EXISTING
10- WALK IN COOLER	EXISTING
11- REFRIGERATOR	EXISTING
12- MEAT SINK	EXISTING
13- HAND SINKS	EXISTING
14- MIXER	EXISTING
15- SODA SYSTEM	NEW
16- REFRIGERATOR	EXISTING
17- COLD BELLS	EXISTING
18- CASH REGISTERS	EXISTING
19- DISPLAY REFRIGERATOR	EXISTING

SIDE WALK

City of Alexandria, Virginia

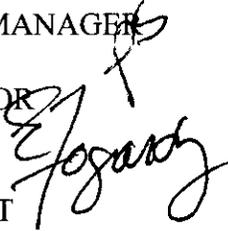
12/13
12-15-01

MEMORANDUM

DATE: DECEMBER 12, 2001

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: PHIL SUNDERLAND, CITY MANAGER

FROM: EILEEN FOGARTY, DIRECTOR
PLANNING AND ZONING 

SUBJECT: FLATBREADS RESTAURANT
SUP #2001-0069
ENC #2001-0007

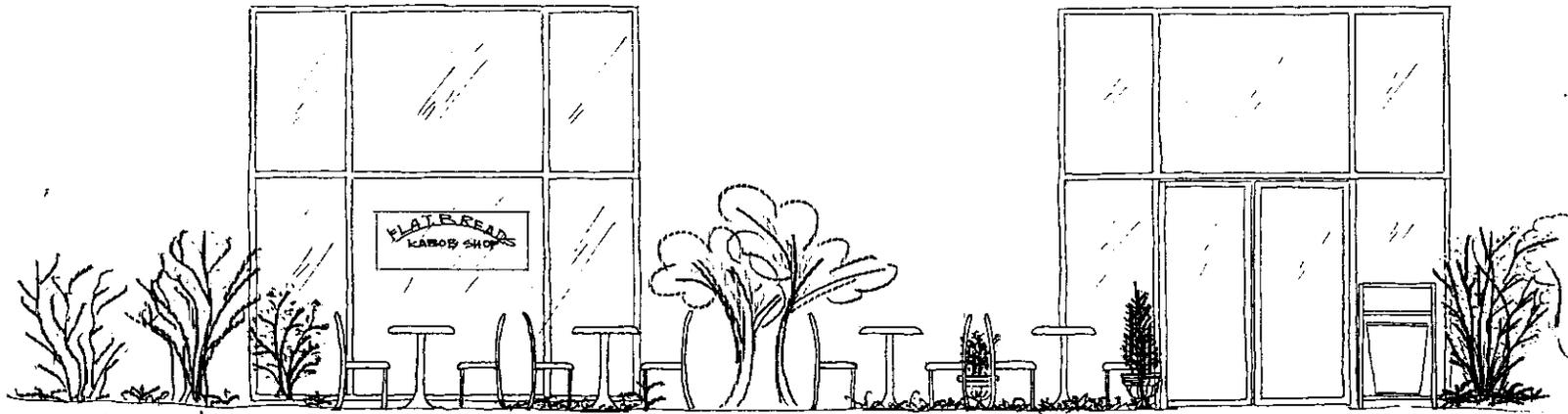
On Saturday City Council will consider the special use permit and the encroachment request for Flatbreads Restaurant at 315 Madison Street in the Montgomery Center. Although staff supports the new restaurant at this location, staff had originally recommended denial of the proposed outdoor seating. The land immediately outside the building is public right of way; therefore, the outdoor seating proposal required, in addition to the typical special use permit for the restaurant, an encroachment permit to use the public space. Because there are now changed circumstances, staff, the applicant, and the landlord have discussed the issue and come to an agreement which will allow the outdoor seating to proceed.

Therefore, as to both case SUP#2001-0069 and case ENC #2001-0007, staff has changed its recommendation from a denial of the outdoor seating to a recommendation for approval with the following conditions:

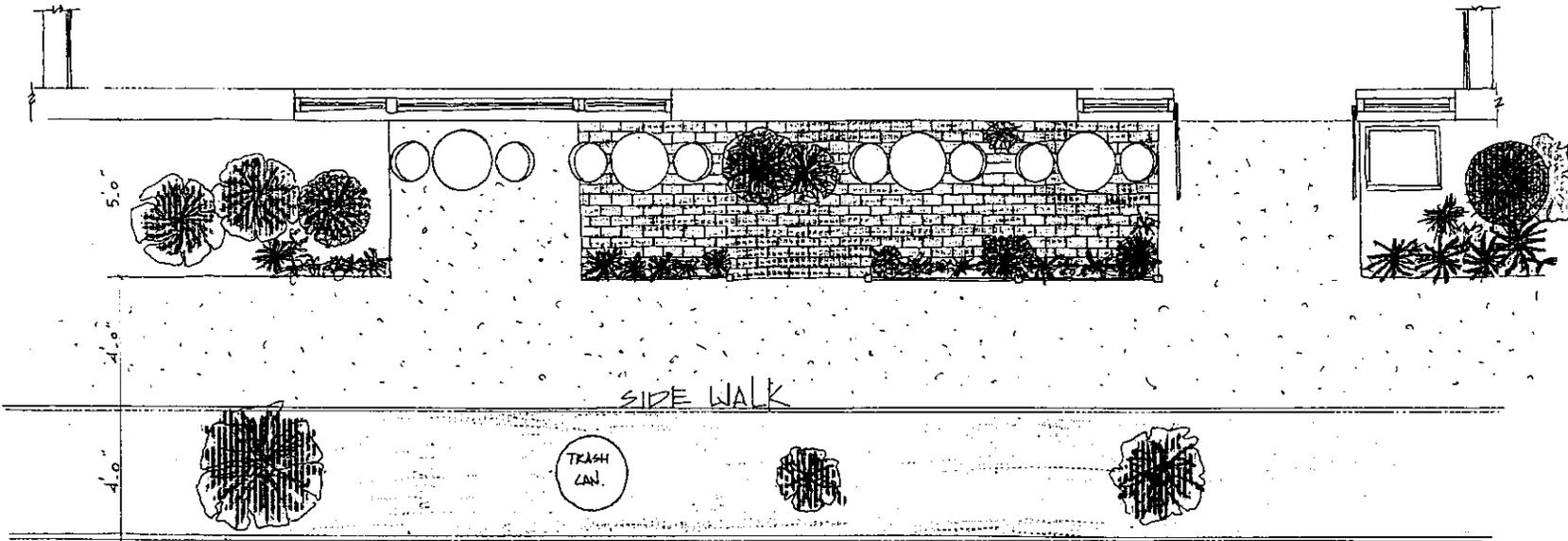
1. Outdoor seating is permitted which generally complies with the attached plan proposed by the applicant, which includes eight seats at four tables and plantings to include a large evergreen bush against the building plus planters, a low fence, and plantings at the perimeter of the outdoor dining area, all to the satisfaction of the Director of Planning and Zoning.
2. Must at all times keep at least 4 feet of the public sidewalk clear for pedestrian access.

With these conditions, staff recommends approval of the proposed use.

FLATBREADS



ELEVATION SCALE 1/2" = 1.0'



FLOOR PLAN SCALE 1/2" = 1.0'

102
APPLICATION for SPECIAL USE PERMIT # 2001-0069

[must use black ink or type]

PROPERTY LOCATION: 315 MADISON ST. ALEX VA 22314

TAX MAP REFERENCE: 5503-01-~~88~~10 ZONE: CRMU~~X~~

APPLICANT Name: AHMAD AMARLOO

Address: 315 MADISON ST ALEX VA 22314

PROPERTY OWNER Name: M.R.E. CORP

Address: 300 MONTGOMERY ST. SUITE(200) ALEX. VA 22314

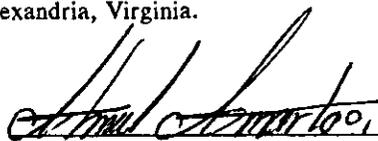
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AHMAD AMARLOO
Print Name of Applicant or Agent


Signature

315 MADISON ST. ALEXA
Mailing/Street Address

(703)836-9165 (703)836-5137
Telephone # Fax #

ALEX VA 22314
City and State Zip Code

6-25-01
Date

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

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

ACTION - PLANNING COMMISSION: 12/4/01 Recommended Approval UC

ACTION - CITY COUNCIL: 12/15/01PH--See attached.

Members of Council, the City Manager, City Attorney and Transportation and Environmental Services Director Baier participated in the discussion on this matter and were joined by VDOT Project Manager Nicholson, Mr. Fadoul representing Saint Mary's School, and Mrs. Bolan, Saint Mary's principal.

City Council approved the temporary closure of South Street and South Royal Street, effective on or about January 14; the City will complete a turnaround at Jones Point Park Drive; after the temporary closure, VDOT will conduct actual traffic counts to assess the effects on Saint Mary's and on a.m. and p.m. commuter traffic prior to the formal vacation; Yates Gardens will be included in the turnaround discussions; and good-faith negotiations will occur between the representatives of Saint Mary's School, Virginia Department of Transportation, the Woodrow Wilson Bridge Design Center and City staff, on mitigating traffic impacts.

Council Action: _____

11. Public Hearing on and Consideration of Staff Recommendation Regarding the Installation of a Traffic Signal at the Intersection of North Patrick Street and Oronoco Street. (#13 12/11/01)

City Council authorized staff to install a traffic signal located at the intersection of North Patrick Street and Oronoco Street.

Council Action: _____

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

Without Objection, City Council considered docket item nos. 12 and 13 together and under one motion.

12. SPECIAL USE PERMIT #2001-0069
315 MADISON ST
FLATBREADS
Public Hearing and Consideration of a request for a special use permit to increase the indoor seating, to add outdoor seating, and to expand the hours of operation of an existing restaurant; zoned CRMU-X/Commercial Residential Mixed Use. Applicant: Ahmad Amarlooi.

COMMISSION ACTION: Recommend approval 7-0

13. ENCROACHMENT #2001-0007
315 MADISON ST
FLATBREADS

Public Hearing and Consideration of a request for encroachment into the public sidewalk right-of-way for restaurant seating; zoned CRMU-X/Commercial Residential Mixed Use. Applicant: Ahmad Amarlooi.

COMMISSION ACTION: Recommend denial 7-0

City Council upheld the Planning Commission with regard to SUP #2001-0069, deleting Condition #3, and with regard to the encroachment 2001-0007, upheld the staff's new recommendation as outlined in the December 12, 2001 memorandum. Those new conditions read as follows: "1. **Outdoor seating is permitted which generally complies with the attached plan proposed by the applicant, which includes eight seats at four tables and plantings to include a large evergreen bush against the building plus planters, a low fence, and plantings at the perimeter of the outdoor dining area, all to the satisfaction of the Director of Planning and Zoning.**"; and "2. **Must at all times keep at least four feet of the public sidewalk clear for pedestrian access.**"

Council Action: _____

14. SPECIAL USE PERMIT #2001-0061
4111 DUKE ST
DANCING PEPPERS

Public Hearing and Consideration of a special use permit review of restaurant; zoned CC/Commercial Community. Applicant: Grupo Dos Chiles, LLC, by Alfred W. Shriver, III.

COMMISSION ACTION: Recommend approval 7-0

City Council approved the Planning Commission recommendation, **amended by changing the date in Condition #20 back to May 4, 2002, and on Condition #19, that negotiations will continue on the landscaping, but that it will include four trees.**

Council Action: _____

15. SPECIAL USE PERMIT #2001-0065
2700 JEFFERSON DAVIS HY
AFGHAN RESTAURANT

Public Hearing and Consideration of a special use permit review and request to change the ownership and to increase the hours of operation of the restaurant; zoned I/Industrial. Applicant: Afghan Restaurant, by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend approval 7-0

For the record, Mayor Donley commended Mr. Hart, attorney for the applicant, for working with the applicant to improve what was a tenuous situation for them six or seven months ago.

City Council approved the Planning Commission recommendation.

Council Action: _____