

Docket Item # 4
SPECIAL USE PERMIT #2002-0118

Planning Commission Meeting
March 4, 2003

ISSUE: Consideration of a request for a special use permit to operate a restaurant and for a reduction of off-street parking.

APPLICANT: James Lee

LOCATION: 1004 Madison Street

ZONE: CSL/Commercial Service Low

PLANNING COMMISSION ACTION, MARCH 4, 2003: On a motion by Mr. Komoroske, seconded by Mr. Dunn, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Conditions #5 and #6. The motion carried on a vote of 7 to 0.

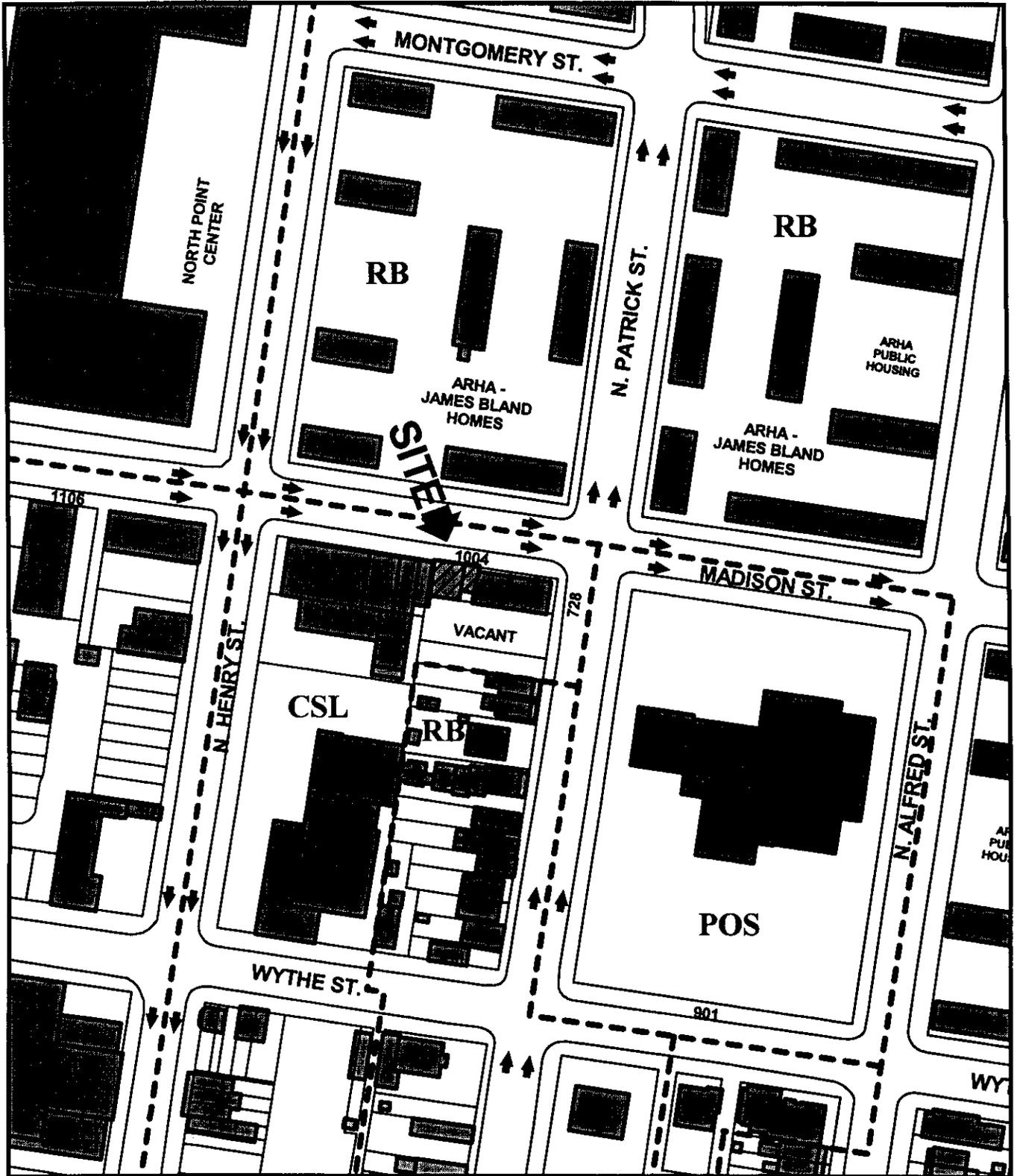
Reason: The Planning Commission amended Condition #5 for clarification purposes and amended Condition #6 in response to the applicant's request for an earlier opening hour, and otherwise agreed with the staff analysis.

Speakers:

Peter Rim, a representative for the applicant, requested approval of the special use permit and several changes to the conditions. Mr. Rim requested elimination of the condition under which restaurant customers are restricted in their purchase of alcohol at the adjacent grocery store (Condition #5), requested an earlier opening hour (Condition #6), and requested the ability to pave the entire area, about 13 feet, between the existing sidewalk and the business's front building wall rather than install the proposed landscaping and widen the 4 foot sidewalk to 6 feet.(Conditions #18 and #19).

PLANNING COMMISSION ACTION, FEBRUARY 4, 2003: The Planning Commission noted the deferral of the request.

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



SUP #2002-0118

03/04/03



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)
2. No tables or chairs for customer dining are permitted. (P&Z)
3. No outside dining facilities shall be located on the premises. (P&Z)
4. No live entertainment shall be provided at the restaurant. (P&Z)
5. **CONDITION AMENDED BY PLANNING COMMISSION:** No sale or consumption of alcoholic beverages is permitted for the restaurant. Restaurant customers are also only permitted to purchase alcohol at the adjacent grocery store, Community Market (1006 Madison Street), under the following conditions: Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. (P&Z) (PC)
6. **CONDITION AMENDED BY PLANNING COMMISSION:** The hours of operation shall be limited to ~~8:00~~ 7:00 a.m. to 6:00 p.m. Monday through Saturday. The hours for deliveries to the restaurant may not begin until 8:00 a.m. (P&Z) (PC)
7. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
8. No food, beverages, or other material shall be stored outside. (P&Z)
9. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z)
10. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)

11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
12. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
13. All loudspeakers shall be prohibited from the exterior of the building and no amplified noise will be audible at the property line. (T&ES)
14. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all the employees. (Police)
15. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
16. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (P&Z)
17. The applicant shall remove the mechanical equipment (freezer) stored outside and in front of the subject building and remove the carpet-like material now laid upon the unpaved ground in front of the proposed restaurant and the Community Market. (P&Z)
18. The applicant shall install shrubs along the front of 1004 and 1006 Madison Street (the restaurant and market) to the satisfaction of the Director of the Department of Planning and Zoning and the City Landscape Architect. The shrubs shall be evergreen, 18 to 24 inches tall at installation and placed 2 ½ to 3 feet apart on center. The applicant shall maintain the landscaping in good condition. (P&Z)
19. The applicant shall provide a 6 foot wide sidewalk along Madison Street in front of the restaurant and the Community Market to provide an adequate handicap pathway around obstructions and to the satisfaction of the Director of the Department of Transportation and Environmental Services. (T&ES)

20. The applicant shall obtain, at their expense, one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way. Contact T&ES Engineering Division (703/838-4318) for information. (T&ES)
21. 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)

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.

Prior to the commencement of operation the applicant must obtain a business license from the Business Tax Branch.

The subject property, 1004 Madison Street, is located within the Parker-Gray District. Therefore, any exterior alteration visible from a public right-of-way must be reviewed by the Board of Architectural Review (BAR). Alterations which might be associated with the project and which would require review by the BAR include alterations to the door, any new rooftop equipment and any new signage.

DISCUSSION:

1. The applicant, James Lee, requests special use permit approval for the operation of a carry-out restaurant located at 1004 Madison Street, and for a parking reduction. The applicant intends to operate the proposed restaurant in conjunction with his grocery store located next door, Community Market, at 1006 Madison Street.
2. The subject property is one lot of record with approximately 110 feet of frontage on Madison Street, 33 feet of frontage on North Patrick Street and a total lot area of 3,649 square feet. The site is developed with three buildings, 1004 and 1006 Madison Street and 728 North Patrick Street. The subject building, 1004 Madison Street, is approximately twelve feet wide and appears, due to a facade alteration, to be part of the Community Market building, located at 1006 Madison Street. The third building on the subject lot, 728 North Patrick Street, is currently vacant. A separate special use permit application for this building was approved by the Planning Commission on February 4, 2003 (SUP 2002-0116).

Surrounding land uses include automobile repair to the west, residential to the north and south, and the Charles Houston Recreation Center to the east. Two major corridors, North Patrick Street and North Henry Street, border the subject block to the east and west.

3. In recent history, the subject space has been used as a beauty/barber shop and pick-up cleaning establishment, and later as a market. The subject space is now used as storage space for the Community Market, which is located next door. This market received a business license for a grocery store and for alcohol sales in 1992.
4. The applicant requests approval to establish a carry-out restaurant in the building next to his grocery store, and requests approval for a reduction of the parking requirement. The new restaurant will not provide any seating, and the food, including a menu of "American, Chinese and Oriental" meals, will be prepared on-site. The applicant expects approximately 200 patrons a day. A door will connect the grocery store to the new carry-out restaurant. The restaurant will not offer alcohol sales, delivery service or live entertainment.
5. The applicant has requested approval to operate Monday through Saturday, 6:00 a.m. to 6:00 p.m. A maximum of three employees will work the same shift.
6. Section 8-200 of the zoning ordinance requires one parking space for each 200 square feet of a carry-out restaurant. The subject restaurant consists of approximately 264 square feet, and, therefore, two parking spaces are required. There is no parking available on the subject lot. The applicant expects most of the restaurant patrons to walk from the surrounding neighborhood.
7. The loading and unloading operations will take place on the south side of Madison Street in

the loading zone located in front of the subject building. The applicant expects loading and unloading operations to occur between 6:00 a.m. and 12:00 p.m. daily. The loading zone prohibits parking from Monday through Saturday, 8:00 a.m to 5:00 p.m.

8. Zoning: The subject property is located in the CSL (Commercial Service Low) zone. Section 4-300 of the zoning ordinance allows a restaurant in the CSL zone only with a special use permit. Section 8-100 of the zoning ordinance allows a reduction of the off-street parking requirement with a special use permit. The subject property is also located within the Parker-Gray Historic District. Therefore, any exterior alteration visible from a public right-of-way must be reviewed by the Board of Architectural Review (BAR).
9. Master Plan: The proposed use is consistent with the Braddock Road/Metro Station chapter of the Master Plan which designates the property for commercial use.

STAFF ANALYSIS:

Staff does not object to the proposed carry-out restaurant or the requested parking reduction. The restaurant will be very small, only 264 square feet, is not likely to attract large numbers of visitors from outside the surrounding community, is primarily neighborhood serving, and is compatible with the other commercial uses in the block. Staff does have concerns, however, about the proposed hours of operation, the hours for deliveries made to the restaurant, the potential for litter problems, and the sale of alcohol.

Hours of Operation and Deliveries

The proposed restaurant, if approved, will be the only business on the 1000 block of Madison Street that opens at 6:00 a.m. Staff is concerned that the restaurant customers and delivery trucks might cause a noise nuisance for adjacent residential properties during early morning hours, between 6:00 a.m. and 8:00 a.m., in which there is currently no commercial activity. Staff acknowledges that significant noise already comes from early morning traffic along North Patrick and North Henry Streets. Limiting the opening hours will, however, at least not exacerbate the problem for existing residents.

The adjacent grocery store, Community Market, now operates between 10:00 a.m. and 8:00 p.m. Monday through Saturday. The auto repair business located just west of the grocery store operates between 8:00 a.m. and 6:00 p.m. Monday through Saturday. Staff, therefore recommends that the restaurant's operating hours be limited to 8:00 a.m. to 6:00 p.m. and that delivery trucks not be permitted to deliver before 8:00 a.m.

Litter

Litter is potentially a problem for carry-out restaurants. Staff recommends standard conditions requiring the restaurant to monitor and clean up litter, and also recommends that the applicant fund the installation of a City trash can along the sidewalk.

Alcohol Sales

The applicant is not requesting approval to sell alcohol at the restaurant; however, his grocery store does offer alcohol for sale. Staff is concerned that restaurant customers could also purchase a single beer or wine cooler from the grocery store. Staff does not want to encourage the sale of alcohol with restaurant meals and has therefore included a condition that limits purchases of beer or wine coolers to 4-packs, 6-packs or bottles of more than 40 fluid ounces. While the condition could potentially create an awkward arrangement for the operator, it may provide an incentive to limit sales of singles to all customers.

Parking

With regard to parking, the proposed restaurant has no on-site parking and is seeking relief from its two parking space requirement. The proposed use will be largely neighborhood serving and not likely to attract large numbers of visitors from outside the neighborhood. The applicant also states that most of the applicants will walk from the surrounding community. Additionally, the nearby residential properties have their own parking lots. If a few customers did park on the street to pick up food from the restaurant, they are not likely to be taking parking spaces away from residents. Staff, therefore, does not anticipate a significant parking impact from the addition of the restaurant. Staff does recommend the standard condition that requires employees who drive to work to use off-street parking.

Site Improvements

In addition to standard maintenance conditions and a condition requiring a City trash can as mentioned above, staff recommends some general site improvements to this site. Staff recommends that the applicant remove the mechanical equipment stored outside and in front of the subject building and remove the carpet-like material now laid upon the unpaved ground in front of the proposed restaurant and the Community Market. Staff also recommends that the applicant install shrubs along the building in front of the proposed restaurant and adjacent market, and provide a six foot wide sidewalk along Madison Street in front of the proposed restaurant and adjacent market. The sidewalk improvement requires that the applicant widen the existing four foot sidewalk by two feet. The landscaping will enhance the appearance of the subject site and the sidewalk work will increase pedestrian safety. These improvements are consistent with staff recommendations for the adjacent property, 728 North Patrick Street, and are consistent with City requirements for improvements on other blocks of Madison Street. Sidewalk and landscape improvements, though much larger in scope, were required at the North Point Center (north side of the 1100 block of Madison Street) and at Braddock Lofts (south side of the 1100 block of Madison Street). Madison Street is an important corridor for pedestrians traveling to and from the Braddock Metro Station.

Staff also notes that the subject property stands within the Parker-Gray Historic District and, consequently, any exterior changes to the property that are visible from the public right-of-way will require review and approval by the Board of Architectural Review. Staff lastly recommends a one year review requirement and the addition of an employee training condition. The employee training condition will help ensure that all restaurant employees are familiar with the special use permit. With this and the existing conditions, staff recommends approval of the special use permit.

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

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- 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, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-4 Applicant shall obtain, at their expense, one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way. Contact T&ES Engineering Division (703/838-4318) for information.
- R-5 Provide 6 foot wide sidewalk along Madison Street in front of a carry-out and the community market to provide adequate handicap pathway around obstructions and to the satisfaction of the Director of T&ES.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Construction permits are required for the proposed project.
- C-3 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-4 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-5 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 can not discharge to the building drainage system through a grease interceptor.
- C-6 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:

- F-1 No comments.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.

- R-3 Recommend “ABC On” license only. If “ABC Off” is approved we recommend the following conditions:
1. Beer or 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.
 2. That the SUP is reviewed after one year.
- F-1 The applicant is not requesting to sell alcohol and the Police Department concurs with this.

Board of Architectural Review:

- F-1 The small concrete block building at 1004 Madison Street was constructed in the mid-20th century in a commercial/industrial area. Although apparently constructed separately from 1006 Madison Street, the two buildings now appear to be one due to the application of vinyl siding across both facades. A front door seems to be the only architectural feature belonging to 1004 Madison Street.

1004 Madison Street is located within the Parker-Gray District. Therefore, any exterior alteration visible from a public right-of-way must be reviewed by the Board of Architectural Review (BAR). Staff is uncertain what, if any, exterior alterations are proposed as the drawings provided are difficult to read. However, alterations which might be associated with the project and which would require review by the BAR include alterations to the door, any new rooftop equipment and any new signage.

APPLICATION for SPECIAL USE PERMIT # 2002-0118

[must use black ink or type]

PROPERTY LOCATION: 1004 Madison Street Alexandria, VA 22314

TAX MAP REFERENCE: 54.04 - 05 - 02 (728 N. PATRICK) ZONE: CSL

APPLICANT Name: James Lee

Address: 1006 Madison Street Alexandria, VA 22314

PROPERTY OWNER Name: Grace Schonberger

Address: 1200 N. Gaillard St. Alexandria, VA 22304-1610

PROPOSED USE: Carry Out - Serving Chinese, Oriental, American Food

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.

James Lee
Print Name of Applicant or Agent

James Lee
Signature

1006 Madison Street
Mailing/Street Address

703-683-0092
Telephone # Fax #

Alexandria, Virginia 22314
City and State Zip Code

11-21-02
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.

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)

My plan is to open a food carryout. America, Chinese
and oriental food will be prepared and sold.
Operating hours will be Monday thru Saturday
from 6 a.m to 6 p.m. There will be maximum
of 3 employees working at one one time
There is no sperate parking lot for patrons.
Approximately, 200 patrons per day are expected.
Type of patrons that are expected: any age, anybody
from neighborhood.
No alcohol beverages will be served. There is
no tables or chairs in the carryout.
There will be minimum amount of noise
generated.

SUP 2002-0118
1004 MADISON ST

Valerie!

The trash will be picked
up everyday.

If you have any question,
call me at 703-200-5020.

Tony Choe

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).

I expect approximately 200 patrons per day.
Monday thru Saturday 6 a.m. to 6 p.m.

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

3 employees are expected. Monday thru Saturday
6 a.m. to 6 p.m.

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

Day:	Hours:
<u>Monday thru Saturday</u>	<u>6 a.m. to 6 p.m.</u>
_____	_____
_____	_____
_____	_____

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

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

Noise level will be significantly low. low noise
level will be generated from ceiling fan and patron
foot traffic.

B. How will the noise from patrons be controlled?

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

Commercial duty fan will be installed.

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?

Unprocessed and processed food trash/garbage will be generated.

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

One trash can/~~week~~ Day.

C. How often will trash be collected?

Once a ~~week~~ Day

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

Employees and I will frequently sweep the street and pick up the litters.

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?

Alexandria City Code for safety Fire hazard will be
implied.

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.

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?

1 space / 200 square feet

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

0 Standard spaces

0 Compact spaces

0 Handicapped accessible spaces.

0 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? _____

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

C. Where are off-street loading facilities located? _____

D. During what hours of the day do you expect loading/unloading operations to occur?
Between 6 a.m and 12 p.m

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

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, it is adequate

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) + 0 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: _____
 other, please describe: _____

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: No At a bar: No Total number proposed: No

2. Will the restaurant offer any of the following?

No alcoholic beverages No beer and wine (on-premises)
No beer and wine (off-premises)

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

American, Chinese, Oriental.
A copy of menu is attached

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? N/A

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: _____

SUPPLEMENTAL INFORMATION FOR RESTAURANTS IN OLD TOWN

OLD TOWN RESTAURANT POLICY

(Changes to Old Town Small Area Plan Chapter of the Master Plan, Adopted by City Council on November 13, 1993.)

On November 13, 1993 the City Council adopted Resolution No. 1672 outlining new policy and criteria used in applying the revised Old Town Restaurant Policy. Individuals who apply for a special use permit to operate a restaurant in Old Town must address in their entirety five criteria in order to be considered for a special use permit. An application will not be formally accepted for processing until this questionnaire is completed.

Goals of the Old Town Restaurant Policy

1. To lessen the on-street parking impact of restaurants in Old Town and adjacent areas;
2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
3. To control the spread of litter in Old Town.

Policies to attain the goals of the Old Town Restaurant Policy

City Council shall not approve a request for special use permit for any new restaurant, carry-out or fast food establishment or an expansion of an existing restaurant, carry-out or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. City Council shall consider the cumulative impact of the proposal and the number of already established restaurants, carry-outs, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area. In the case of an expansion or other intensification, the entire operation of the establishment may be taken into account in determining its impact upon the nearby residential neighborhoods. In making that determination, City Council shall consider the following factors:

- a) The availability of off-street parking.
- b) The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- c) The extent to which the restaurant is open in the late night hours.
- d) The extent to which alcohol (such as spirits, mixed drinks, wine, and beer) consumption will predominate over food consumption, including consideration of the number of bar seats, if any, and the standing areas in the vicinity of bars.
- e) The predicted extent of litter generated in nearby neighborhoods.

SUPPLEMENTAL INFORMATION FOR RESTAURANTS IN OLD TOWN

**CRITERIA TO BE USED TO EVALUATE NEW OR EXPANDED RESTAURANTS
ADOPTED BY CITY COUNCIL BY RESOLUTION, NOVEMBER 13, 1993**

Parking

1. The applicant must submit a parking management plan (PMP), which specifically addresses the following issues:

- A. The parking demand generated by the proposed restaurant.
- B.. The availability of off-street parking for patrons. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces within 500 feet from the entrance to the restaurant.
- C. How employees who drive will be accommodated off the street at least in the evenings and on weekends.
- D. The predicted impact of the restaurant on the parking supply at the evening peak, weekend peak, and daytime peak.
- E. A proposal to reduce the impact of parking created by the restaurant on nearby areas. Acceptable alternatives for reducing parking impacts include, but are not limited to, the following: validated parking or valet parking for patrons, and off-street parking or transit subsidies for employees.

2. Additionally, please answer the following:

A. What percent of patron parking can be accommodated off-street?
(check one)

- 100%
- 75-99%
- 50-74%
- 1-49%
- No parking can be accommodated off-street

B. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends?
(check one)

- All
- 75-99%
- 50-74%
- 1-49%
- None

C. What is the estimated peak evening impact upon neighborhoods?
(check one)

- No parking impact predicted
- Less than 20 additional cars in neighborhood
- 20-40 additional cars
- More than 40 additional cars

Litter

The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

Alcohol Consumption and Late Night Hours

1. Maximum number of patrons shall be determined by adding the following:

$$\begin{array}{r} \underline{\quad 0 \quad} \text{ Maximum number of patron dining seats} \\ + \underline{\quad 0 \quad} \text{ Maximum number of patron bar seats} \\ \hline \underline{\quad \quad \quad} \text{ Maximum number of standing patrons} \\ \hline \underline{\quad \quad \quad} \text{ Maximum number of patrons} \end{array}$$

2. 3 Maximum number of employees by hour at any one time

3. Hours of operation:
(check one)

- Closes by 8:00 P.M.
 Closes after 8:00 P.M. but by 10:00 P.M.
 Closes after 10:00 P.M. but by Midnight
 Closes after Midnight

[Closing time means when the restaurant is empty of patrons.]

4. Alcohol Consumption: No Alcohol Consumption
(Check one)

- High ratio of alcohol to food
 Balance between alcohol and food
 Low ratio of alcohol to food

PARKING REDUCTION SUPPLEMENTAL APPLICATION

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

Request for one parking space Reduction.

2. Provide a statement of justification for the proposed parking reduction. _____

The most of the expected customers will be pedestrians from close by neighborhood. There is public transportation station nearby. Employees have own parkings place in separate Area.

3. Why is it not feasible to provide the required parking? _____

The city of Alexandria has very limited numbers of parking spaces due to the age of city and the design of the city

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces? Yes. No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a Parking Management Plan which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.

Lee's Carry Out
 1004 Madison Street, Alexandria, VA
 (703) 683-0092

CLUB SANDWICHES

Combination Club	\$4.29
Ham or Turkey Club	\$4.29
Tuna or Chicken Club	\$4.29

* All club sandwiches served with French fries

SIDE ORDERS

	SMALL	LARGE
French Fries	\$1.19	\$1.69
Onion Rings	\$1.49	

HOT SANDWICHES

	SAND	SUB
Royal Steak & Cheese		\$4.29
*Served with onions, green peppers, & mushrooms		
Steak & Cheese		\$4.29
Bar-B-Que	\$3.49	\$4.29
Hamburger	\$2.19	\$3.19
Chesses burger	\$2.39	\$3.39
Bacon Cheeseburger	\$2.99	\$3.99
Reuben	\$3.99	\$4.29
Fish Filet	\$3.49	\$4.29
Chicken Breast	\$3.49	\$4.29
Grilled Ham & Cheese	\$3.49	\$4.29

SPECIALTIES

The Tuna Melt \$3.69

* Tuna salad with layers of melted cheese

Yong Chicken \$4.29

* Grilled chicken with green peppers, onions, and fresh sprouts served on pita bread or sub roll

The NY Avenue \$3.69

* Grilled hot pastrami, corned beef, and melted Swiss cheese served with cole slaw and Russian dressing on rye bread

Teriyaki Chicken Platter \$4.69

* Marinated chicken grilled with teriyaki sauce served with rice

* Sandwiches are served on a choice of white, wheat, rye, sub roll, roll, pita bread, or croissant

LUNCH SPECIALS

	SAND	SUB
Deli Special		\$4.29
• Ham, roast beef, & turkey		
Metro Cold Cut		\$4.29
• Ham, bologna, Genoa salami & pepperoni		
Roast Beef	\$3.49	\$4.29
Corned Beef	\$3.49	\$4.29
Turkey Breast	\$3.49	\$4.29
Ham & Cheese	\$3.29	\$4.29
Tuna or Chicken Salad	\$3.29	\$4.29
Egg Salad	\$3.29	\$4.29
B.L.T.	\$2.69	

BREAKFAST

Croissant & Egg	\$2.19	Western Omelet	\$3.29
* Choice of ham, bacon, or sausage		Ham & Cheese Omelet	\$2.99
Egg Sandwich	\$1.19	Cheese Omelet	\$2.49
Ham or Bacon & Egg	\$1.79	Golden Omelet	\$3.49
Sausage or Bologna & Egg	\$1.79	Two Eggs Platter	\$2.79
Scrapple & Egg	\$1.79	* Served with choice of meat	
Steak & Egg with Cheese	\$2.89	Pancake	\$2.99
		* Served with choice of meat	
		French Toast	\$2.99
		* Served with choice of meat	

* All Omelets and Two Eggs Platters served with home fries and toast.

BREAKFAST SIDE ORDERS

Home Fries	\$1.19
Toast	\$0.59
Cheese	\$0.20

CHINESE SPECIALTIES

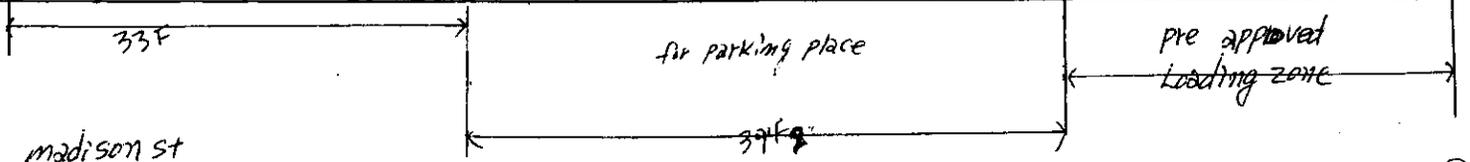
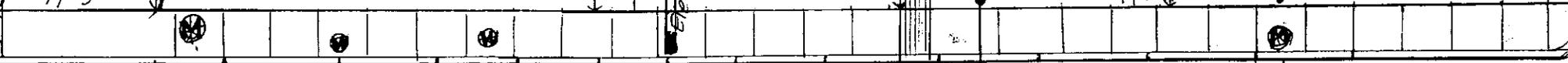
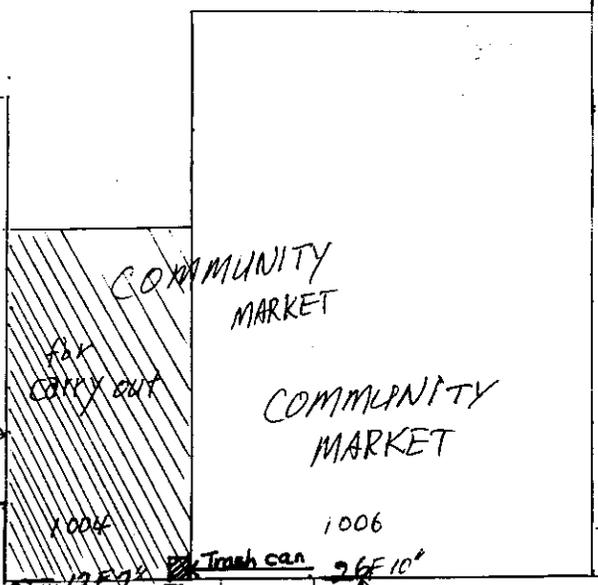
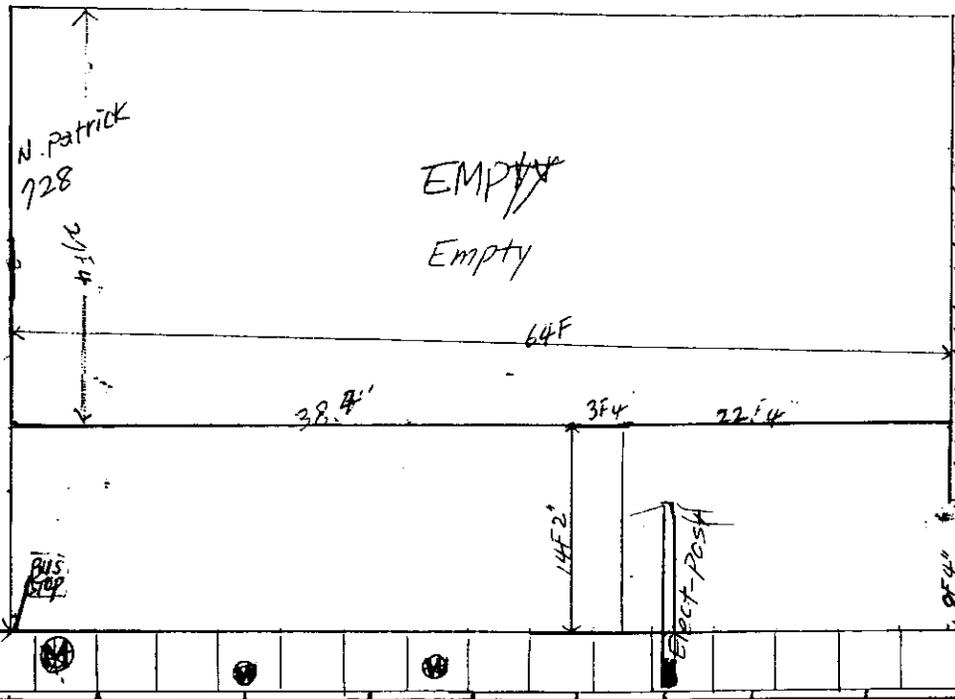
Beef and Broccoli	Mushroom with Chicken
Chicken with Broccoli	Kung Pao Chicken
Pepper Steak	Stir Fried Chicken
Orange Chicken	Hunan Chicken
Combination Lo Mein	Hunan Beef

Please ask about our daily special Chinese menu prepared with freshest ingredients & no MSG.

Lee's Carry Out
 1004 Madison Street, Alexandria, VA
 (703) 683-0092

29

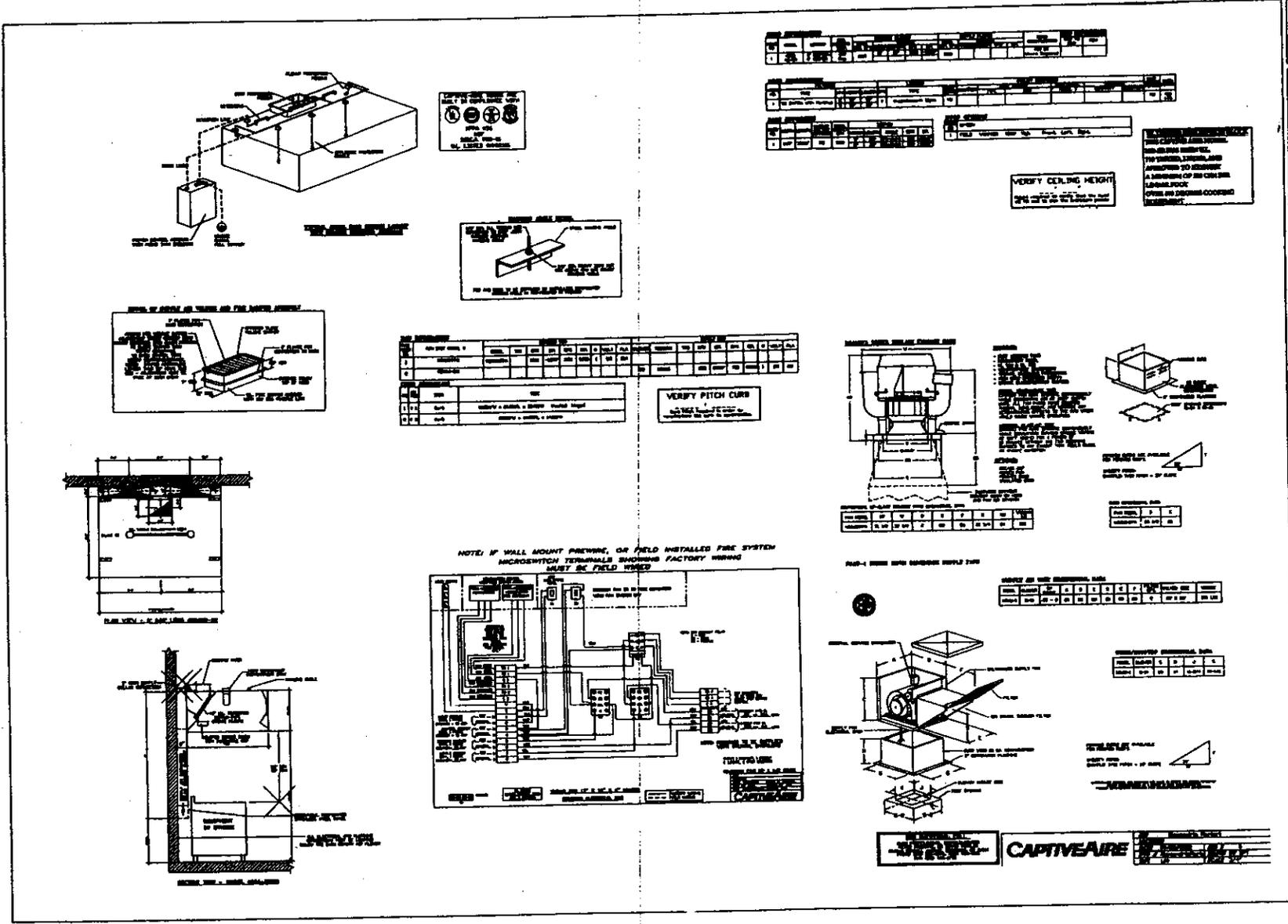
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Yard



← madison st
one way

SUP 2002-0118

8110-2002 dms



M-2

DDC INC.
 COMMUNITY CARRY-OUT HOOD DETAIL
 HOOD DETAIL

COMMUNITY CARRY-OUT

CAPTIVEAIRE

NOTICE OF PUBLIC HEARINGS

Certified Mail

9
3-15-03

Date: February 13, 2003

Dear Property Owner:

You are hereby notified of the following public hearings to be held by the Alexandria Planning Commission and the Alexandria City Council on the issue described below:

ALEXANDRIA PLANNING COMMISSION

Date: March 4, 2003
7:30 P.M., City Hall
301 King Street
City Council Chambers
Alexandria, Virginia

ALEXANDRIA CITY COUNCIL

Date: March 15, 2003
9:30 A.M., City Hall
301 King Street
City Council Chambers
Alexandria, Virginia

ISSUE DESCRIPTION: Request to operate a carry-out restaurant which serves American, Chinese and oriental food. There will be no seatings. The hours of operation proposed are 6:00am to 6:00pm, Monday thru Saturday. A parking reduction of spaces is requested.

PROPERTY ADDRESS: 1004 Madison Street, Alexandria, VA 22314

TAX MAP REFERENCE: 54.04-05-02

As a citizen and party in interest, you are invited to attend these meetings and express your views concerning the above issue.

If you have any questions regarding the request you may call at 703-683-0092.

Sincerely yours,

James Lee



LOHRMANN & RIM, P.C.
7700 LITTLE RIVER TURNPIKE, SUITE 506
ANNANDALE, VIRGINIA 22003

7001 2510 0000 9216 9030

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS FOLD AT DOTTED LINE

CERTIFIED MAIL



7001 2510 0000 9216 9030



0000



22313

U.S. POSTAGE
PAID
ANNANDALE, VA
22003
FEB 13 2003
AMOUNT

\$2.67
00076245-02

City Council of Alexandria
P.O. Box 178
Alexandria, VA 22313-1500

22313+1500 99



MH

9

APPLICATION for SPECIAL USE PERMIT # 2002-0118

[must use black ink or type]

PROPERTY LOCATION: 1004 Madison Street Alexandria, VA 22314

TAX MAP REFERENCE: 54.04 - 05-02 (728 N. PATRICK) ZONE: CSL

APPLICANT Name: James Lee

Address: 1006 Madison Street Alexandria, VA 22314

PROPERTY OWNER Name: Grace Schonberger

Address: 1200 N. Gaillard St. Alexandria, VA 22304-1610

PROPOSED USE: Carry Out - Serving Chinese, Oriental, American Food

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.

James Lee
Print Name of Applicant or Agent

James Lee
Signature

1006 Madison Street
Mailing/Street Address

703-683-0092
Telephone # Fax #

Alexandria, Virginia 22314
City and State Zip Code

11-21-02
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: 03/04/03 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 3/15/03PH--CC approved the Planning Commission recommendation.