

EXHIBIT NO. 1

6
12-14-02

Docket Item # 5
SPECIAL USE PERMIT #2002-0105

Planning Commission Meeting
December 3, 2002

ISSUE: Consideration of a request for a special use permit amendment to expand and intensify an existing restaurant.

APPLICANT: Retro Restaurants Inc.
by Duncan W. Blair, attorney

LOCATION: 1725 Duke Street
Stella's Restaurant

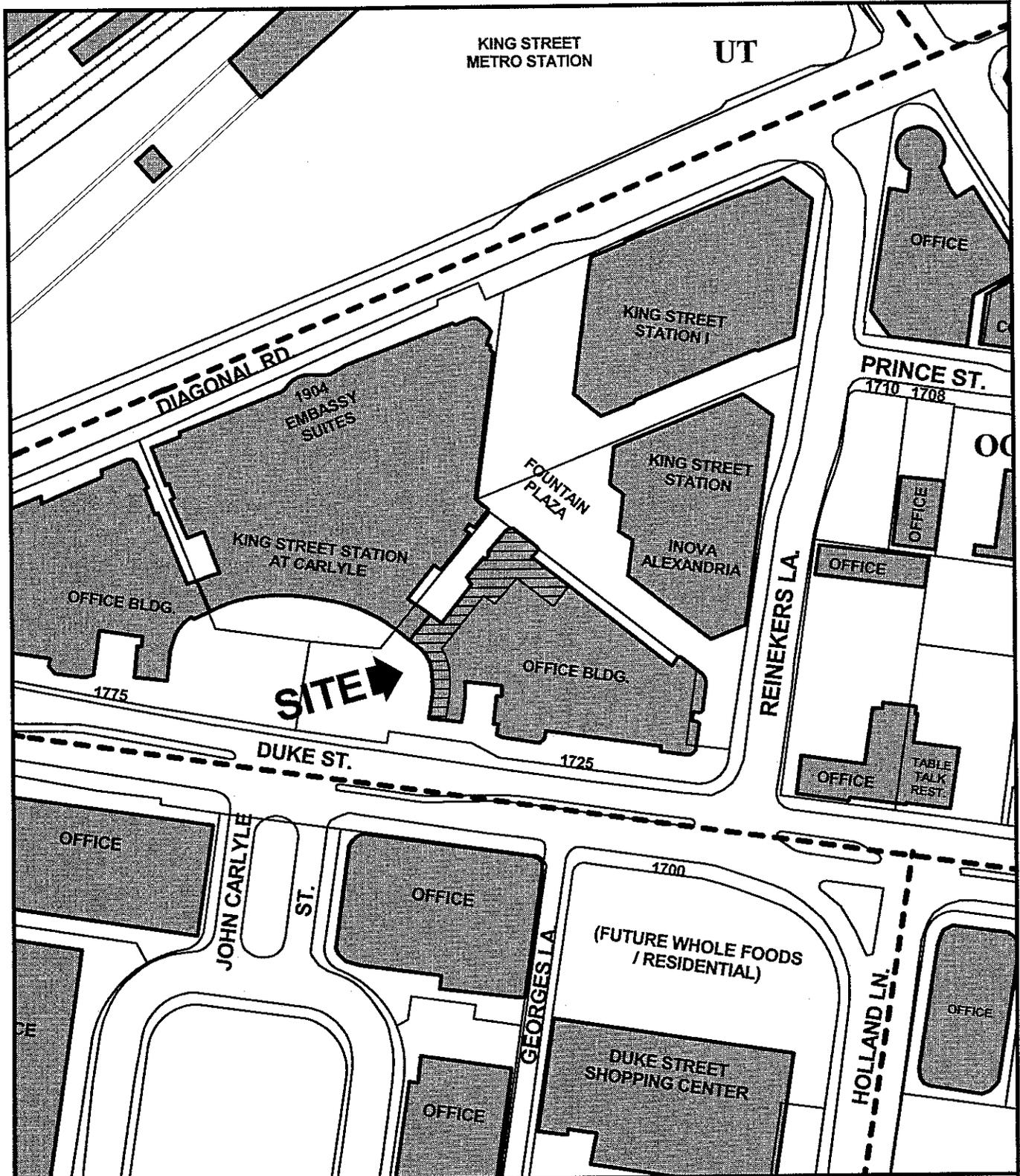
ZONE: OCH/Office Commercial High

PLANNING COMMISSION ACTION, DECEMBER 3, 2002: On a motion by Mr. Komoroske, seconded by Mr. Gaines, 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 #9, #13, and #18. The motion carried on a vote of 6 to 0. Mr. Dunn was absent.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Duncan Blair, applicant's attorney, spoke in support of the special use permit request and asked for changes to Conditions #9, #13 and #18.



SUP #2002-0105

12/03/02



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&CD) (SUP 2377-A)
2. **CONDITION AMENDED BY STAFF:** ~~Seating shall be provided inside for no more than 200 patrons. (P&CD) (SUP #2377)~~ The number of seats provided shall not exceed 342 for indoor dining and shall not exceed 128 for outdoor dining. (P&Z)
3. **CONDITION AMENDED BY STAFF:** ~~Outside dining facilities shall be provided for no more than 100 patrons within the area delineated on the accompanying plan. (SUP #2377)~~ When outside dining facilities are provided: (a) litter shall be picked up as it is generated, and (b) the outside dining area shall be scrubbed and washed down at the close of each day of operation. (P&CD) (SUP 2377-A) (P&Z)
4. **CONDITION AMENDED BY STAFF:** ~~The hours during which the business is open to the public shall be restricted to between 11:00 A.M. to and midnight Sunday through Thursday, and between 11:00 A.M. to and 1:00 A.M. Friday and Saturday, as requested by the applicant. The applicant will post the hours of operation at the primary entrances to the restaurant. (P&CD) (SUP 2377-A) (P&Z)~~ 6:30 A.M. to and 6:30 A.M. to and
5. No food, beverages, or other material shall be stored outside. (P&CD) (SUP 2377-A)
6. **CONDITION AMENDED BY STAFF:** ~~Trash and garbage shall be stored inside or in a dumpster. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&CD) (SUP 2377-A) (P&Z)~~
7. Trash and garbage shall be collected daily when the business is open. (P&CD) (SUP 2377-A)
8. **CONDITION AMENDED BY STAFF:** ~~Kitchen equipment shall not be cleaned outside nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP 2377-A)~~

9. **CONDITION AMENDED BY PLANNING COMMISSION:** On-site alcohol service is permitted for beer, wine and mixed drinks. Off-premise alcohol sales are permitted. Off-premise alcohol sales are regulated as follows: 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 mil. or 25.4 ounces. Fortified wine (wine with the alcohol content of 14% or more by volume) may not be sold. (Police) (PC)
10. **CONDITION ADDED BY STAFF:** 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. **CONDITION ADDED BY STAFF:** Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
12. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
13. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall maintain free parking for customers using the existing voucher program that allows customers to park free during evenings and weekends at the King Street Station parking facilities. (P&Z) (PC)
14. **CONDITION ADDED BY STAFF:** The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
15. **CONDITION ADDED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 for a security survey for the business and robbery awareness program for all employees. (Police)
16. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all SUP provisions and requirements, as part of that training. (P&Z)

17. **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)
18. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant is limited to four special events a year, such as a New Years Eve party, and is limited to a D.J. for private parties, such as wedding receptions or wedding rehearsal dinners. (P&Z) (PC)
19. **CONDITION ADDED 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)

DISCUSSION:

1. The applicant, Retro Restaurants Inc., represented by Duncan W. Blair, attorney, requests special use permit approval to expand and intensify an existing restaurant, known as Stella's and located at 1725 Duke Street, within the King Street Station development.
2. The subject property is one lot of record with a total lot area of 48,925 square feet and frontage on Duke Street and Reineker's Lane. The subject lot is part of the King Street Station at Carlyle development, specifically the Phase III section of the development, located just south of the King Street Metro Stations. The restaurant is located on the ground floor of a six story office building, and is accessed from the plaza at the center of the complex.

Other uses in the same building include another restaurant, Primo Gourmet, and offices for Legg Mason and Remedy Staffing. Within the entire King Street Station complex there is a mix of office, hotel, retail and restaurant uses. The other restaurants located within the complex are Joe Theisman's and Café Calliope.

3. The applicant requests approval to increase the size of the restaurant, to add seats, to increase the hours, and to have limited special events with entertainment. As to the proposed physical expansion, the restaurant is currently 4,850 square feet, and the applicant intends to add 2,915 square feet to create a 7,765 square foot restaurant. The restaurant will expand into an existing part of the building previously occupied by Getronics, an office use. No building addition is proposed here. The applicant also proposes to add 170 seats to the existing 300 seats, for a total of 470 seats. These seats will be provided indoors and outdoors.

The existing restaurant is approved as a full-service restaurant with 300 seats. Seating is offered for 200 patrons inside and 100 patrons outside on a private covered arcade and the plaza area fronting the fountain plaza at King Street Station. The interior dining includes a large dining room and bar area. The plaza has a fountain, benches and landscaping and is the center of the entire King Street Station at Carlyle complex.

4. The applicant proposes to use the additional 2,915 square feet of interior space to create a new large dining room, a small private dining room and a café style dining room. The large and small dining rooms will offer tables with waiter service. The café style dining room will offer counter service and carry-out options. The café will also have outdoor seating. The proposed café and the associated outdoor seating will face the Duke Street side of the complex. (See attached description and drawings.)

5. A description of the seating and service options for the existing restaurant and with the proposed expansion is as follows:

	<u>Existing</u>	<u>Proposed</u>	<u>Total</u>
Indoor	200	142	342
Outdoor	100	28	<u>128</u>
Total			470

The above request for 142 indoor seats includes 100 new seats for the new large dining room, 25 new seats for the new smaller private dining room, and 17 new seats for the new café style dining room. The requested 28 new outdoor seats will serve the new café style dining area.

6. The applicant also proposes to increase the hours of operation to allow the restaurant to open at 6:30 a.m. daily for breakfast customers. The restaurant currently operates between 11:00 a.m. and midnight Sunday through Thursday, and 11:00 a.m. and 1:00 a.m. Friday and Saturday. The proposed hours are 6:30 a.m. to midnight Sunday through Thursday and 6:30 a.m. to 1:00 a.m. Friday and Saturday.
7. The restaurant also proposes to offer a few special events during the year, such as a New Years Eve party, and to be available for private parties. On those occasions, live entertainment, such as a D.J., will be provided.
8. The applicant currently has approval for on-premise sale of beer, wine and mixed drinks, and asks to also offer off-premise beer and wine. The off-premise beer and wine license will enable the applicant to offer six-packs of beer or bottles of wine to people purchasing meals from its new café.
9. Loading and unloading of goods now take place from an off-street loading space accessed from Reineker's Lane. Deliveries are scheduled between 7:00 a.m. and 11:00 a.m. daily.
10. All trash and garbage will be deposited in a self-enclosed container within the restaurant. Trash is collected daily. When the enclosed container is full its contents are deposited in a trash room within the building awaiting pick-up.

11. The King Street Transit Parking District, as defined in Section 8-400 of the zoning ordinance, does not require parking for restaurants that are ancillary to hotel or office projects and that occupy less than 10,000 square feet, provided that such use does not occupy more than 25 percent of the total floor area of the mixed use building project.

The subject office project (Phase III of the King Street Station at Carlyle), currently includes 6,836 square feet of ancillary restaurant space. The proposed expansion of Stella's restaurant increases the amount to 9,751 square feet, which does not trigger a parking requirement since it does not exceed the 10,000 square foot threshold nor exceed 25 percent of the total floor area, which is 36,712 square feet for the 146,848 (SP 87-0057) square foot development.

12. The restaurant was originally approved with some 50 employees — 30 full-time, 20 part-time, with 17 employees on duty at any one time. The number of employees will increase with the proposed restaurant expansion. Six full-time and four part-time employees are likely to be added for a total of 60 employees – 36 full-time and 24 part-time.
13. On June 16, 1990, City Council granted Special Use Permit #2377 for the operation of a 300 seat full-service restaurant. On July 7, 1993, staff administratively approved Special Use Permit #2377-A for a change of ownership to Retro Restaurants Inc., trading as Stella's.
14. On October 31, 2002, 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.
15. Zoning: The subject property is located in the OCH (Office Commercial High) zone. Section 4-1100 of the zoning ordinance allows a restaurant in the OCH zone only with a special use permit.
16. Master Plan: The proposed use is consistent with the King Street/Eisenhower Avenue Small Area Plan chapter of the Master Plan which designates the property for commercial use.

STAFF ANALYSIS:

Staff supports the proposed expansion and intensification of the existing restaurant. It is a welcome addition that should increase activity in this metro area. The design of the new dining rooms and café area will harmonize with the upscale appearance of the existing restaurant, and the entrance on Duke Street will create more visibility for the restaurant. This entrance also encourages greater activity within the King Street Station development as the restaurant itself becomes an entrance to the development's central plaza. The increase in size and the addition of seats will also enable the restaurant to continue to cater to hotel patrons, office workers and residents of the Upper King Street, King Street Metro, and Carlyle areas. Neither the proposed increase in hours nor the off-premise sale of beer and wine will impact residential uses since the restaurant is located in the center of a commercial development. Lastly, there is sufficient on-site parking to meet the requirements of the zoning ordinance and there is a wealth of public transit opportunities via metro or bus at the King Street Metro Station.

Staff recommends approval subject to the recommended conditions.

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 and 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.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 An revised egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- 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 details, electrical, plumbing, and mechanical layouts and schematics.

- C-5 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-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 can not 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.
- C-2 This facility is currently operating as Stella's under permit #16F-310-1, issued to Retro Restaurants, Inc.
- C-3 This facility and all modification must meet current Alexandria City Code requirements for food establishments.

- C-4 Five sets of plans must be submitted to and approved by this department prior to construction/modifications. 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-5 Permits and/or approval must be obtained prior to operation.
- C-6 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-7 Certified Food Managers must be on duty during all hours of operation.
- C-8 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.

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 a alcohol content of 14% or more by volume) may not be sold.
 - 2. That the SUP is reviewed after one year.

MH

APPLICATION for SPECIAL USE PERMIT # 2002-0105

[must use black ink or type]

PROPERTY LOCATION: **1725 Duke Street - King Street Station III**

TAX MAP REFERENCE: **73.02 01 04** ZONE: **OCH**

APPLICANT Name: **Retro Restaurants, Inc., a Virginia corporation doing business as Stella's**

Address: **1725 Duke Street, Alexandria, VA 22314**

PROPERTY OWNER Name: **The Equitable Life Assurance Society of the U.S.**

Address: **c/o Lend Lease Real Estate Investment, Inc.
600 14th Street NW #725 Washington, DC 20005**

PROPOSED USE: **Expansion of the existing Stella's 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.

Land, Clark, Carroll, Mendelson & Blair, P.C.

Duncan W. Blair, Esquire

Print Name of Applicant or Agent



Signature

524 King Street

Mailing/Street Address

Alexandria, Virginia 22314

City and State

Zip Code

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

dblair@landclark.com

September 24, 2002

Date

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

Application Received: _____ Date & Fee Paid: **9-24-02** \$ **500.-**

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.

Retro Restaurants, Inc. is a Virginia corporation. Michael Ober is the only person owning an interest in the corporation in excess of 10%. Michael Ober's address is 1725 King Street, Alexandria, VA 22314.

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)

Retro Restaurants Inc., a Virginia corporation doing business as Stella's (the "Applicant"), is requesting an amendment to Special Use Permit 2377-A to expand the existing restaurant in the mixed-use King Street Station Project at 1725 Duke Street.

The Applicant is requesting an amendment to the Special Use Permit to expand into an adjoining space and adding 165 new seats. The expanded area will consist of a new dining area which will be characterized as a more casual dining area with 100 seats providing breakfast, lunch, and dinner seven days a week. In addition a portion of the expanded space is designated as a cafe area with cafe style dining which represents an expansion of the authorized carry-out characteristic of the restaurant. The cafe area will contain 12 new indoor and 28 new outdoor seats in the arcade facing Duke Street. A new private dining room with 25 seats is also proposed. In addition to the physical expansion and extra seating, the Applicant is requesting that its hours of operation be amended to allow it to open at 6:30 A.M. seven days a week in order to accommodate the proposed breakfast service.

The Applicant is requesting the amendments to its existing business in order to meet the increasing demand for services in the King Street Metro area. It is not anticipated that the expansion will change the character of the existing restaurant but will allow it to better serve the needs of the King Street Metro community.

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).

No change from SUP 2377-A

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

It is anticipated that approximately six (6) full time and four (4) part time employees will be added to the restaurant's staff above the number stated in SUP 2377-A as the result of the expansion.

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

Day:

Hours:

Sunday - Thursday

6:30 a.m. - midnight

Friday - Saturday

6:30 a.m. - 1:00 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.

All mechanical equipment will comply with the noise levels permitted by the regulations of the City of Alexandria.

- B. How will the noise from patrons be controlled?
It is not anticipated that patron noise will be a source of complaints; as such no control measures are necessary or warranted.
8. Describe any potential odors emanating from the proposed use and plans to control them:
It is not anticipated that offensive odors will emanate from the use of the property as a restaurant. All cooking equipment will be equipped with exhaust and venting in accordance with City regulations.
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?
No change from SUP 2377-A
- B. How much trash and garbage will be generated by the use?
No change from SUP 2377-A
- C. How often will trash be collected?
No change from SUP 2377-A
- D. How will you prevent littering on the property, streets and nearby properties?
Litter has not been, and is not anticipated to be a problem. The exterior is maintained by the staff of King Street Station.
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:

Small quantities of cleaning solvents, generally recognized to be appropriate for use by restaurants in the operation of the business, will be stored, used as solvents, and disposed of in accordance with applicable regulations.

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:

Small quantities of organic compounds, generally recognized to be appropriate for use by restaurants in the operation of the business, will be stored, used as solvents, and disposed of in accordance with applicable regulations.

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

The restaurant's location and its hours of operations should provide a safe environment for its patrons and staff. It is not anti that extraordinary security measures will be required.

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.

The restaurant currently has an on-premise license, no change is anticipated as a result of the expansion. Food sales will constitute approximately eighty (80%) percent of total sales.

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?

None: Pursuant to section 8-400 (B)(8) of the Alexandria Zoning Ordinance, restaurants in hotel and office buildings projects of less than 10,000 square feet are not required to provide parking in the King Street Metro Station Transit area.

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

_____ Standard spaces

_____ Compact spaces

_____ Handicapped accessible spaces.

1342 Other - Parking spaces are located below grade parking garage for the King Street Station project.

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:

Below grade parking structure for King Street Station

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? **No change from SUP 2377-A**

B. How many loading spaces are available for the use? **No change from SUP 2377-A**

C. Where are off-street loading facilities located? **No change from SUP 2377-A**

D. During what hours of the day do you expect loading/unloading operations to occur? **No change from SUP 2377-A**

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? **No change from SUP 2377-A**

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?

Street access to the subject property is adequate and no new street improvements are required to accommodate the expansion.

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?
4850 sq. ft. (existing) + **2915** sq. ft. (addition if any) = **7765** 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: _____

***A hotel and office project with retail, restaurant and amusement uses as ancillary uses (Section 8-400 (B)(8))**

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: **(Expansion space only)**

1. How many seats are proposed?

At tables: **165** At a bar: **n/a** Total number proposed: **165**

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:

Fine American cuisine. See attached menu

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

Yes table service Yes bar Yes carry-out No delivery

5. If delivery service is proposed, how many vehicles do you anticipate? **Not applicable**

Will delivery drivers use their own vehicles? Yes. No. **Not applicable**

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

If yes, please describe: _____

SUP 2002-0105

LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.

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November 21, 2002

Ms. Mary Hashemi
Urban Planner II
Department of Planning and Zoning
301 King Street, City Hall
Alexandria, Virginia 22314

In Re: Stella's

Dear Mary:

I am responding to your request for more information on the interior and exterior design of the proposed expansion of Stella's. In the existing restaurant the owners have tried to capture the era of the Forties with large comfortable booths and banquettes, and hardwood tables and chairs collected from Old American Legion halls. Model B-25 and P-47 airplanes dangle from the ceiling, and framed covers on *Life* magazine and other Forties memorabilia hang on the walls. Flooring in Stella's is a combination of warm earth colored carpeting in the main dining room and black and white tile in the bar. A working fireplace adds to the sense of comfort. Consistent with the character of the building in which it is located, the exterior walls of Stella's are lined with large airy windows.

The expanded restaurant has not been fully designed, but it is the owner's intention to continue the Forties theme with the use of similar materials and furnishings throughout the proposed new dining room and the outdoor cafe. No menu boards will be displayed. The design of the cafe will be in harmony with the existing restaurant interior. It is not intended to be a fast food carryout restaurant, but rather a warm, casual cafe with comfortable furnishings, including coaches and arm chairs in the lounge area. (See attached layout.) While the owners expect to add to the cafe's ambiance with displays of breads and beverages; they have no plans for a self-service refrigerator for the patrons.

If you have any questions, please do not hesitate to call.

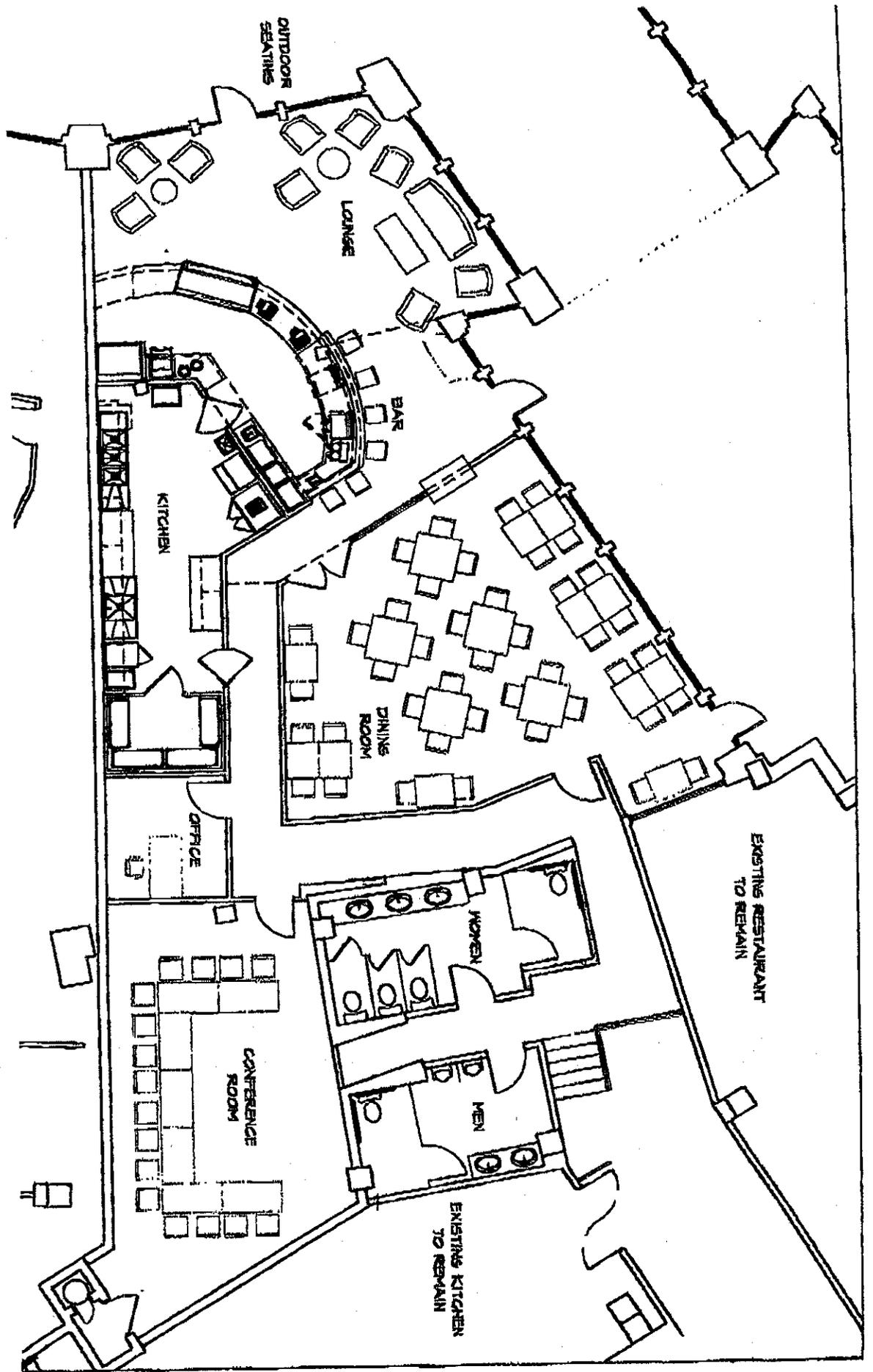
Very truly yours,

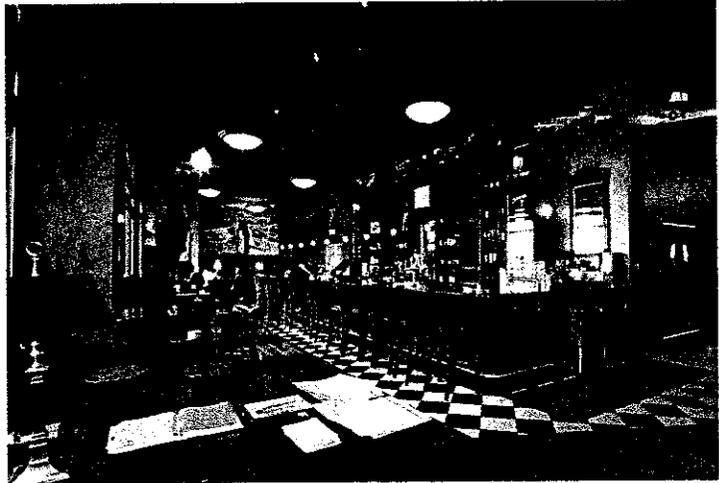
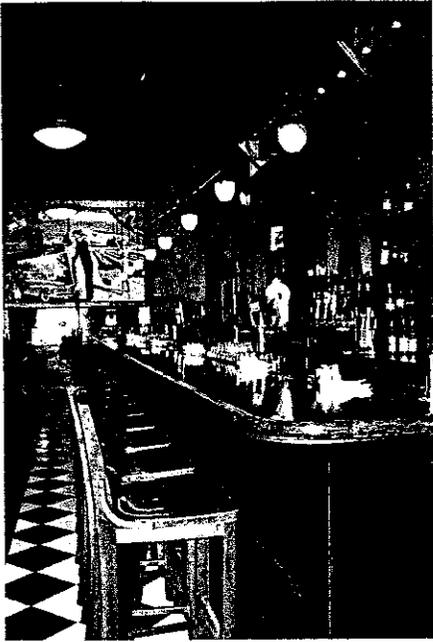


Duncan W. Blair

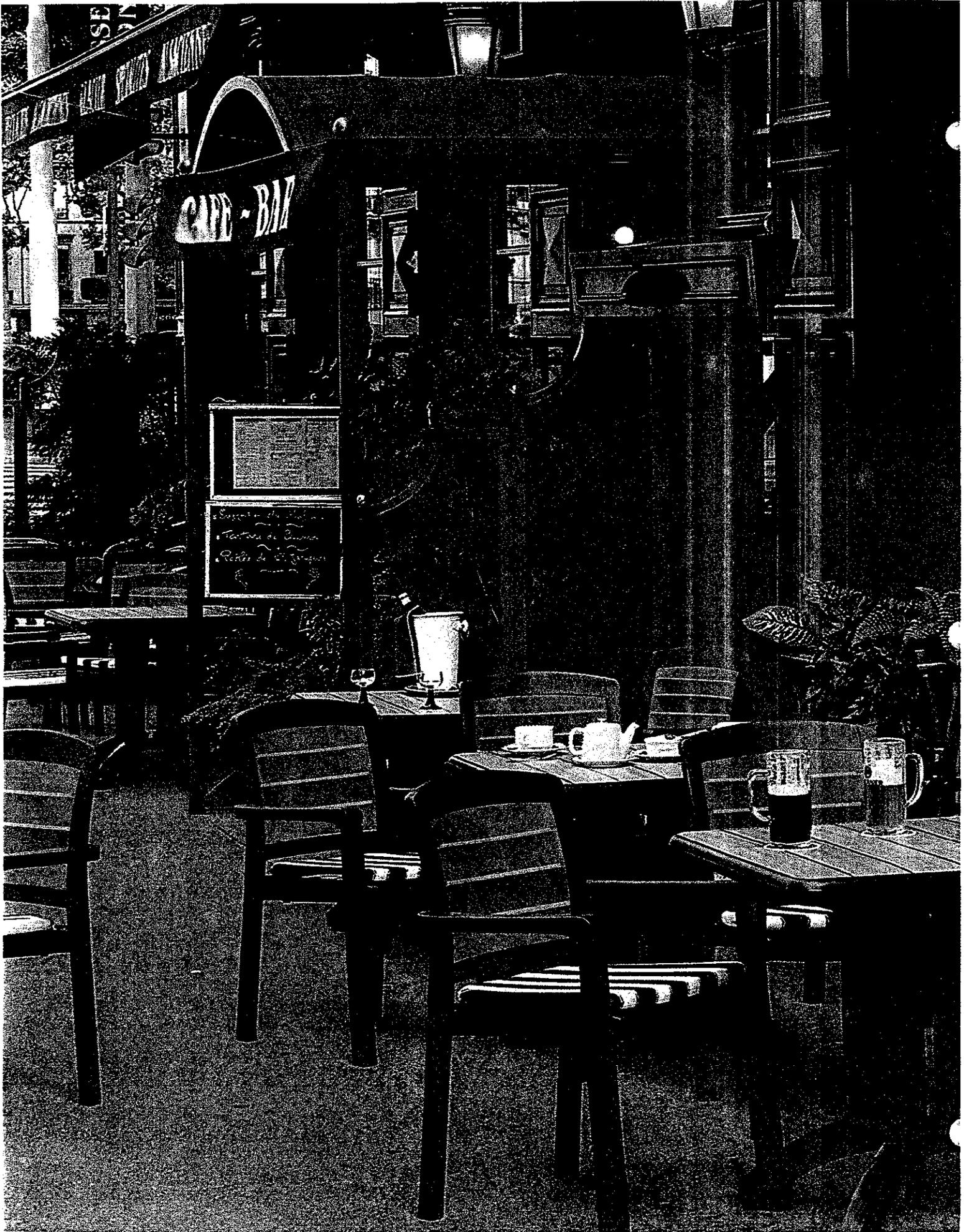
cc: Michael Ober

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Interior of existing restaurant.



Proposed outdoor seating furniture. 26



1725 Duke Street
 Alexandria, VA 22314
 703-519-1946
 Fax 703-519-7610
 www.stellas.com

Hours of Operation

Lunch

Monday – Saturday 11:30-2:30

Casual Fare

Monday – Sunday 2:30-5:00

Dinner

Monday-Saturday 5:00-10:00

Sunday 5:00-9:00

Brunch

Sunday 10:00-2:30



Stella's Dinner Menu

Starters

Soup of the Day Cup 3.25 Bowl 4.25

Classic Lobster Bisque 6.95

Stella's House Salad

field greens, honey shallot vinaigrette, plum tomatoes 4.25

Caesar Salad 5.25

Belgian Endive Salad

romaine lettuce, Belgian endive, gorgonzola and spicy pecans tossed in a walnut vinaigrette 7.95

Crab & Artichoke Dip

served warm with sliced French bread 8.95

Shrimp Cocktail 8.95

BBQ Duck Quesadilla

with fresh pineapple mango salsa 6.95

Fresh Mozzarella & Tomato Salad

with balsamic vinegar, extra virgin olive oil & chiffonade of fresh basil

Grilled Shrimp Antipasto

Red pepper hummus, bric, baby lettuces, vinaigrette, grilled Gulf shrimp

Fried Green Tomatoes

with polenta, peppered chevre, balsamic syrup and tomato relis appetizer portion 6.95 entree portion 13.95

Entrees

Roasted Swordfish

with tomato-asparagus risotto, orange cardamom sauce 17.95

Yellowfin Tuna Steak "Au Poivre"

black peppercorn encrusted tuna steak pan seared to medium rare, fi with brandy cream sauce, served with Stella's rice pilaf and vegetable 17.95

Seafood Pappardelle

Lobster meat, shrimp and scallops, pasta, plum tomatoes, shiitake mushrooms, white wine cream, opal basil pesto 19.95

Chesapeake Style Crabcakes

lump and backfin crabcakes vegetable slaw, pommery mustard-tarragon sauce and pimiento chutney 18.95

Roasted Portobello Mushroom "Stack"

stacked high with grilled zucchini, summer squash, eggplant, roasted red pepper, tomato, red onion, and fresh mozzarella cheese with roasted red pepper sauce and served with Stella's rice pilaf

Barbecue Pork Loin

basted with Stella's own barbecue sauce, grilled and served with red rings, southwestern cornbread cake and cranberry jalapeno chutney

**Filet Mignon*

with a Port Wine sauce & crispy fried onions served with sautéed asparagus and redskin mashed potatoes 24.95

**Grilled New York Strip*

topped with a Creole Horseradish Compound Butter and served over redskin mashed potatoes with sautéed asparagus

Grilled Fillet of Atlantic Salmon

grilled and draped with a cool cucumber dill yogurt sauce, served with Stella's rice pilaf and sautéed cherry tomatoes 16.95

Stella's Country Chicken

grilled & served with sautéed mushrooms, artichoke hearts, sun-d tomatoes, and baby spinach in a white wine garlic sauce with Stella's rice pilaf 16.95

Pan Seared Duck Breast Salad

served on a bed of baby greens, tossed with strawberries, red onion and yellow pear tomatoes in a Black Tea Chai

SUP 2007-1105

Soups & Starters

BBQ Duck Quesadilla

Served over a bed of baby greens tossed with a light mango vinaigrette and topped with fresh pineapple mango salsa 6.95

Fresh Mozzarella & Tomato Salad

yellow and red tomato shingled with fresh mozzarella cheese and drizzled with balsamic vinegar, extra virgin olive oil and chiffonade of fresh basil 6.95

Soup of the Day

Made with the freshest ingredients available Cup 3.25 Bowl 4.25

Caesar Salad

Romaine lettuce tossed with a classic caesar dressing, imported parmesan cheese and garlic croutons 4.50

Popcorn Shrimp

Fried baby shrimp served with cocktail sauce 6.95

Stella's House Salad

Mixed baby lettuces, plum tomatoes, leek julienne, with a honey shallot vinaigrette and croutons 4.25

Luncheon Entrees

Catch of the Day

Chef's creation changes daily 13.95

Fish and Chips

28 Tempura battered North Atlantic cod, fried crisp and served with jalapeno tartar sauce and fries 9.75

Vegetable Patch Fusilli

Snow peas, julienne carrots and sun-dried tomatoes tossed with pesto, fresh mozzarella and fusilli 9.95

Petite Filet

4 ounces of filet mignon atop a whole wheat crostini topped with forest mushrooms and a flavorful gorgonzola sauce served with horseradish mashed potatoes 11.95

Shrimp & Penne Pomodoro

Sautéed shrimp tossed with a spicy marinara sauce and penne pasta- sprinkled with parmesan cheese 11.95

Tuna Nicoise Salad

Yellowfin tuna steak grilled to medium rare, served over baby greens tossed with balsamic vinaigrette accompanied by sliced red bliss potatoes, green beans, tomatoes, hard-cooked egg and Nicoise olives 10.95

Thai Chicken Salad

Diced grilled chicken, cucumbers, red onion and red pepper tossed in a Thai red curry dressing, served over baby greens, topped with crushed peanuts and spicy radish sprouts 10.25

Stella's Caesar Salad

An entrée sized serving of romaine lettuce tossed in our classic Caesar dressing with fresh croutons 7.95
Topped with a grilled chicken breast 9.95
Topped with a grilled flank steak 10.95

Chopped Salad

Romaine lettuce tossed with applewood smoked bacon, avocado, cucumber, tomatoes served with buttermilk herb dressing and pasta crisps 8.95
Topped with a grilled chicken breast 10.95
Topped with a grilled flank steak 11.95

served with Saratoga chips

Roast Beef and Gruyere Club

Thinly sliced top round with pancetta bacon, gruyere cheese, and horseradish dijon mayonnaise on a multi-grain rustic bread 8.25

Grilled Turkey Reuben

Stella's smoked turkey breast, sauerkraut, Swiss cheese and Thousand Island dressing on grilled rye 7.95

Grilled Vegetable Batard

Marinated grilled squash, eggplant, cucumbers, roasted peppers and hummus on focaccia 7.95

Grilled Tuna

Yellowfin tuna steak grilled medium rare with Asian mayonnaise, baby and radish sprouts on toasted French bread 9.50

Crabcake Sandwich

Jumbo lump and back fin crabmeat pan seared, pimiento chutney, còle slaw served on an english muffin 11.95

Stella's Chicken Philly

Shaved grilled chicken, smothered with sautéed onions, mushrooms, provolone cheese, dijon mayonnaise on a french style baguette 7.95

Garden Burger

Grilled vegetarian patty served on a home-style roll with lettuce, tomato, pickles and onion 7.25

*Stella's Black Angus Burger

Six ounces of Black Angus Beef grilled and served on a home style roll with lettuce, tomatoes, red onion and a pickle 6.95
with white cheddar cheese add .75
with Maytag blue cheese add 1.50
with smoked bacon add 1.00

*The Border Burger

Black Angus burger sprinkled with Cajun spices and topped with pepper jack cheese and pico de gallo 7.95

The Retro Burger

Black Angus burger topped with sautéed mushrooms and Swiss cheese 8.95

Daily Entrée Specials

Monday: Frittata

Served with baby greens with honey shallot vinaigrette 8.95

Tuesday: Home Style Meatloaf

Served with mashed potatoes and gravy 9.95

Wednesday: Kabobs Different each week

8.95

Thursday: Chipotle Chicken

strips of chicken breast flash fried and tossed in a sauce of chipotle pepper, cream & sherry 9.95

Friday: Bourbon-Mustard Glazed Pork Chop

Served with vegetables and corn bread 9.95

Stella's Champagne Brunch Buffet Best Deal in Old Town Alexandria

Served Sundays 10:00-2:30

Create your own Omelet

Eggs to order

Eggs Benedict

Carved Pork Loin

Jambalaya

Bacon & Sausage

Home Fries

Pastries

Stella's Fresh Fruit Salad

and Champagne, Champagne, Champagne

Adults \$12.95

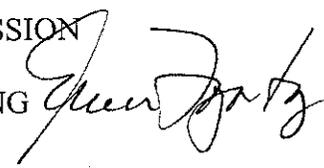
Children 12 & Under \$6.95

Stella's restaurant is located at 1725 Duke Street in Old Town Alexandria in the King Street Station complex across from the King Street Metro. You can find us located in the fountain courtyard between the buildings from our entrance circle on Duke Street, or if coming by Metro, walk directly from the Metro across Diagonal lane up the stairs to the fountain. Free 3 hour Parking available Monday-Friday 5:00 Until closing Saturday and Sunday All day

SUP 2002-0105

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 3, 2002
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING 
SUBJECT: SUP #2002-0105
1725 Duke Street

The applicant requested changes to Conditions #9, #13, and #18 after the release of the staff report. Staff supports the request and recommends changing the Conditions as follows:

Condition #9: On-site alcohol service is permitted for beer, wine and mixed drinks. Off-premise alcohol sales are permitted. Off-premise alcohol sales are regulated as follows: 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 mil. or 25.4 ounces. Fortified wine (wine with the alcohol content of 14% or more by volume) may not be sold. (Police)

Condition #13: The applicant shall maintain ~~free parking for customers using the existing voucher program that allows customers to park free during evenings and weekends~~ at the King Street Station parking facilities. (P&Z)

Condition #18: The applicant is limited to four special events a year, such as a New Years Eve party, and is limited to a D.J. for private parties, such as wedding receptions or wedding rehearsal dinners. (P&Z)

MH

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APPLICATION for SPECIAL USE PERMIT # 2002-0105

[must use black ink or type]

PROPERTY LOCATION: **1725 Duke Street - King Street Station III**

TAX MAP REFERENCE: **73.02 01 04** ZONE: **OCH**

APPLICANT Name: **Retro Restaurants, Inc., a Virginia corporation doing business as Stella's**

Address: **1725 Duke Street, Alexandria, VA 22314**

PROPERTY OWNER Name: **The Equitable Life Assurance Society of the U.S.**

Address: **c/o Lend Lease Real Estate Investment, Inc.
600 14th Street NW #725 Washington, DC 20005**

PROPOSED USE: **Expansion of the existing Stella's 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.

**Land, Clark, Carroll, Mendelson & Blair, P.C.
Duncan W. Blair, Esquire**

Print Name of Applicant or Agent



Signature

524 King Street

Mailing/Street Address

(703) 836-1000

Telephone #

(703) 549-3335

Fax #

dblair@landclark.com

September 24, 2002

Alexandria, Virginia 22314

City and State

Zip Code

Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____

Date & Fee Paid: **9-24-02**

\$ **500.-**

ACTION - PLANNING COMMISSION: **12/3/2002**

RECOMMEND APPROVAL

6-0

ACTION - CITY COUNCIL: **12/14/02PH--CC approved the Planning Commission recommendation.**