

EXHIBIT NO. 1

5
12-17-05

Docket Item #3
SPECIAL USE PERMIT #2005-0110

Planning Commission Meeting
December 6, 2005

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

APPLICANT: Philip D. McCombie

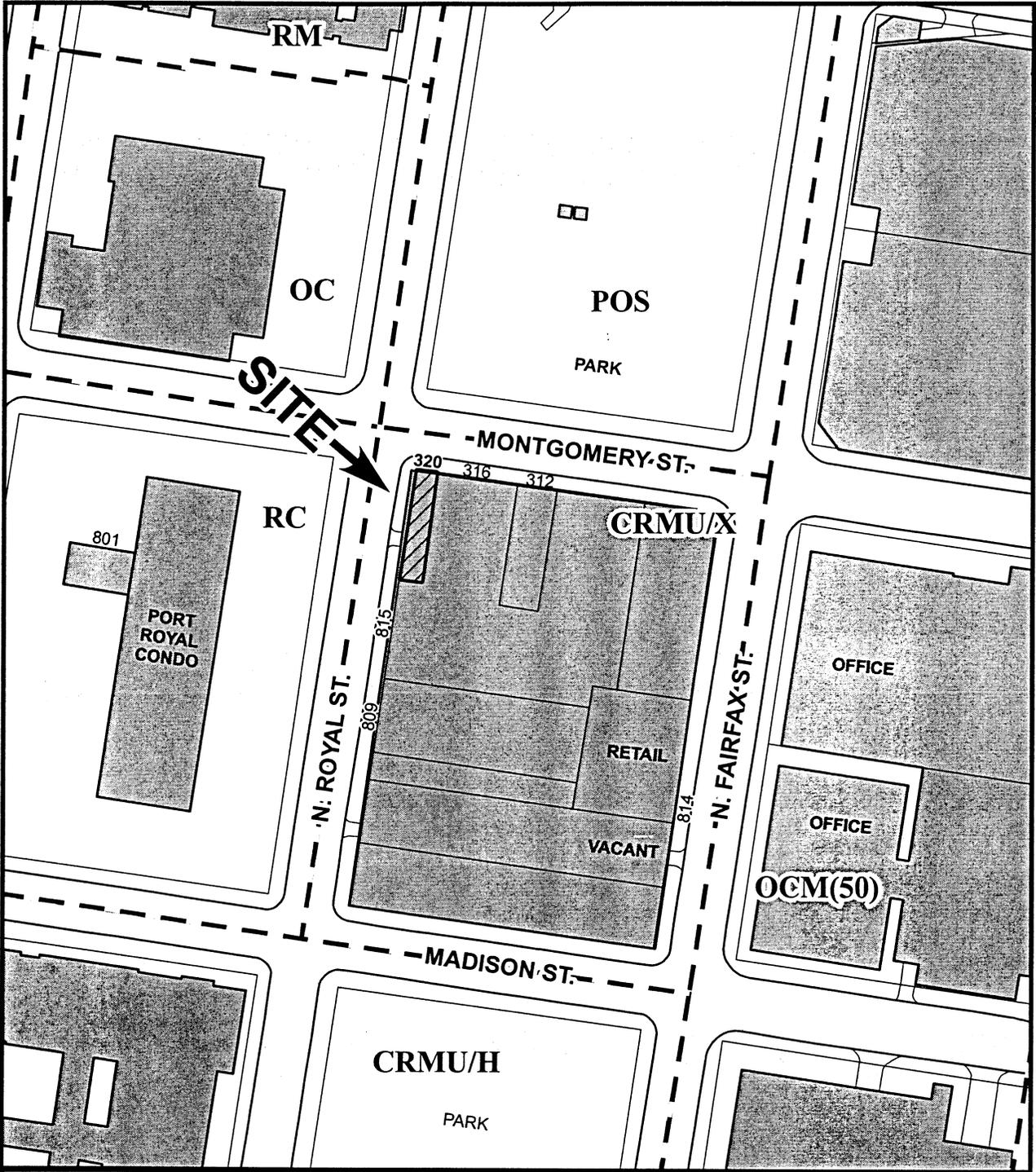
LOCATION: 320 Montgomery Street

ZONE: CRMU-X/Commercial Residential Mixed Use (Old Town North)

PLANNING COMMISSION ACTION, DECEMBER 6, 2005: On a motion by Mr. Komoroske, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 6 to 0. Mr. Dunn was absent.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2005-0110

12/06/05



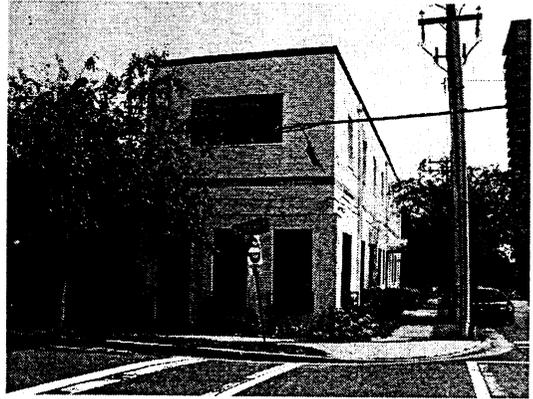
I. DISCUSSION

REQUEST

The applicant, Philip P. McCombie, requests special use permit approval for the operation of a restaurant located at 320 Montgomery Street, and for a parking reduction.

SITE DESCRIPTION

The subject property is one lot of record with 18 feet of frontage on Montgomery Street, 90 feet of depth and a total lot area of 1,620 square feet. The site is developed with a two-story office/retail building. Access to the property is from Montgomery and North Royal Streets. The subject tenant space is located on the first floor and is currently vacant. The second floor is occupied by an office use.



The surrounding area is occupied by a mix of office/retail/residential uses. Immediately to the north is Montgomery Park. To the south and east is the Montgomery Center, which includes retail, personal service, office and restaurant uses. To the west is Port Royal Condominiums.

PROPOSAL

The applicant proposes to occupy the entire first floor of a two-story building comprising approximately 1,450 square feet. The applicant proposes a carry-out restaurant with dine-in seating and offering authentic Thai food. Specific aspects of the restaurant as proposed by the applicant are as follows:

- Hours*: The applicant proposes to operate from 11:00 a.m. to 3:00 p.m. and 5:00 p.m. and 9:00 p.m. daily.
- Number of seats: The applicant proposes 32 total seats.
- Noise: The applicant does not anticipate high levels of noise from the restaurant.
- Trash/Litter: Trash will be picked up daily by a private contractor. There is not a dumpster located on the premises.
- Alcohol: The applicant proposes on-premises beer and wine.
- Live Entertainment: The applicant proposes no live entertainment.

Delivery: The applicant proposes offering delivery through a take out service, such as "Take Out Taxi." The applicant will not have its own delivery vehicles.

*Note: Recommended hours are different than proposed. See recommended conditions Section III.

PARKING

According to Section 8-200(A)(8) of the Zoning Ordinance, a restaurant requires one parking space for every four seats. A restaurant with 32 seats is required to provide eight off-street parking spaces. The applicant is requesting a parking reduction of eight spaces since no off-street parking is available at this location. In support of the parking reduction, the applicant states that most of the day patrons will walk to the restaurant, and others may park in the Colonial Parking lot at 801 N. Fairfax Street. Employee parking will be provided off-street at the Port Royal parking lot. In addition, there is metered parking located across the street at the tennis courts during weekdays. Street parking is also available.

The adjacent Montgomery Center, which encompasses the rest of the city block has a Special Use Permit that includes a parking reduction of 250 spaces and allows up to 10,000 square feet of restaurant use, of which 5,411 square feet is occupied by restaurant space.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CRMU-X/Commercial Residential Mixed Use (Old Town North) zone. Section 5-403 (V) of the Zoning Ordinance allows a restaurant in the CRMU-X zone only with a special use permit.

The proposed use is consistent with the Old Town North Small Area Plan chapter of the Master Plan which designates the property for commercial residential mixed use.

II. STAFF ANALYSIS

Staff supports this new restaurant at the corner of Montgomery and North Royal Street. The restaurant adds to the mix of uses in the block, and will provide an additional restaurant choice for residents, office workers, and others in the area.

Although supportive, staff is mindful of the lack of off-street parking at this location. Staff visited the site on two occasions during peak lunch time and evening hours. Staff observed at least seven to eleven on-street parking spaces available within one block of the proposed restaurant during lunch hours, and many more during evening hours. The metered parking lot located directly across the street at Montgomery Park has nine spaces that were generally all available during peak hours, making it possible for customers to park in this lot if on-street parking is not available. Additionally, the Montgomery Center, which encompasses the rest of the City block, has been granted a parking reduction that allows up to 10,000 square feet of restaurant use, where currently there is only 5,411

square feet of restaurant use. Although the proposed restaurant is not part of the Montgomery Center, there is additional capacity for a restaurant on this block. Finally, the applicant proposes to secure off-street parking for all employees, leaving street parking more available for customers. Therefore, staff does not object to the proposed parking reduction. Staff has included the standard condition that employees park off the street. Staff also recommends the condition that mass transit opportunities be posted for employees to encourage them to use mass transit.

Regarding the landscaping around the property, the tenant space has been vacant for some time resulting in signs of poor maintenance. Staff has included a condition that the applicant maintain the landscaping to the satisfaction of the Director of Planning and Zoning.

Staff has included the standard restaurant conditions. Although the applicant does not intend to be open past 9:00 p.m. at this point, staff recommends longer hours of operation to be consistent with the recently approved hours at A La Lucia restaurant around the corner.

With these conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

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 corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the restaurant shall be limited to between 7:00 a.m. and 12:00 midnight daily. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. No live entertainment shall be provided at the restaurant. (P&Z)
5. On site service of beer and wine is permitted; no off-premise alcohol sales are permitted. (P&Z)
6. No food, beverages, or other material shall be stored outside. (P&Z)

7. Applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
8. The applicant shall maintain the landscaping in good condition, to the satisfaction of the Director of Planning and Zoning. (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 containers 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. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z) (T&ES)
13. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Health.(P&Z) (T&ES)
14. Meals ordered before the closing hour may be served, but no new patrons may be admitted, and all patrons must leave by one hour after the closing hours. (P&Z)
15. 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 and a robbery awareness program for all employees. This is to be completed prior to opening for business.(Police)
16. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)

17. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
18. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
19. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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 which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
Valerie Peterson, Urban Planner.

Staff Note: 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.

IV. 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 provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation.

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 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

- C-4 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five 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 current use is classified as B, Business; the proposed use is A, Assembly. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-6 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-7 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 302.3.
- C-8 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-9 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-10 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 Five sets of plans are to be submitted to and approved by this department prior to construction. Plans must comply with 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-3 Permits must be obtained prior to operation
- C-4 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-5 Certified Food Managers must be on duty during all hours of operation
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- F-1 The applicant is seeking an "ABC On" license only. The Police Department has no objections.
- R-1 The applicant is to contact the Community Relations 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 Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 The SUP is to be reviewed after one year.

APPLICATION for SPECIAL USE PERMIT # 2005-0110

[must use black ink or type]

PROPERTY LOCATION: 320 MONTGOMERY STREET ALEX. VA 22314

TAX MAP REFERENCE: 055.03.01.02 ZONE: CRMU-X

APPLICANT Name: PHILIP D. McCOMBIE

Address: 501 SLATERS LANE #908 ALEX. VA 22314

PROPERTY OWNER Name: CHARLES S. CHOE & PAK KUM CHA

Address: 320 MONTGOMERY ST. ALEX. VA 22314

PROPOSED USE: THAI CARRY-OUT RESTAURANT

AND WHOLESALE BAKING KIT

This portion of the request is withdrawn by applicant per VP.

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.

PHILIP D. McCOMBIE
Print Name of Applicant or Agent


Signature

501 SLATERS LANE #908
Mailing/Street Address

703 706 5886
Telephone #

703 706 5886
Fax #

ALEXANDRIA VA 22314
City and State Zip Code

SEPT. 27TH 2005
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)

Application is for a carryout Thai restaurant providing some seating for patrons (à la Five Guys), delivery service, but no table service. Seats will be provided for up to 32 patrons. On any one day the majority of patrons will be carryout or delivery. Anticipated hours will be 11am - 3pm + 5pm - 9pm. Anticipated employees - up to 4 daily.

Parking for employees will be rented off-street in adjacent lots. Lunch patrons will be on foot from surrounding businesses & residences, mostly carry-out or delivery. If necessary, parking is available for 2hr/3hr or all day on all surrounding streets. For evening patrons (after 5pm) there are no parking restrictions. 90% of patrons are expected to be on foot.

There will be no noise problem as there is no request for live music or outside seating.

~~Panaderia Bakery will utilize the kitchen from Lam-bun. This artisan wholesale bakery employs 2 staff only.~~

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).

Between the hours of 11am -> 3pm, 5pm - 9pm
approximately 120 patrons

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

No more than 4 at any one time,
usually 4

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

Day: Daily

Hours: 11 am -> 3pm, 5pm -> 9pm

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

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

None. Just a regular kitchen operation &
mostly carryout patrons. No outside seating.

B. How will the noise from patrons be controlled?

N/A

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

Standard hood operation for a commercial kitchen. Should be no odors.

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?

Excess food, plus paper & plastic products from patrons, cardboard boxes from delivery.

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

3 or 4 large black trash bags per day, plus flattened boxes.

C. How often will trash be collected?

Daily by a private contractor.

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

On-premises patrons will have ample provision of trash cans inside.

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:

Oven cleaners & degreasers as required.
Disposal as per City hazardous waste code,
if applicable.

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

Disposal as above, after hours.

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.

Application will be made to sell only beer and
wine, as per ABC regulations, for ~~off~~ on and
~~off~~ premise use. No mixed drinks. No glasses.
Six packs & unopened wine only for off-premise
on-premise only. 16

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?

8

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

8

Standard spaces

_____ Compact spaces

_____ Handicapped accessible spaces.

_____ Other.

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

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

Colonial Parking - lot located at 801 N. Fairfax St.

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

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

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

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

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

C. Where are off-street loading facilities located? Loading bay located at 835 N. Royal St.

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

Random time

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

Once per day on average

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?

Access is adequate. Loading bay exists with sidewalk ramp from road in place.

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?

1,450 sq. ft. (existing) + _____ sq. ft. (addition if any) = 1,450 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: One corner of the same block as Montgomery Center.

Parking Management Plan

At lunch-time most of the patrons will be foot traffic and will not require parking spaces. In the evening the surrounding streets are empty and all parking is available & free. Parking is being arranged for lunch customers at Colonial Parking, 801 N. Fairfax St. Employee parking will be provided by rented off-street parking spaces in adjacent lots, (Post Royal). The combined requirement for patron & employee parking at any time is adequately covered as stated above. Metered parking at tennis courts parking lot is also available weekdays.

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)

8, off-site

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

Day patrons mostly on foot. Remainder will park in Colonial Parking, 801 N. Fairfax St. Evening customers have unrestricted parking on all surrounding streets.

3. Why is it not feasible to ^{N/A} provide the required parking? Parking is being provided as stated earlier in this application.
-
-

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.

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: 32 At a bar: Total number proposed: 32

2. Will the restaurant offer any of the following?

 alcoholic beverages ✓ beer and wine (on-premises)

 — beer and wine (off-premises)

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

Authentic THAI dishes with noodles/rice.

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? 0, (TAKE OUT TAXI)

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

**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

SIP 2005-0110

LITTER PLAN

Adequate trash cans will be provided on-premise for carryout patrons who decide to "eat-in". An "on-street" trash container will be provided also, but with no outside seating available this will not be fully utilized.

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:

32 Maximum number of patron dining seats
+ Maximum number of patron bar seats
+ Maximum number of standing patrons

32 Maximum number of patrons

2. 4 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:

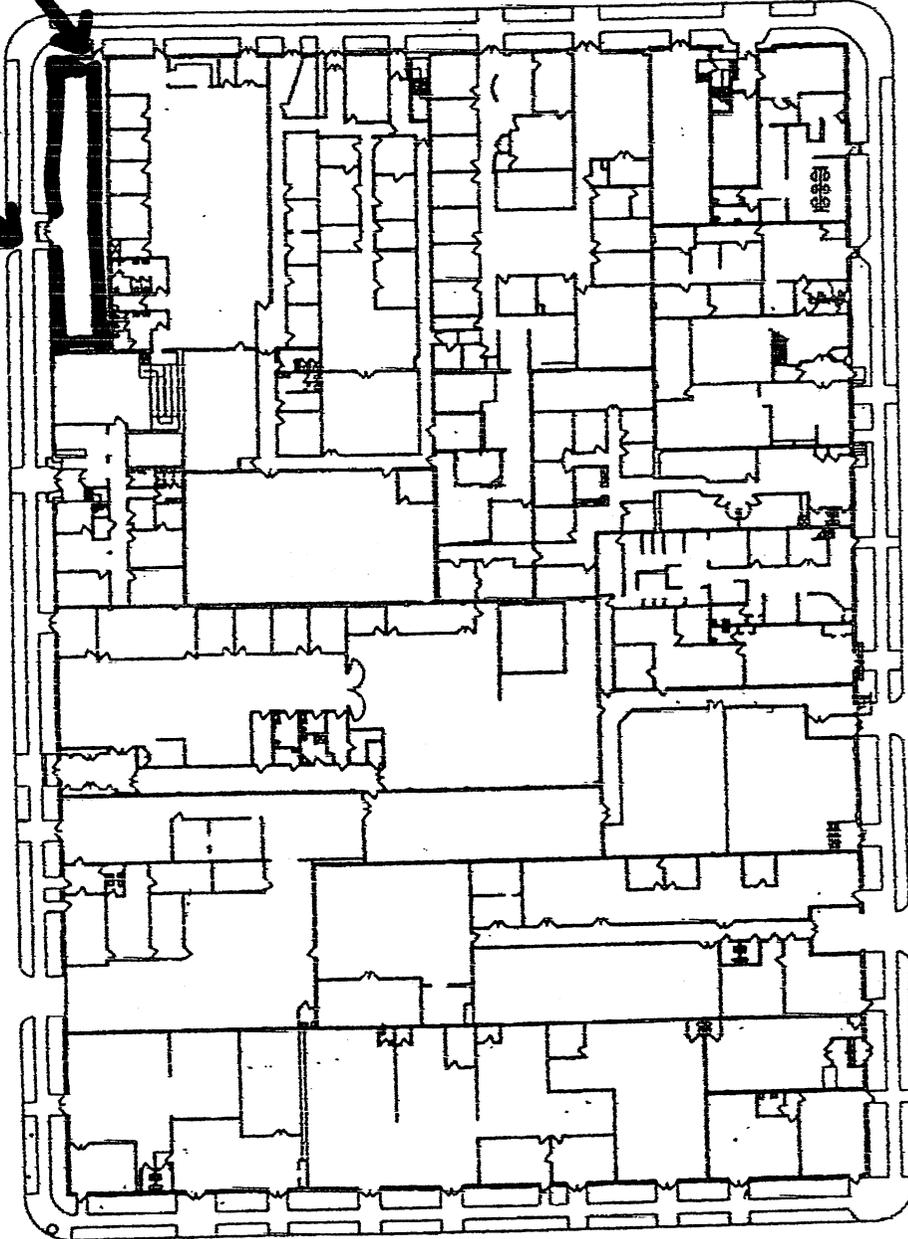
(Check one)

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

"ROYAL THAI"

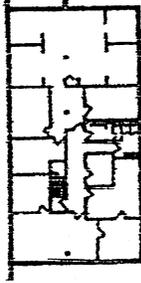
320 Montgomery St.

NORTH ROYAL ST.

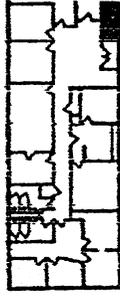


MONTGOMERY ST.

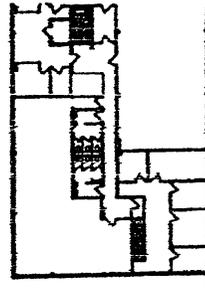
NORTH FAIRFAX ST.



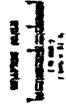
2nd Level North Royal Street



2nd Level Montgomery Street



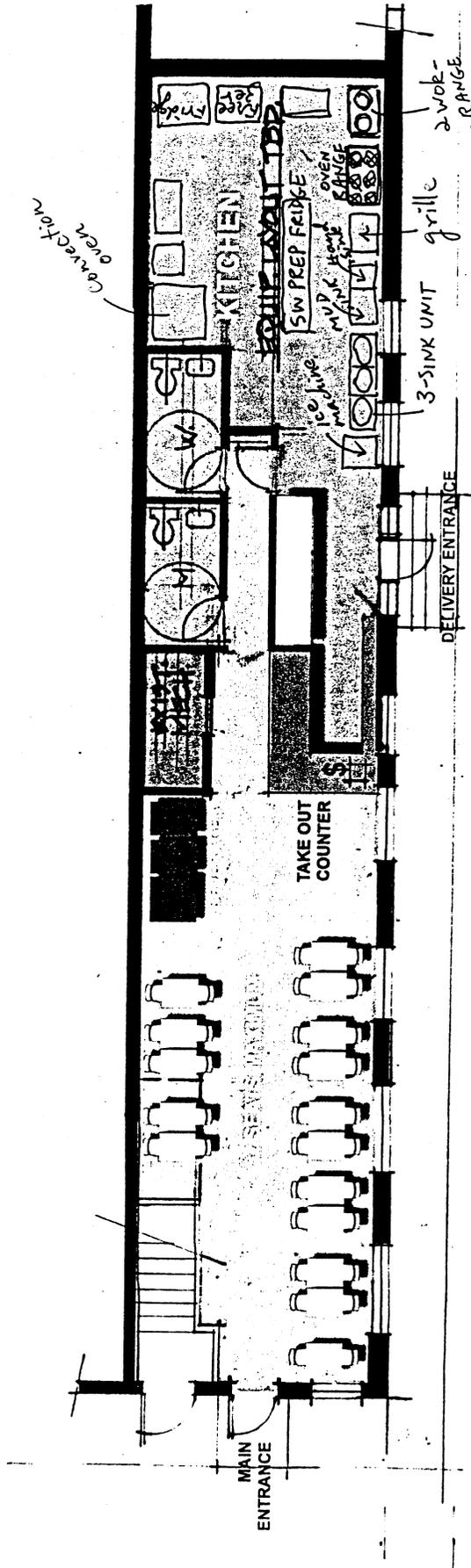
2nd Level Corner
Montgomery Street @ North Fairfax St



6/20/88 - CAL

THE MONTGOMERY CENTER

SUP2005-0110



'THE ROYAL THAI'
320 MONTGOMERY STREET
ALEXANDRIA, VIRGINIA. 22314

PROPOSED PRELIMINARY PLAN

N. ROYAL ST.

26

MONTGOMERY STREET

APPLICATION for SPECIAL USE PERMIT # 2005-0110

[must use black ink or type]

PROPERTY LOCATION: 320 MONTGOMERY STREET ALEX. VA 22314

TAX MAP REFERENCE: 055.03.01.02 ZONE: CRMU-X

APPLICANT Name: PHILIP D. McCOMBIE

Address: 501 SLATERS LANE #908 ALEX. VA 22314

PROPERTY OWNER Name: CHARLES S. CHOE & PAK KUM CHA

Address: 320 MONTGOMERY ST. ALEX. VA 22314

PROPOSED USE: THAI CARRY-OUT RESTAURANT

AND WHOLESALE BAKING *KMSJ*

This portion of the request is withdrawn by applicant per VP.

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.

PHILIP D. McCOMBIE
Print Name of Applicant or Agent

Philip D. McCombie
Signature

501 SLATERS LANE #908
Mailing/Street Address

703 706 5886
Telephone #

703 706 5886
Fax #

ALEXANDRIA VA 22314
City and State Zip Code

SEPT. 27TH 2005
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: Recommended Approval 6-0 12/6/05

ACTION - CITY COUNCIL: 12/17/05PH: CC Approved the Planning Commission recommendation.