

EXHIBIT NO. 1

6
3-17-07

Docket Item #3
SPECIAL USE PERMIT #2006-0120

Planning Commission Meeting
March 6, 2007

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

APPLICANT: Boyd W. Walker, Bakery Orlov

STAFF: James Hunt, Planner
james.hunt@alexandriava.gov

LOCATION: 1307 King Street

ZONE: KR/King Street Retail

PLANNING COMMISSION ACTION, MARCH 6, 2007: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

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 #2006-0120

03/06/07



I. DISCUSSION

REQUEST

The applicant, Boyd W. Walker, requests special use permit approval for the operation of a bakery restaurant, known as Bakery Orlov, located at 1307 King Street.

SITE DESCRIPTION

The subject property is one lot of record with 23 feet of frontage on King Street, 100 feet of depth and a total lot area of 2,300 square feet. The site is developed with a three-story commercial building, previously occupied by Orlov Gallery. Access to the property is from a rear private alley accessed by North Payne Street.



A mix of retail, restaurant, personal service, commercial office, and residential uses occupies the surrounding area. Immediately to the north are town homes, Art Underfoot Warehouse, Fleet Reserve Association offices, and Empowered Gallery. To the south is King's Auto Incorporated. To the east and west are Golden Rhodes (retail) and Stella's Attic (retail), respectively.

PROPOSAL

The applicant requests special use permit approval to operate Bakery Orlov. The applicant proposes to produce baked goods, sell coffee, tea and beverages for on and off-premise consumption. The operations of the business as proposed by the applicant are as follows:

Hours:	6am- 12am Daily
Number of seats:	30 indoor seats
Noise:	No noise impacts are anticipated however, staff will control noise levels inside the restaurant.
Trash/Litter:	No extraordinary trash is anticipated to be generated and the applicant proposes to recycle. Trash is to be collected once per week.
Live Entertainment:	Non-amplified acoustical music is being proposed.
Alcohol Service:	No alcohol service is being proposed.

PARKING

According to Section 8-200(A) of the Zoning Ordinance, a restaurant use requires one parking space for every four seats. A restaurant with 30 seats will be required to provide eight parking spaces. However, under Section 8-300(B), restaurants located within the central business district are not subject to parking requirements. The Old Town Restaurant Policy does require the applicant to address the need for off-street parking. According to condition #10, the applicant shall participate in any organized program to assist with both employee and customer parking, and condition #12 requires employees to park off-street.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the KR/King Street Urban Retail zone. Section 6-702 (A)(2) of the Zoning Ordinance allows a restaurant in the KR/King Street Urban Retail zone only with a Special Use Permit.

The proposed use is consistent with the King Street Retail Strategy within the Master Plan.

BOARD OF ARCHITECTURAL REVIEW

The location of the restaurant is within the jurisdiction of the Old and Historic Board of Architectural Review. Since the applicant is not proposing any exterior changes to the building, the applicant is not required to file with the BAR for review. However, if there are any exterior changes to the building that are visible from the public right-of-way, the applicant will be required to file an application for review of the modifications with the Old and Historic Board of Architectural Review.

II. STAFF ANALYSIS

Staff has no objection to the proposed restaurant. Staff finds that the restaurant will contribute to vitality along this area of King Street and will contribute to a mix of restaurant opportunities in the area. Presently, there are three restaurants on the 1300 block of King Street. When compared with other blocks to the east, the 1300 block of King Street has fewer restaurants.

Although there is no parking requirement for restaurants located within the Central Business District, the business is expected to address the need for off-street parking. Staff has included conditions #8 and #10 which require the applicant to participate in any City sponsored parking validation program and provide employees with transit subsidies for using public transportation.

Staff has included a condition requiring a review of the restaurant one year after this approval so if there are any problems with its operation, additional conditions may be imposed. With the proposed conditions, staff recommends approval of the subject application.

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 6am- 12am daily. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The seating capacity shall be limited to 30 seats. (P&Z)
5. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice 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)
6. Trash and garbage shall be place 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&Z)
7. No food, beverages, or other material shall be stored outside. (P&Z)
8. The applicant shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Study. (P&Z)
9. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for employees. (Police)
10. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES) (P&Z)
11. 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. (P&Z)

12. No alcohol service shall be permitted. (P&Z)
13. Indoor live entertainment shall be permitted to the extent that no amplified sound is audible outside the restaurant. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z)
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. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
16. 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)
17. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
18. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
19. 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 within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
20. Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)

21. 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 as a result of a complaint that rises to the level of a violation of the permit conditions, 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: Richard Josephson, Acting Director, Department of Planning and Zoning;
James Hunt, 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:

- 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 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 All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line.
- R-4 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132.
- R-5 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 within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation.
- R-6 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.
- R-7 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.

- 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.
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

Code Enforcement:

- C-1 The current use is classified as M & R; the proposed use is A-2. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 116.2) and compliance with USBC 116.1 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-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 302.3.
- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 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-6 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-7 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-8 Toilet Rooms for Persons with Disabilities:
 - (a) Water closet heights must comply with USBC 1109.2.2
 - (b) Door hardware must comply with USBC 1109.13
- C-9 Toilet Facilities for Persons with Disabilities: Larger, detailed, dimensioned drawings are required to clarify space layout and mounting heights of affected accessories. Information on door hardware for the toilet stall is required (USBC 1109.2.2).
- C-10 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-11 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. Permits are not transferable.
- C-2 Permits must be obtained prior to operation.
- C-3 Five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for plans review of food facilities.
- C-4 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.

Parks & Recreation:

- F-1 No comment.

Police Department:

- 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 readiness program for all employees.
- F-1 The applicant is not seeking an ABC permit. The Police Department concurs.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0120

PROPERTY LOCATION: 1307 King St
TAX MAP REFERENCE: 064-03-10-18 **ZONE:** KR

APPLICANT

Name: Boyd W. Walker
Address: 1307 King St

PROPERTY OWNER

Name: Boyd W. Walker
Address: 1307 King St

PROPOSED USE: Retail Bakery / Restaurant

[] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

Boyd W Walker
Print Name of Applicant or Agent
1307 King St
Mailing/Street Address
Alexandria VA 22314
City and State Zip Code

Boyd W. Walker
Signature
703-732-7269 703-544-0393
Telephone # Fax #
boydwalker@hotmail.com
Email address
Dec 21, 2006
Date

Application Received: _____

Date & Fee Paid: \$ _____

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

ACTION - PLANNING COMMISSION: _____
ACTION - CITY COUNCIL: _____

SUP # 2006-0120

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

1. The applicant is the (check one):
- 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 11" x 17" or smaller. Twenty-four copies are required for plans larger than 11" x 17" 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. The description should include 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.)

We request permission to operate Bakery Orlov at 1307 King St. Operation of the bakery will include production of pastries, sales of baked goods, coffee, tea and beverages for on and off premises consumption. We will have the capacity to serve up to 500 people a day. We would expect 1/3 to consume on site and the remainder to carry out. We will have a maximum of 30 seats inside and 20 seasonal seats outside. We expect to draw patrons from the upper King St. neighborhood and from foot traffic on King St. We expect to have 2 to 4 employees at any one time, and three 6 hour shifts a day. Parking is not required in the zoning. We don't expect any abnormal noise but do request unamplified music.

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).

25 people per hour of operation

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

2-4 per shift

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

Day: Sun - Sat

Hours: 6 am till ~~12 pm~~
12 pm

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

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

No extraordinary noise ~~shall~~ will be heard from premises.

B. How will the noise from patrons be controlled?

Staff will be instructed to control noise levels

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

The smell of Fresh baked goods

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?

Some take-away receptacles
and some packaging from baking

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

No extraordinary trash will be generated
and we will recycle

C. How often will trash be collected?

1 time a week.

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

All trash receptacles will be placed
by exits

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?

Fire extinguishers, smoke detectors and an exit light will be provided.

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?

K.R - no requirement.

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

- _____ Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.

C. *N/A* Where is required parking located? (check one)

- on-site
- off-site

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?

None

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?

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

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; no street improvements necessary

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? N/A square feet.

18. What will the total area occupied by the proposed use be?

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

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

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

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other. Please describe: _____



SUPPLEMENTAL APPLICATION

RESTAURANT

All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

1. How many seats are proposed?
Indoors: 30 Outdoors: 20 Total number proposed: 50

2. Will the restaurant offer any of the following?
Alcoholic beverages (**SUP only**) Yes No
Beer and wine — on-premises Yes No
Beer and wine — off-premises Yes No

3. Please describe the type of food that will be served:
Baked goods, coffee, tea & other non-alcoholic beverages

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
Where will delivery vehicles be parked when not in use?

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
 Yes No
If yes, please describe:
un-amplified acoustic music



**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, which outlines 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:

- The availability of off-street parking.
- The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- The extent to which the restaurant is open in the late night hours.
- 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.
- The predicted extent of litter generated in nearby neighborhoods.

CRITERIA TO BE USED TO EVALUATE NEW OR EXPANDED RESTAURANTS

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

- The parking demand generated by the proposed restaurant.
- 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.
- How employees who drive will be accommodated off the street at least in the evenings and on weekends.
- The predicted impact of the restaurant on the parking supply at the evening, weekend, and daytime peaks.
- 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.

Parking impacts. Please answer the following:

1. 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

2. 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

3. 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 plan. 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. Please fill in the following information.

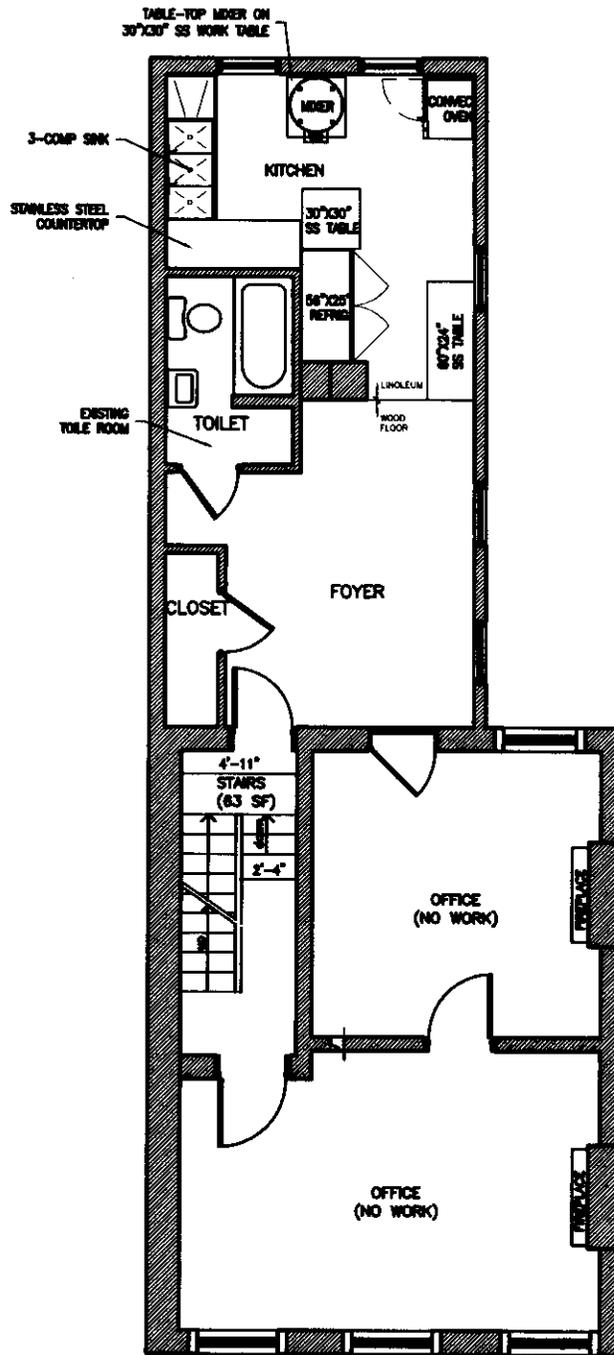
1. Maximum number of patrons shall be determined by adding the following:
 50 Maximum number of patron dining seats
+ _____ Maximum number of patron bar seats
+ _____ Maximum number of standing patrons
= _____ Maximum number of patrons

2. 4 Maximum number of employees by hour at any one time

3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)
 Closing by 8:00 PM
 Closing after 8:00 PM but by 10:00 PM
 Closing after 10:00 PM but by Midnight
 Closing after Midnight

4. Alcohol Consumption (check one)
 High ratio of alcohol to food
 Balance between alcohol and food
 Low ratio of alcohol to food

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ORLOV BAKERY
 1307 King Street
 Alexandria, VA

Client:

Boyd Walker,
 Walker Real Estate

115 S Payne Street
 Alexandria, VA
 22314

Tel: 703 549 4696

Key Plan:



Professional Seal:

LAVIGNE ASSOCIATES ARCHITECTS
 1121 King St. Suite 201, Alexandria, VA 22314
 Tel: 703-738-3206 Fax: 703-738-3208
 E-Mail: box@lavarchitects.com

Phase and Date

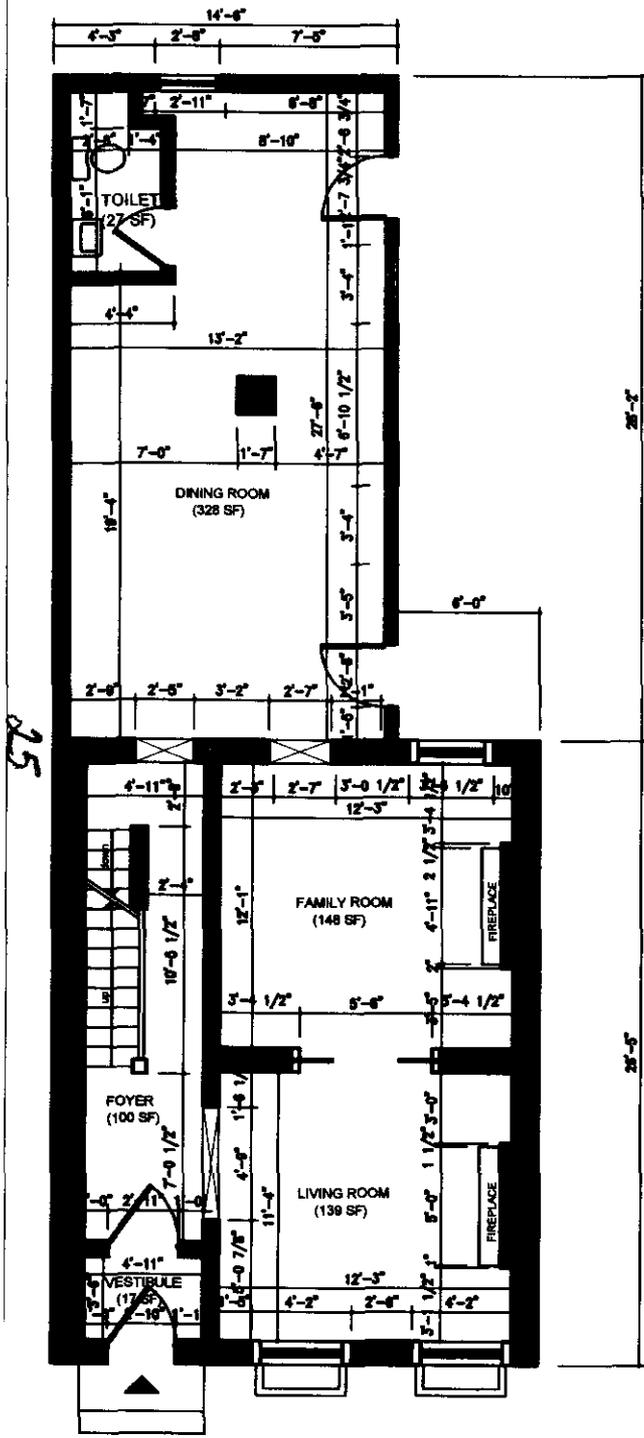
**SPECIAL USE
 PERMIT
 APPLICATION**
 01 December 2006

**BAKERY
 FLOOR PLANS**
 A103

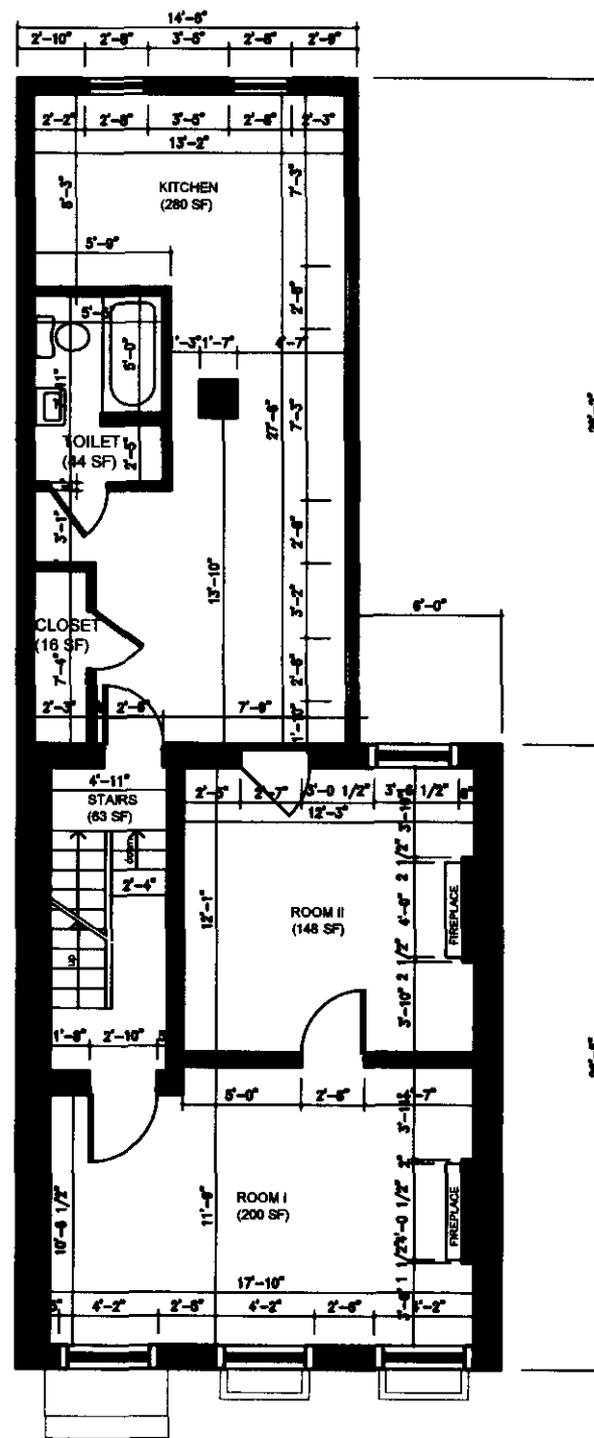
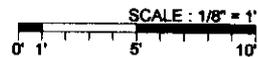
C SECOND FLOOR KITCHEN PLAN

SCALE: 1/8" = 1'
 0' 1' 5' 10'

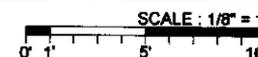
SUP 2006-0120



A FIRST FLOOR PLAN



B SECOND FLOOR PLAN



ORLOV BAKERY
 1307 King Street
 Alexandria, VA

Client:

Boyd Walker,
 Walker Real Estate

115 S Payne Street
 Alexandria, VA
 22314

Tel: 703 549 4696

Key Plan:



Professional Seal:

LAVIGNE ASSOCIATES ARCHITECTS

1121 King St, Suite 201, Alexandria, VA 22314
 Tel: 703-739-3206 Fax: 703-739-3209
 E-Mail: box@lavignearchitects.com

Phase and Date

SPECIAL USE PERMIT APPLICATION
 01 December 2006

EXISTING CONDITIONS

A104

SUP 2006-0120

ORLOV BAKERY
1307 King Street
Alexandria, VA

Client:

Boyd Walker,
Walker Real Estate

115 S Payne Street
Alexandria, VA
22314

Tel: 703 549 4696

Key Plan:



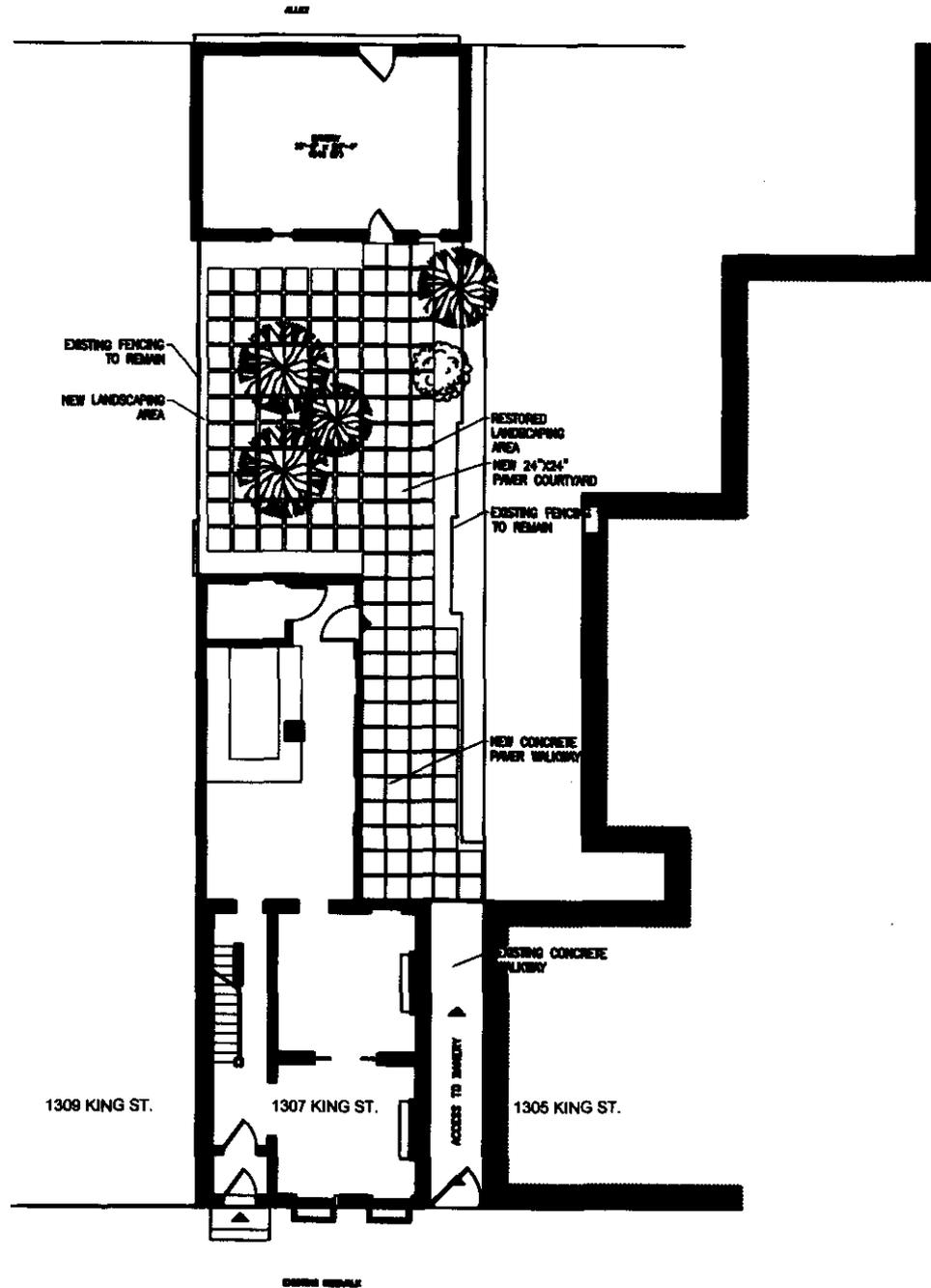
Professional Seal:

L . A
LAVIGNE ASSOCIATES
ARCHITECTS
1121 King St, Suite 201, Alexandria, VA 22314
Tel: 703-739-3206 Fax: 703-739-3208
E-Mail: box@lavarchitects.com

Phase and Date

SPECIAL USE
PERMIT
APPLICATION
01 December 2006

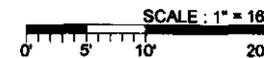
BAKERY
SITE PLAN
A101



216

SUP 2006-0120

A SITE PLAN





APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0120

PROPERTY LOCATION: 1307 King St
TAX MAP REFERENCE: 064-03-10-18 ZONE: KR

APPLICANT

Name: Boyd W. Walker
Address: 1307 King St

PROPERTY OWNER

Name: Boyd W. Walker
Address: 1307 King St

PROPOSED USE: Retail Bakery / Restaurant

[] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

Boyd W Walker
Print Name of Applicant or Agent
1307 King St
Mailing/Street Address
Alexandria VA 22314
City and State Zip Code

Boyd W. Walker
Signature
703-732-7269 703-544-0393
Telephone # Fax #
boydwalker@hotmail.com
Email address
Dec 21, 2006
Date
Date & Fee Paid: \$ _____

Application Received: _____

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

ACTION - PLANNING COMMISSION: By unanimous consent, recommended approval 3;6;07

ACTION - CITY COUNCIL: 3/17/07 - CC approved PC recommendation 7-0 (see attachmen

3. City Council approved the Planning Commission recommendation.
(separate motion)

4. City Council approved the Planning Commission recommendation .

5. City Council approved the Planning Commission recommendation .
Council Action: _____

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

None.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

6. SPECIAL USE PERMIT #2006-0120
1307 KING STREET
BAKERY ORLOV
Public Hearing and Consideration of a request to operate a restaurant; zoned
KR/King Street Retail. Applicant: Boyd Walker

PLANNING COMMISSION ACTION : Recommend Approval 6-0

City Council approved the Planning Commission recommendation, with the following amendments: 1. Change the trash pick up from once a week to twice a week ; 2. If City Council passes the smoke-free restaurant ordinance, the restaurant shall be smoke-free within three months of adoption; 3. If Council considers the guidelines for outdoor seating, the restaurant shall comply; and 4. There shall be no alcohol service, except for beer and wine for on-premises consumption.

Council Action: _____

7. SPECIAL USE PERMIT #2006-0122
1925 BALLENGER STREET (Parcel Address: 1900 Ballenger Street)
POTBELLY SANDWICH WORKS RESTAURANT
Public Hearing and Consideration of a request to operate a restaurant; zoned
CDD #1/Coordinated Development District. Applicant: Potbelly Sandwich Works
by Michael Puckett

PLANNING COMMISSION ACTION : Recommend Approval 6-0

City Council approved the Planning Commission recommendation, with the following amendments: 1. If City Council passes the smoke-free restaurant ordinance, the restaurant shall be smoke-free within three months of adoption; and 2. There shall be no alcohol service, except for beer and wine for on-premises consumption.