

EXHIBIT NO. 1

3
11-18-06

Docket Item #2
SPECIAL USE PERMIT #2006-0085

Planning Commission Meeting
November 9, 2006

ISSUE: Consideration of a request for a special use permit to increase the number of seats at a restaurant and for a parking reduction.

APPLICANT: Philip McCombie

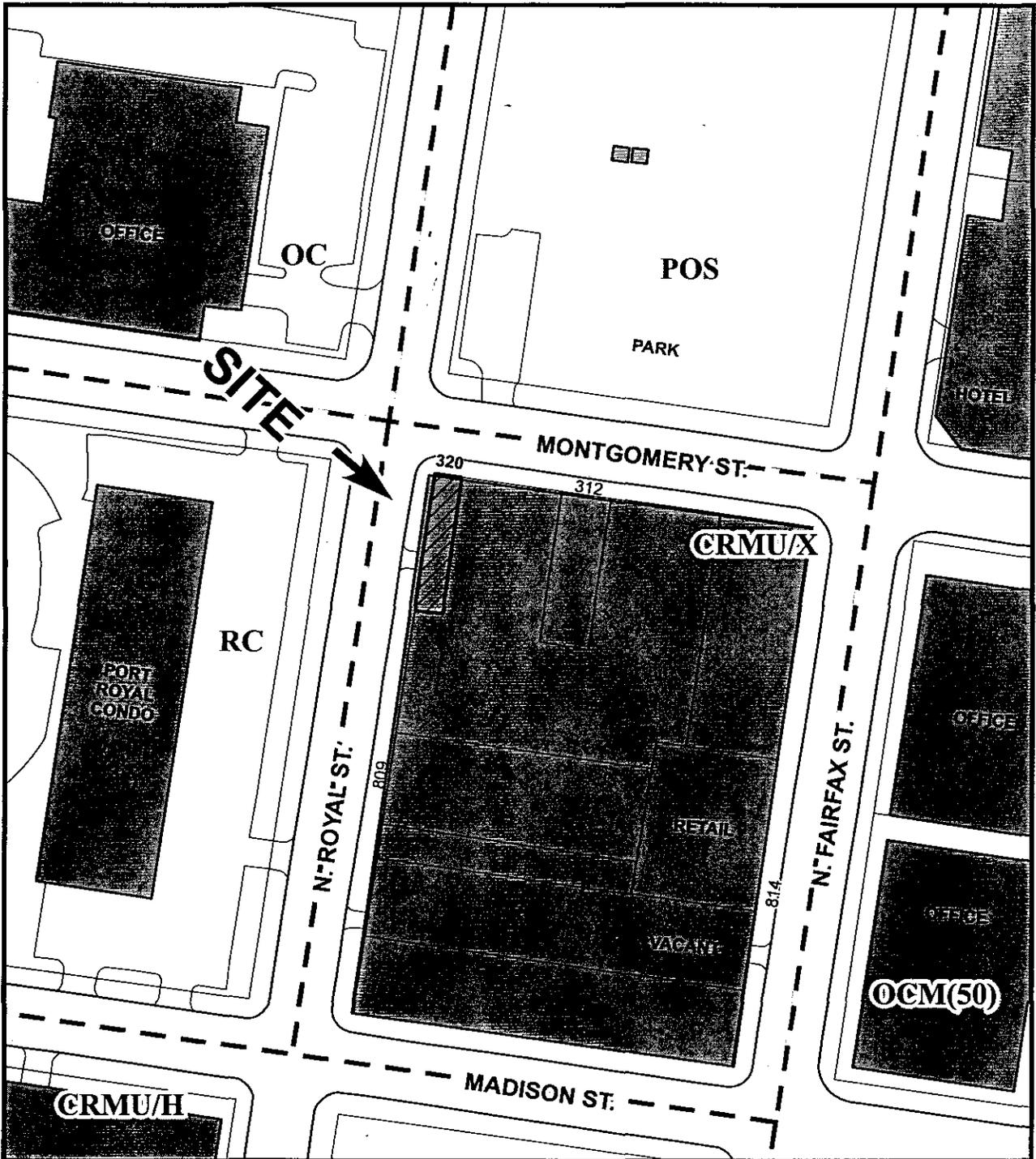
LOCATION: 320 Montgomery Street

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

PLANNING COMMISSION ACTION, NOVEMBER 9, 2006: 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 #2006-0085

11/09/06



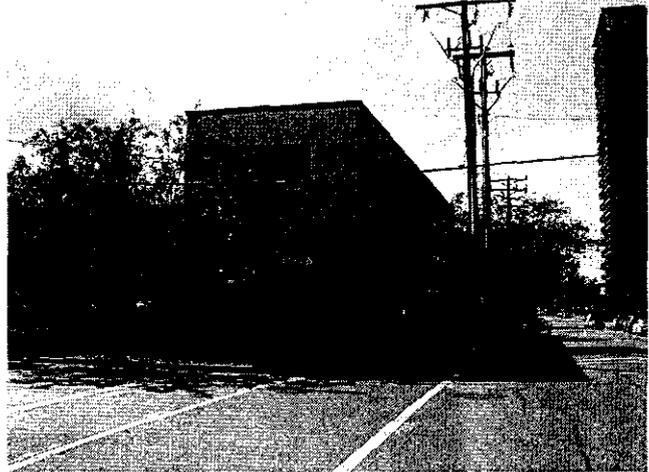
I. DISCUSSION

REQUEST

The applicant, Mr. Phillip McCombie, requests special use permit approval to increase seating at an existing restaurant 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 being occupied by the applicant. 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.

BACKGROUND

On December 17, 2005, City Council granted Special Use Permit #2005-0110 to the applicant for the operation of a restaurant and for a parking reduction. Since the restaurant began operations, staff has not been made aware of any issues regarding the operation of the business.

On September 26, 2006, 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.

PROPOSAL

The applicant proposes to increase the number of seats in the restaurant from 32 to 46 seats. The applicant has described the operations of the restaurant as follows:

Hours: 11am- 3pm; 5pm-9pm Daily
(Existing SUP allows 7am- 12am daily)

Number of seats:	46 indoor seats <i>(Existing SUP allows 32 indoor seats only)</i>
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	On-premise beer and wine alcohol <i>(No change from existing SUP which allows on-premise beer and wine)</i>
Live Entertainment	The applicant proposes no live entertainment
Delivery Service:	The applicant proposes to continue offering delivery through a take out service, such as "Take Out Taxi." The applicant does not have their own delivery vehicles.

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 42 seats is required to provide 11 off-street parking spaces. The applicant is approved for a parking reduction of eight spaces for its 32 seats (SUP2005-0110). The current request is for a parking reduction of four additional parking spaces. In support of the parking reduction, the applicant states that most of the day patrons walk to the restaurant, and others may park in the Colonial Parking lot at 801 N. Fairfax Street. Employee parking is 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.

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

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 the restaurant at 320 Montgomery Street. The restaurant's expansion will allow the restaurant to provide service to more customers than what is currently allowed under their existing Special Use Permit. Staff has not received complaints regarding the existing operation, and found it fully compliant upon inspection.

Although supportive, staff is mindful of the lack of off-street parking at this location. 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. 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.

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)(SUP2005-0110)
2. The hours of operation of the restaurant shall be limited to between 7:00 a.m. and 12:00 midnight daily. (P&Z)(SUP2005-0110)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)(SUP2005-0110)
4. No live entertainment shall be provided at the restaurant. (P&Z)(SUP2005-0110)
5. On site service of ~~beer and wine~~ alcohol is permitted; no off-premise alcohol sales are permitted. (P&Z)(SUP2005-0110)
6. No food, beverages, or other material shall be stored outside. (P&Z)(SUP2005-0110)

7. ~~**CONDITION DELETED BY STAFF:** 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)(SUP2005-0110)
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)(SUP2005-0110)
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)(SUP2005-0110)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)(SUP2005-0110)
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)(SUP2005-0110)
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)(SUP2005-0110)
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)(SUP2005-0110)
15. ~~**CONDITION DELETED BY STAFF:** 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) (SUP2005-0110)

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)(SUP2005-0110)
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)(SUP2005-0110)
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 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)(SUP2005-0110)
20. **CONDITION ADDED BY STAFF:** The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
21. **CONDITION ADDED BY STAFF:** 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)

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 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 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.
- 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)
- F-1 The applicant has purchased a City trash receptacle per the conditions of SUP#2005-00110.

Code Enforcement:

- C-1 The applicant must obtain a new Certificate of Occupancy prior to any increase in occupancy (use) of the structure (USBC 119.1).
- C-2 Any configuration of outdoor seating shall comply with the following conditions:

- Fire Dept. Connections must remain accessible - not be blocked by tables or fixtures.
 - Daily Sweeping/washing of outdoor dining area is recommended to control rodent activity.
 - Fire Hydrants shall not be obstructed by tables, chairs or other fixtures.
 - The configuration of any outdoor seating shall not obstruct or diminish the required egress from the structure or any adjacent structures.
- C- 3 Any increase in occupancy must be supported by the required number of restroom facilities within the structure in accordance with the USBC / International Plumbing Code.
- C- 4 Any increase in occupancy will only be considered for the exterior of the structure and will not modify the approved interior approved occupant load. At no time shall any approved outdoor seating be incorporated inside due to foul weather or other situations.
- C-5 A revised Fire Prevention Permit is required due to the increase in occupancy. A revised egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.

Health Department:

- R-1 The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Food must be protected to the point of service
- C-3 If changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-4 Permits or approvals must be obtained prior to use of the new area(s).
- C-5 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions both indoors and at the outside dining areas.
- C-6 Certified Food Managers must be on duty during all hours of operation.

- F-1 This facility is currently operating as Thailand at Royal St. Restaurant under an Alexandria Health Permit issued to Mr. Percy, LLC.

Police Department:

- F-1 The Police Department conducted a security survey of the business on September 20, 2006. It is not apparent to the Police Department how the applicant will be able to increase its seating from 32 to 46 without over-crowding. Therefore, the Police Department will yield respectfully in judging or opinion to Planning & Zoning.
- F-2 It is not apparent to the Police Department how the applicant will be able to fit tables outside the restaurant and still provide enough space along the sidewalk for pedestrians to navigate around the patrons effortlessly without interfering with the patron's personal space need to consume their food comfortably. Therefore, the Police Department is opposed to the outdoor seating.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # ~~2006-0085~~ 2006-0085

PROPERTY LOCATION: 320 MONTGOMERY STREET
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: EXISTING RESTAURANT AS PER SUP 2005-0110

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.

PHILIP D. MCCOMBIE
Print Name of Applicant or Agent
501 SLATERS LANE #908
Mailing/Street Address
ALEXANDRIA VA 22314
City and State Zip Code

Signature
703 706 5886 703 535 6627
Telephone # Fax #
TOTTNM61@AOL.COM
Email address
AUGUST 29TH 2006
Date

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

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY
ACTION - PLANNING COMMISSION
ACTION - CITY COUNCIL

2006-0085
SUP # ~~2005-070~~

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.

N/A

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.)

For current operation see attached sheets from original SUP.
Request is for 2 changes:-

1) To increase the number of seats in the dining room from 32 to 46.

2) To allow outside seating for up to 14 patrons.
* Encroachment application, maps, plans, and parking reduction application all attached.

The existing display of flowers at the NW corner of the building will remain in its entirety. The proposed seating will replace existing, non-flowering shrubs only. Ground for seating will be paved, probably brick. Two new flower beds will be created across from the main steps. (As shown on the plan). The existing sidewalk will not be affected as a low picket fence is planned for that side of the tables. Patrons will reach their seats through gaps in this fence.

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, 5 pm - 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.

+ 14
15

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 both on and
off premise use. No mixed drinks. No glasses.
Six packs & unopened wine only for off-premise

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.



APPLICATION - SUPPLEMENTAL

PARKING REDUCTION

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)

7, off-site (contingent on SUP approval)
If encroachment is denied, only 4 parking reduction required.

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

See original SUP. Also, since opening in Mid-June there have been no parking problems at all. Lunch customers are 95% on foot. Evening customers have ample un-restricted parking.

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

See original SUP.

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.

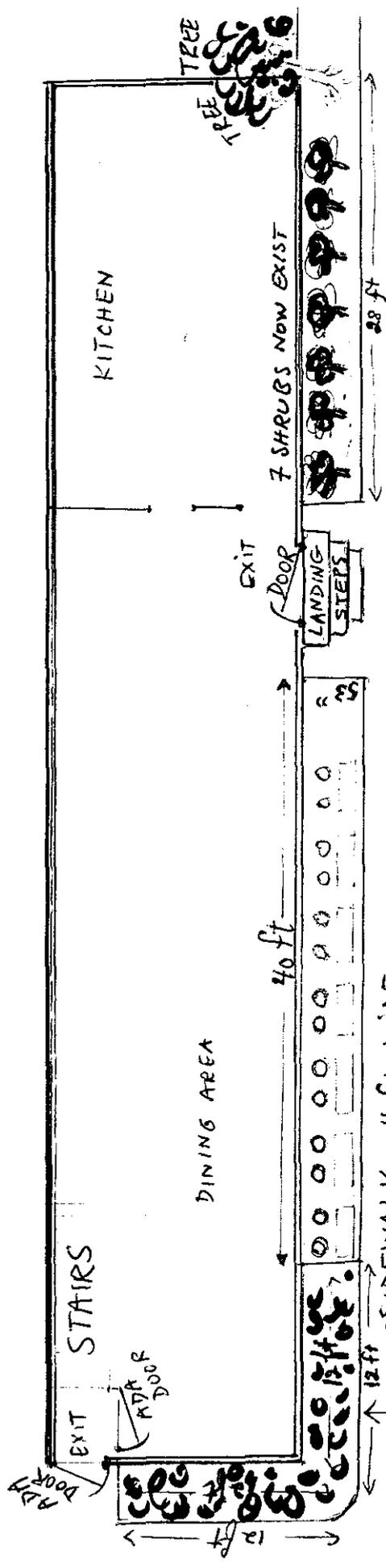
See original SUP.

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

See original SUP.

PROPOSAL FOR OUTSIDE SEATINGS

Thailand Royal St.
RESTAURANT
320 Montgomery St. Alexandria



320 Montgomery St

02

SUP 2006-0085

N. Royal St

FLOWERS
NOW EXIST

flowers

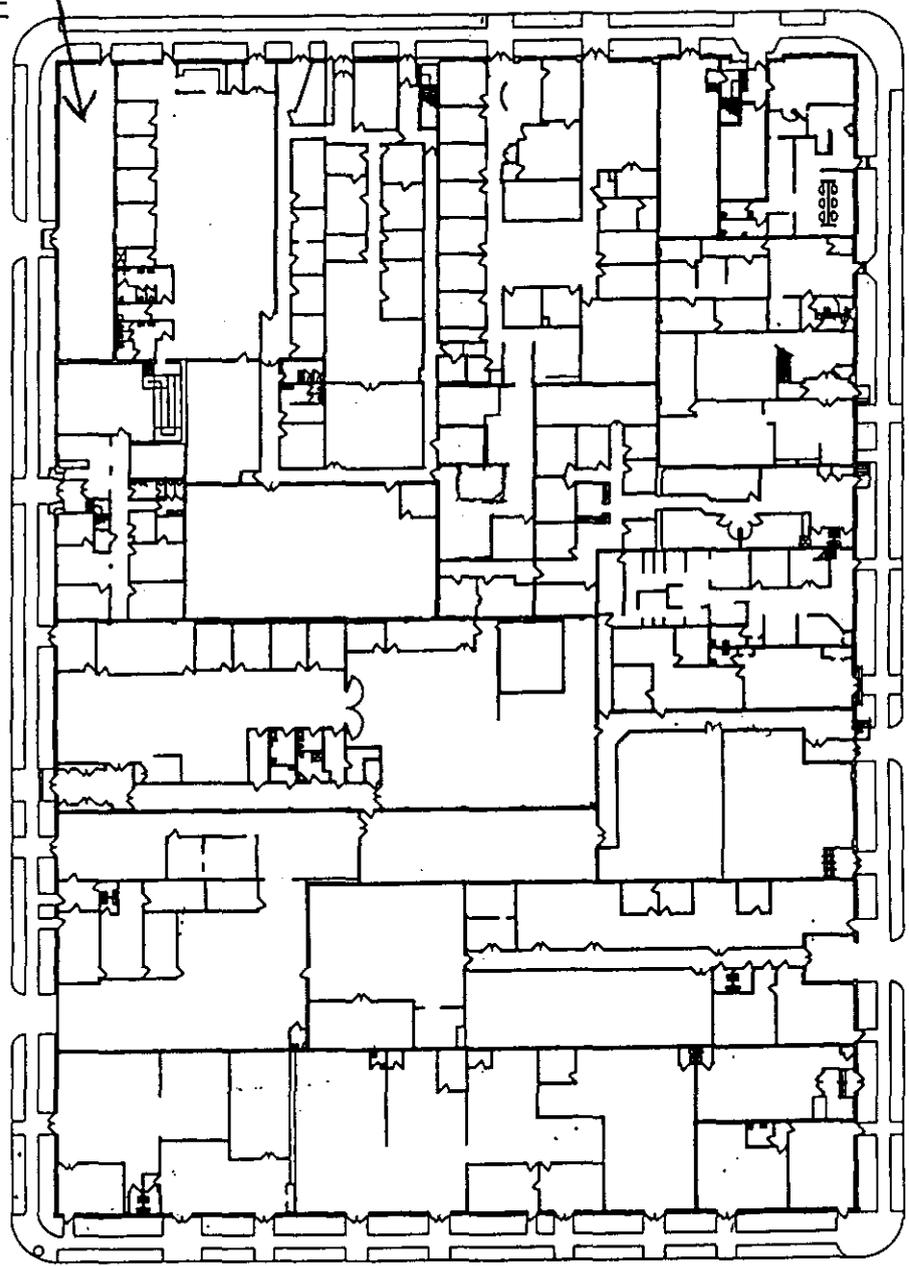
flowers

PROPOSAL FOR
BEDS OF FLOWERS

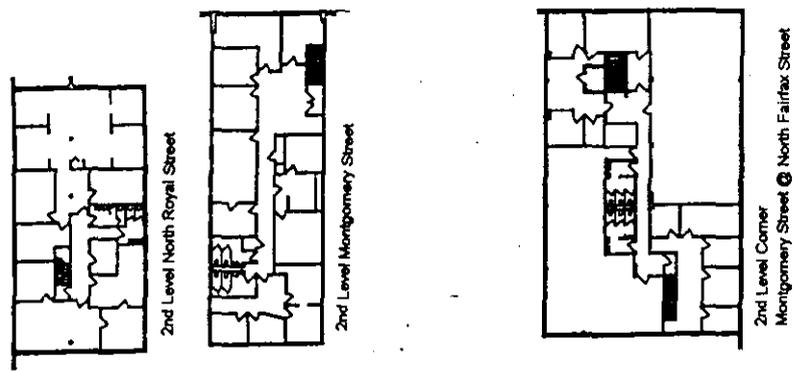


"THAILAND, ROYAL ST. REST."
320 MONTGOMERY ST.

NORTH ROYAL ST.



MADISON ST.



NORTH FAIRFAX ST.

THE MONTGOMERY CENTER

SUP 2006-0085



6/28/98 - CAL



City of Alexandria, Virginia

MEMORANDUM

DATE: NOVEMBER 6, 2006
TO: CITY OF ALEXANDRIA PLANNING COMMISSION
FROM: RICHARD JOSEPHSON, ACTING DIRECTOR
DEPARTMENT OF PLANNING AND ZONING 
SUBJECT: SUP#2006-0085 (320 MONTGOMERY STREET)

In discussions with the applicant, staff has amended the following information within the Proposal section (page 4) and Condition #5 (Page 5) of the staff report:

Proposal

"Alcohol

On-premise ~~beer and wine~~ alcohol

(No change from existing SUP which allows on-premise beer and wine)"

Recommended Conditions

"5. On site service of ~~beer and wine~~ alcohol is permitted; no off-premise alcohol sales are permitted. (P&Z)(SUP2005-0110)"



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # ~~2006-0085~~ 2006-0085

PROPERTY LOCATION: 320 MONTGOMERY STREET
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: EXISTING RESTAURANT AS PER SUP2005-0110

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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.

PHILIP D. MCCOMBIE
Print Name of Applicant or Agent

[Signature]
Signature

501 SLATERS LANE #908
Mailing/Street Address

703 706 5886 703 535 6627
Telephone # Fax #

ALEXANDRIA VA 22314
City and State Zip Code

TOTTNM61@AOL.COM
Email address

AUGUST 29TH 2006
Date

Application Received: _____

Date & Fee Paid: \$ _____

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

ACTION - PLANNING COMMISSION: By unanimous consent, recommended approval 11/9/06
ACTION - CITY COUNCIL: 11/18/06 - CC approved the PC recommendation 7-0

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