

EXHIBIT NO. 1

DOCKET ITEM #3

**Special Use Permit #2009-0014**

**3112 Mt. Vernon Avenue – Café Pizzaiolo**

3  
6-13-09

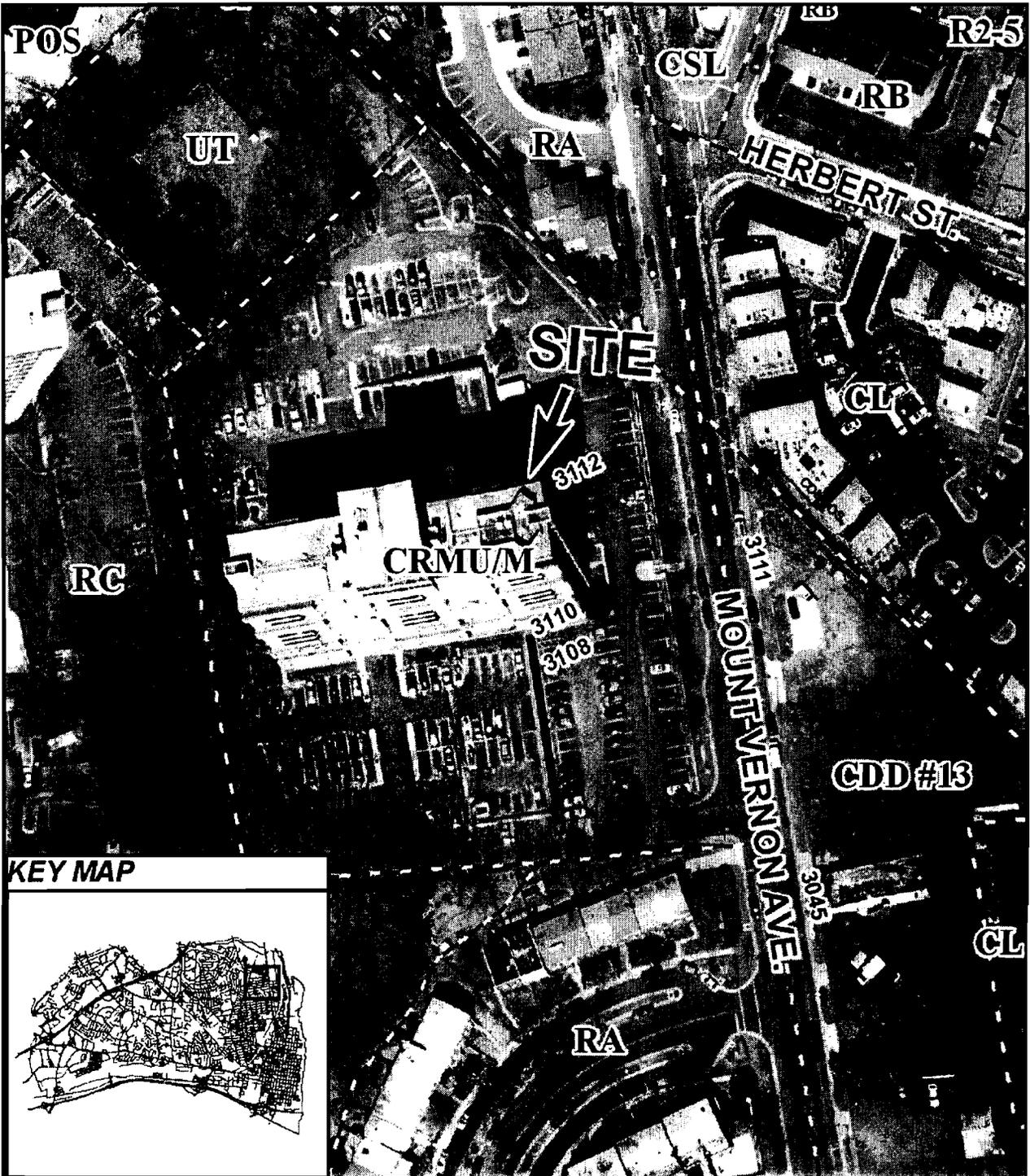
Application	General Data	
<b>Request:</b> Consideration of a request to allow delivery service and live entertainment at an existing restaurant	<b>Planning Commission Hearing:</b>	June 2, 2009
	<b>City Council Hearing:</b>	June 13, 2009
<b>Address:</b> 3112 Mt. Vernon Avenue	<b>Zone:</b>	CRMU-M/Commercial Residential Mixed Use (Medium)
<b>Applicant:</b> Culinary Concepts by Lawrence Ponzi	<b>Small Area Plan:</b>	Potomac West

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

**Staff Reviewers:** Nathan Randall [nathan.randall@alexandriava.gov](mailto:nathan.randall@alexandriava.gov)

**PLANNING COMMISSION ACTION, JUNE 2, 2009:** 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.



SUP #2009-0014

06/02/09



## I. DISCUSSION

### REQUEST

The applicant, Culinary Concepts Corporation, requests a special use permit amendment to allow delivery service and live entertainment at an existing restaurant at 3112 Mt. Vernon Avenue.

### SITE DESCRIPTION

The subject property is one lot of record with 362 feet of frontage on Mount Vernon Avenue and a total lot area of 3.4 acres. The site is developed with the Calvert Apartments building that includes commercial uses on the first floor. The restaurant occupies 2,700 square feet of this space. Access to the property is from Mt. Vernon Avenue.



The surrounding area is occupied by a mix of commercial, office and residential uses. Commercial tenants within the Calvert Apartments building include three other restaurants and a convenience store. Immediately to the north are residential townhouses. Residential townhouses in Warwick Village are located to the south. A professional office complex and the “Triangle” site slated for residential apartments are located to the east; to the west is The Aspen, a multi-story apartment building.

### BACKGROUND

On May 12, 2001 City Council granted Special Use Permit #2001-0021 to Village Il Porto, Inc. for operation of a restaurant at this location. Staff administratively approved Special Use Permit #2008-0057 on September 17, 2008 to change the ownership of the existing restaurant to Culinary Concepts Corporation.

On May 18, 2009 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 add delivery service using two vehicles and add live entertainment at its existing restaurant. The applicant expects the live entertainment to include acoustic guitar and other types of low-volume music and magicians or clowns at special children’s events. No other changes to the operation of the restaurant are proposed, although the applicant has agreed to a decrease in seating to 144 to resolve an inconsistency with its occupancy permit. The applicant noted in its agreement that the restaurant could not accommodate 169 seats in its current configuration.

Hours: Sunday-Thursday: 11:00am – midnight  
Friday & Saturday: 11:00am – 1:00am

Number of seats: 108 Indoor seats  
36 Outdoor seats  
**144 Total seats**

Type of service: Table service, bar service, carry-out service, delivery service

Delivery vehicles: Maximum of two delivery vehicles

Customers: 180-260 per day

Alcohol: On-premises alcohol service only

Entertainment: Limited live entertainment as background music for restaurant patrons.

Noise: Noises will not be excessive

Trash/Litter: Trash will be collected from the site daily. Restaurant staff will monitor vicinity for litter before and after each meal period.

PARKING

According to Section 8-200 (A)(8) of the Zoning Ordinance, a restaurant requires one parking space for every four seats. A restaurant at this location with a total of 144 seats and two delivery vehicles will be required to provide 38 off-street parking spaces. A total of 133 parking spaces are located on site for the commercial uses. The existing uses and parking requirements at the subject property are as follows:

<u>Use</u>	<u>Parking Required</u>
Bombay Curry Company Restaurant (SUP #96-0070)	12
Del Merei Restaurant	27
Nail Chateau	4
Calvert Cleaners	3
Alexandria Appliance Repair	3
Jackson-Hewitt Tax Service	3
Mia's Market	12
Pho King	15
Café Pizzaiolo	38
<b>Total Parking Required</b>	<b>117</b>
<b>Total Parking Provided</b>	<b>133</b>

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CRMU-M/Commercial Residential Mixed Use-Medium zone. Section 5-203(N) of the Zoning Ordinance allows a restaurant in the CRMU-M zone only with a special use permit.

The proposed use is consistent with the Potomac West small area plan chapter of the Master Plan which designates the property for commercial residential mixed uses.

**II. STAFF ANALYSIS**

Staff does not object to the applicant's request to add delivery service and limited live entertainment at his existing restaurant. The addition of two delivery vehicles serving the neighborhood should not create a significant negative impact. Staff has included a condition requiring the vehicles to be parked off-street and to not block the entrance to the Calvert apartments at any time in order to prevent any parking impacts. The addition of live entertainment at a restaurant has the potential to create negative impacts in some cases, and staff notes that the upper floors of the subject building do contain residential apartments. However, staff does not object to the limited nature of the live entertainment proposed by the applicant in this case, since the entertainment will be primarily background music for restaurant patrons or occasional special children's events and staff assumes the building management will address any conflicts. Staff included a condition in its recommendation for approval that requires the live entertainment to remain subordinate to the restaurant use. This condition also prohibits cover charges and requires that any advertising shall reflect the subordinate nature of the live entertainment to the primary restaurant use. The applicant understands and agrees to this condition.

Trash Can, Litter and Street Tree Requirements

No street trees are required in this case because there are no dead, diseased street trees or empty tree wells along the immediate block face of the property. Neither a contribution to the City's Litter Control Fund nor a new trash can is required for the restaurant. The applicant has paid the litter fund fee in the past and there are now two trash cans on the street frontage. These conditions may change as a result of Council's policy discussion on these issues scheduled for June 9.

Staff recommends approval of the request subject to the conditions contained in Section III of this report.

### 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 business or entity in which the applicant has a controlling interest. (P&Z) (SUP#2001-0021)
2. **CONDITION AMENDED BY STAFF:** The maximum number of indoor seats at the restaurant shall be 108 and the maximum number of outdoor seats at the restaurant shall be 36. The total maximum number of seats at the restaurant shall be 144. Seating shall be provided for no more than 169 patrons. (P&Z) (SUP#2001-0021)
3. **CONDITION AMENDED BY STAFF:** Outdoor seating shall be provided for no more than 36 patrons. The applicant shall maintain a minimum three-foot wide unobstructed pathway for pedestrian access past the outdoor seating and shall install and maintain planters to the satisfaction of the Director of Planning and Zoning. Outdoor seating areas shall not include advertising signage, including on umbrellas. (P&Z) (SUP#2001-0021)
4. The hours of operation for the indoor dining area shall be restricted to between 11:00 a.m. and Midnight Sunday through Thursday, and from 11:00 a.m. and 1:00 a.m. on Friday and Saturday. The hours of operation for the outdoor dining area shall be limited to between 11:00 a.m. and 10:00 p.m. daily. The outdoor dining area shall be cleared of all diners by 10:00 p.m. and the area cleaned and washed by 10:30 p.m. (P&Z) (City Council) (SUP#2001-0021)
5. **CONDITION SATISFIED:** ~~The applicant shall work with the landlord and the Department of Planning and Zoning to find and implement an on-site trash disposal and collection solution acceptable to all parties, which may include the installation of a dumpster with screening, within six months of approval. (PC) (SUP#2008-0057)~~
6. **CONDITION AMENDED BY STAFF:** Indoor live entertainment shall not 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. No live entertainment is permitted in the outdoor dining area. (P&Z) (SUP#2008-0057)
7. All loudspeakers shall be prohibited from the exterior of the property. No music or amplified sound shall be audible at the property line. (P&Z)(T&ES) (SUP#2008-0057)
8. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP#2001-0021)

9. On-site alcohol service is permitted; no off-premise alcohol sales are permitted. (P&Z) (SUP#2001-0021)
10. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2001- 0021)
11. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of these containers. (P&Z) (SUP#2001-0021)
12. 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) (SUP#2001-0021)
13. Kitchen or other types equipment shall not be cleaned outside, nor shall any cooking residues or other wastes be washed into the streets, alleys, sidewalks, or storm sewers. (T&ES) (SUP#2001-0021)
14. The applicant shall control odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP#2001-0021)
15. **CONDITION AMENDED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the business and a robbery awareness program for the employees. (Police) (~~SUP#2001-0021~~)
16. The Director of Planning and Zoning shall review the special use permit one year after approval, and shall docket the matter for consideration by the Planning Commission and City Council if: (a) there have been documented violations of the permit conditions 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 received a request from any person to docket the permit for review as the 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) (SUP#2008-0057)
17. The applicant shall require that its employees who drive to work park in the side parking lot, north of the driveway. (PC) (SUP#2001-0021)
18. Storage space for solid waste and recyclable materials containers shall conform with the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation

Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES) (SUP#2008-0057)

19. The applicant shall 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) (SUP#2008-0057)
20. **CONDITION AMENDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP#2008-0057)
21. **CONDITION SATISFIED:** ~~The applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right of ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval.~~ (T&ES) (SUP#2008-0057)
22. Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health) (SUP#2008-0057)
23. **CONDITION ADDED BY STAFF:** 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)
24. **CONDITION ADDED BY STAFF:** Meals ordered before the closing hour may be sold for indoor consumption, but no new patrons may be admitted after the closing hour and all patrons must leave by one hour after the closing hour. (P&Z)
25. **CONDITION ADDED BY STAFF:** A maximum of two delivery vehicles may operate from this facility. The delivery vehicles shall be parked off-street at all times when located in the vicinity of the subject property and at no time shall they block the covered driveway at the main entrance to the apartment building. (P&Z)

**STAFF:** Gwen Wright, Division Chief, Department of Planning and Zoning;  
Nathan Randall, Urban Planner.

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**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:

- F-1 Litter Control Fund Payment required by SUP2008-00057 made 5/20/09. (T&ES)
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP2008-00057)
- 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. (T&ES) (SUP2008-00057)
- R-3 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2008-00057)
- R-4 **Condition amended by Staff: Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am.** (T&ES) (SUP2008-00057)
- R-5 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](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES) (SUP2008-00057)
- 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. (T&ES) (SUP2008-00057)
- 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. (T&ES) (SUP2008-00057)
- C-1 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). (SUP2008-00057)

- C-2 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. (T&ES) (SUP2008-00057)

Code Enforcement:

- F-1 The existing occupancy for the A-2 (Assembly- Restaurant) use is 169 people. Therefore, at no time can there be more than 169 people within the restaurant.

Health Department:

- F-1 No Comment

Parks and Recreation:

- F-1 There are no dead, diseased street trees, or empty tree wells along the immediate blockface of the subject property. (RP&CA)

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 robbery readiness training for all employees.
- F-1 The applicant is seeking an "ABC On" license only. The Police Department has no objections.
- F-2 The Police Department has no objections to the request for a delivery service.
- F-3 The Police Department has no objections to the request for live entertainment.



# APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2009-004

PROPERTY LOCATION: 3112 Mt. Vernon Avenue

TAX MAP REFERENCE: 15.04-07-03 ZONE: CRMU-M

APPLICANT: Name: Culinary Concepts Corporation

Address: 3112 Mt. Vernon Avenue,

PROPOSED USE: Restaurant - Add Delivery Service  
- Add Live Entertainment

[ ] **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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

[ ] **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.

Lamy Ponzzi  
Print Name of Applicant or Agent  
3112 Mt. Vernon Avenue  
Mailing/Street Address  
Alexandria VA 22305  
City and State Zip Code

Lamy Ponzzi 3-23-09  
Signature Date  
703 894-2250 703 894-2254  
Telephone # Fax #  
L.Ponzzi@gmail.com  
Email address

ACTION-PLANNING COMMISSION:	DATE:
ACTION-CITY COUNCIL:	DATE:

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.

**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 fully discuss the nature of the activity. (Attach additional sheets if necessary.)

We would like to add delivery service to our existing SUP. We expect to staff 3 full time drivers that will deliver to nearby Alexandria residents, reducing the number of people coming in to pick-up food orders. In addition, we would like to have the flexibility to provide live entertainment for special nights in the dining room or bar. The likely choice of live entertainment will be acoustic or low volume musicians, or children events.

**USE CHARACTERISTICS**

4. The proposed special use permit request is for (check one):  
[ ] a new use requiring a special use permit,  
[ ] an expansion or change to an existing use without a special use permit,  
 an 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).

30 to 60 Lunch Patrons Daily  
150 to 200 Dinner Patrons Daily

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

Maximum 15 per day  
(3 to 8 staff at any 1 time)

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

Day: <u>Sunday - Thursday</u>	Hours: <u>11 am to Midnight</u>
<u>Friday + Saturday</u>	<u>11 am to 1:00 am</u>
_____	_____
_____	_____

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

A. Describe the noise levels anticipated from all mechanical equipment and patrons.  
Normal noise levels for restaurant use

B. How will the noise be controlled?  
Noise will not be excessive.

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

Normal odors for restaurant use  
\_\_\_\_\_  
\_\_\_\_\_

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? (i.e. office paper, food wrappers)

Normal type of trash for restaurant use  
\_\_\_\_\_

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

2 bags per day  
\_\_\_\_\_

C. How often will trash be collected?

Daily  
\_\_\_\_\_

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

Employees will monitor before and after each meal period  
\_\_\_\_\_

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:

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

N/A

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**ALCOHOL SALES**

13. A. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes [ ] No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

We currently hold an on premise, beer,  
wine & mixed beverage license.

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**PARKING AND ACCESS REQUIREMENTS**

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

133 MB Standard spaces (entire parking lot)  
\_\_\_\_\_ Compact spaces  
\_\_\_\_\_ Handicapped accessible spaces.  
\_\_\_\_\_ Other.

Planning and Zoning Staff Only
Required number of spaces for use per Zoning Ordinance Section 8-200A _____
Does the application meet the requirement? [ ] Yes [ ] No

B. 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?

\_\_\_\_\_

**PLEASE NOTE:** 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.

C. 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.

[ ] Parking reduction requested; see attached supplemental form

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

A. How many loading spaces are available for the use? 0

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____
Does the application meet the requirement? [ ] Yes [ ] No

B. Where are off-street loading facilities located? In front of Restaurant

C. During what hours of the day do you expect loading/unloading operations to occur?  
9-11 am

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
1-2 daily, no orders Sunday

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?  
adequate

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No  
Do you propose to construct an addition to the building?  Yes  No  
How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?  
2700 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 2700 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: Calvert  
 an office building. Please provide name of the building: \_\_\_\_\_  
 other. Please describe: \_\_\_\_\_

End of Application

DATE: 2017 001

# APPLICATION

## RESTAURANT

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

1. Number of seats 108 Number of tables 36 Total number of tables 144

2. Type of permit requested:  
 SUP only  
 Administrative Use Permit  
 Other

3. Type of food service:  
Pizza, pasta, salads, & sandwiches.

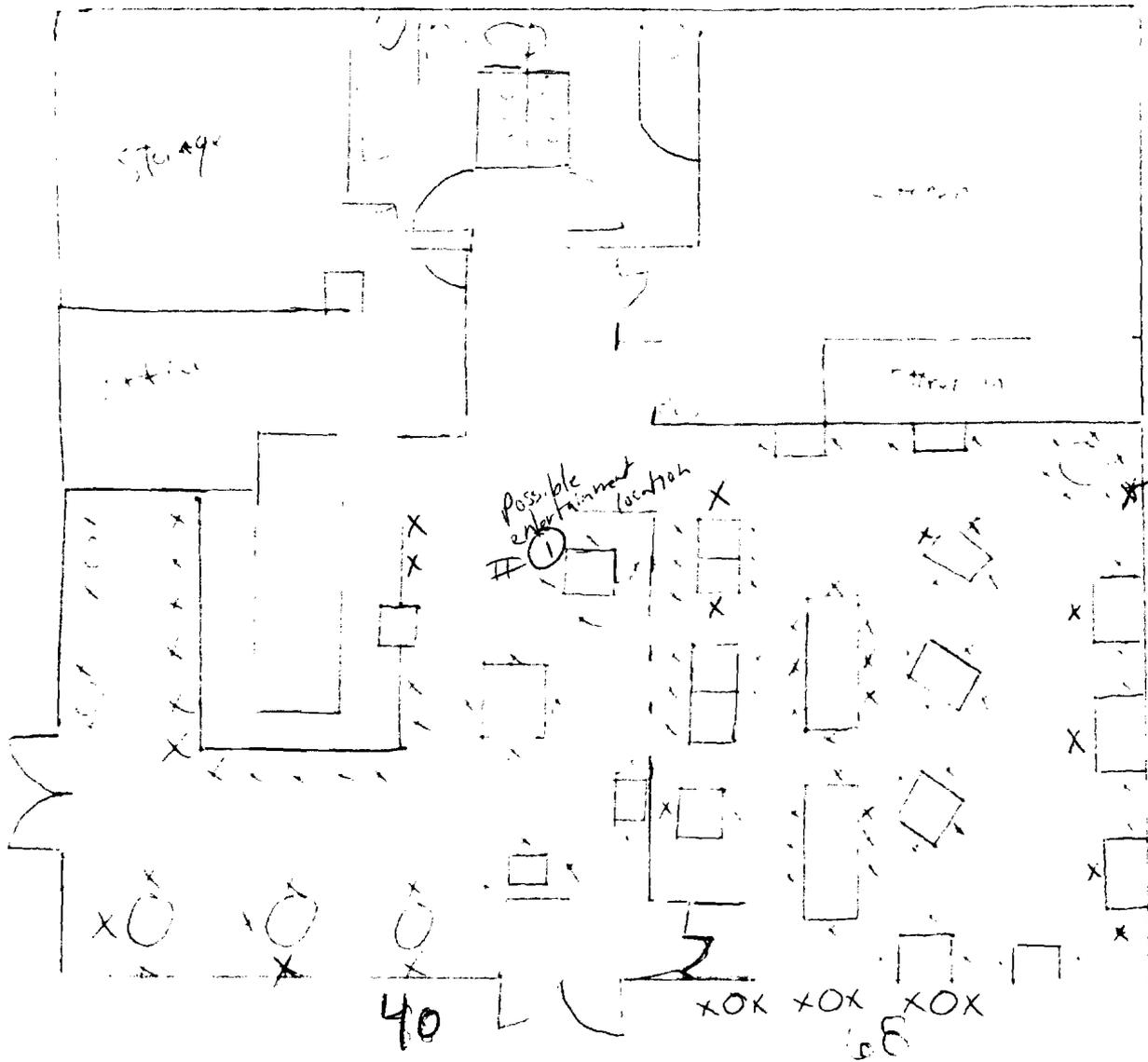
4. The restaurant will be open during the following periods (check all that apply):  
 breakfast  day  evening  other

5. Delivery service (check all that apply):  
 no delivery  delivery

6. Location of parking:  
Parking lot in front of restaurant

7. Live entertainment (check all that apply):  
 no entertainment  entertainment  
Live entertainment (ie: acoustic guitar) as background music. May include childrens acts such as magicians or clowns.  
*To include but not limited to:*





36  
Outdoor  
20



**Legend for Parcel Map**

- Metro Station
- City Boundary
- Address Point
- Businesses
- Parcels
- Zoning
- Metrolink Trains
- Other
- Road Centrelines
- Other
- Railroads
- Parks
- Road Labels
- Imagery 2001
- Water
- Other

City of Alexandria

**DISCLAIMER:** The maps/data presented hereunder are provided as is and the City and its departments, agencies or employees make no warranty, express or implied, regarding the accuracy, completeness, reliability, or fitness for a particular purpose, and further, no liability for any damages arising out of or in connection with the use of the information is not assumed. All boundary information provided on this map is for informational purposes only and is not a legal document. Official documents should be obtained from the City and its departments within the City of Alexandria.

3,4,5,6,9,14,16  
6-13-09

*City of Alexandria, Virginia*

**MEMORANDUM**

DATE: JUNE 11, 2009  
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
FROM: JAMES K. HARTMANN, CITY MANAGER   
SUBJECT: APPLICATION OF TREES AND TRASH CAN POLICY TO JUNE SUP CASES

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**ISSUE:** How to apply the new policy for funding street trees and trash cans to the SUP cases on Council's June docket.

**RECOMMENDATION:** That Council apply the new policy and condition language regarding trees and trash cans to the June SUP cases as outlined below.

**BACKGROUND:** One June 9, Council acted to adopt a policy with regard to SUP conditions for streetscape funding. Specifically, Council directed staff to include the following condition in all new SUP cases, including those approved administratively. The condition is not to be applied to cases seeking to amend an existing SUP or where there is a separately established funding stream for the same features.

The applicant shall contribute \$500 to the City's Streetscape Improvement Fund for street trees and trash cans.

The above condition makes for consistent application and is to replace the site specific analysis and application of requirements for street trees and trash cans, tailored to the circumstances of a particular location, that had previously been staff's practice.

**APPLICATION OF THE NEW RULE TO JUNE SUP CASES**

There are seven SUP cases on Council's June docket. Two are new SUP cases to which Council's new condition language applies. The remaining five cases seek amendments to previously approved SUPs, and the new language does not apply in those cases. Staff drafted the June staff reports, including conditions, based on its prior practice, however, staff indicated to the Planning Commission and the applicant that the conditions might change as a result of Council's discussion on June 9. To apply its new policy to the June cases, Council needs to make the following changes to the cases below at its June 13 hearing.

**New SUP Cases**

SUP #2009-0015, Bashford Lane Apartments parking reduction by RPJ (docket item #4):  
Add new condition language.

SUP #2009-0016, Dove Street Cat Shelter (docket item #5):  
Add new condition language; and  
Remove condition #9 requiring \$575 contribution for litter fund.

**SUP Amendment Cases**

SUP #2009-0014, Café Pizzaiolo Restaurant (docket item #3):  
No changes.

SUP #2009-0021, Umbrella SUP Extension (docket item #6):  
Remove Condition # 19 requiring \$1150 contribution for new trash can; and  
Remove Condition # 21 requiring the replacement of two new street trees.

SUP #2009-0018, Momo Sushi (docket item #9):  
No changes.

SUP #2009-0020, Landinis (docket item #14)  
Remove condition 30 requiring \$575 contribution for litter fund.

SUP #2008-0047, Gold Crust Bakery (docket item #16)  
Remove condition 23 requiring \$575 contribution for litter fund.

**STAFF:**

Faroll Hamer, Director, Department of Planning and Zoning

