

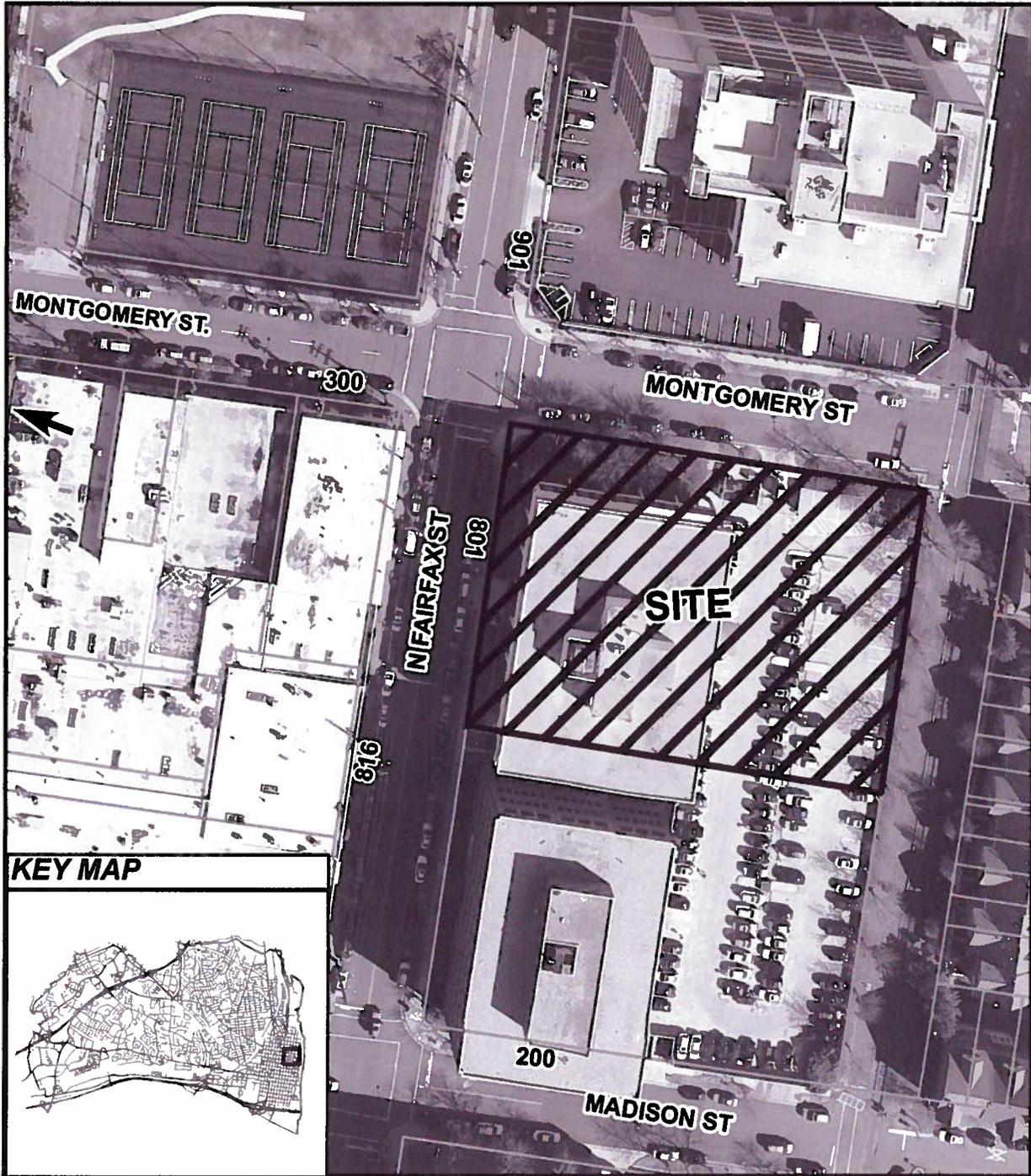


DOCKET ITEM #5
Special Use Permit #2011-0086
801 North Fairfax Street - Restaurant

Application	General Data	
Consideration of a request to operate a restaurant with a parking reduction.	Planning Commission Hearing:	March 8, 2012
	City Council Hearing:	March 17, 2012
Address: 801 North Fairfax Street	Zone:	OCM(50) / Office Commercial Medium (50)
Applicant: Philip McCombie	Small Area Plan:	Old Town North

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



SUP #2011-0086

3/8/2012



I. DISCUSSION

The applicant, Phil McCombie, requests Special Use Permit approval to operate a restaurant with a parking reduction at 801 North Fairfax Street.

SITE DESCRIPTION

The subject site is a ground-level tenant space in a multi-story office building. The lot on which the building is located has 178 feet of frontage on North Fairfax Street, 248 feet of frontage on Montgomery Street, and a total lot area of 44,430 square feet. In addition to offices, a restaurant known as Fairfax Deli is also located on the ground level of this building. A two-story parking structure is located to the rear of the building and provides required parking for the office building and its immediate next-door neighbor at 209 Madison Street, both of which are owned by the same entity.



The surrounding area is primarily commercial in character but features some institutional and residential uses. The Crowne Plaza Hotel and City-owned tennis courts are located across Montgomery Street to the north. An office building, a recreational trail and residential townhouses are located to the east adjacent to the Potomac River. The multi-story office/commercial building at 209 Madison Street, which includes a health and fitness club as one of its tenants, is located immediately to the south. The Montgomery Center, which includes multiple commercial tenants, including another restaurant owned and operated by the applicant, is located across North Fairfax Street to the west.

BACKGROUND

The subject building, built in 1971, was included in Site Plan #85-0016 at the time of construction of the newer office building next-door at 209 Madison Street. The prior tenant in this space was a printing and copying shop.

The applicant has operated two restaurants in Alexandria for several years. Extra Perks Coffee Shop is located across the street at 822 North Fairfax Street. The applicant plans to move his second restaurant, named "Thailand, Royal Street" into the subject tenant space from its current location one block away at the corner of North Royal and Montgomery Streets. A third restaurant will open under the applicant's ownership in the space vacated by "Thailand, Royal Street" at a later date.

PROPOSAL

The applicant proposes to operate a 1,700 square-foot Thai restaurant in ground-level retail space. A total of 84 seats will be offered, 66 of which will be indoor seats and 18 of which will be outdoor seats located in the covered portico area immediately next to the subject building. Table service, take-out and delivery by a third-party entity will be offered. On-premises alcohol will be offered, but no live entertainment will be available at the site. Additional elements of the applicant's proposal are as follows:

- Hours: 11:30 a.m. – 10 p.m. Monday –Saturday
11:30 a.m. – 9:30 p.m. Sunday
- Number of seats: 66 indoor seats
18 outdoor seats
84 total seats
- Type of Service: Table service, take-out, and delivery
- Customers: Approximately 150 customers/day
- Alcohol: On-premises alcohol service
- Entertainment: No live entertainment is proposed
- Delivery: One vehicle at a time operated by a third-party service will offer food delivery to customers
- Noise: Regular kitchen operational noises expected
- Trash/Litter: About two to three bags of food waste and paper and plastic products each day will be stored in building's existing trash area for daily pick-up.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OCM(50) / Office Commercial Medium zone and within the Old Town North Urban Overlay zone. Section 4-903(AA) of the Zoning Ordinance allows a restaurant in the OCM zone with a Special Use Permit when it does not meet eligibility criteria for Administrative SUP approval. The applicant's proposal does meet Administrative SUP eligibility criteria, but requires a Special Use Permit with public hearings on account of the requested parking reduction.

The proposed use is consistent with the uses shown in the Old Town Small Area Plan chapter of the Master Plan which designates the property for commercial use.

PARKING

According to Section 8-200(A)(8) of the Zoning Ordinance, one off-street parking space is required for every four restaurant seats. A restaurant with 84 seats and one delivery vehicle operated by a third-party delivery service is required to provide a total of 22 off-street parking spaces. Five parking spaces within the parking area for the office building may be counted toward this requirement. The 293 remaining spaces behind the building are allocated to other commercial tenants in the subject building and at the building at 209 Madison Street. The applicant therefore has applied for a 17-space parking reduction to satisfy the balance of his parking requirement for the restaurant.

II. STAFF ANALYSIS

Staff supports the applicant's request to relocate his existing Thai restaurant into the subject tenant space. The request ensures the continued operation in this neighborhood of full-service restaurants open at night and weekends and represents an additional investment by an existing small business owner who has successfully operated two restaurants in the City for many years. The addition of outdoor dining at the site will also help enliven the ground level of this 1970s office building and enhance the pedestrian experience in this part of Old Town North.

Few impacts on the surrounding neighborhood are expected from this proposal. The restaurant is relatively modest in size at only 1,700 square feet and its operational elements are limited. No live entertainment is proposed and the proposed hours of operation are reasonable at 11:30am to 10:00pm daily. Staff has included an extra half-hour in the mornings in Condition #3 for additional flexibility, as well as standard condition language regarding litter, odors, noise, and off-street parking for the proposed delivery vehicle.

The only issue is whether a 17-space parking reduction is supportable. Staff does not object to the reduction request for several reasons. A portion of the restaurant seating is outdoor seating and will be seasonal. The applicant's assertion that the restaurant caters to many office workers during the day, who are likely to walk from their offices, is reasonable given the presence of several office buildings nearby, most of which provide on-site parking. Guests at the adjacent Crowne Plaza Hotel may also walk to the site. Perhaps most importantly, as a practical matter, the upper level of the parking deck behind the building typically has many open parking spaces during the day and is free and mostly vacant at night and on weekends. Staff therefore expects parking will be available to restaurant customers behind the building on a regular basis. To help direct customers to this parking, staff has included Condition #21 requiring the applicant to post signage indicating the location of off-street parking. Condition #20 has also been included to require the applicant to encourage its customers to take public transportation by posting public transportation information on its website and in any printed materials.

Subject to the conditions contained in Section III of this report, staff recommends approval of the applicant's request.

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 maximum number of indoor seats at the restaurant shall be 66 and the maximum number of outdoor seats at the restaurant shall be 18. (P&Z)
3. The hours of operation at the restaurant shall be limited to between 11:00am and 10:00pm seven days/week. The outdoor dining area shall be closed and cleared of all customers by 10:00pm daily and shall be cleaned and washed at the close of each business day that it is in use. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. Outdoor dining at the restaurant shall be substantially consistent with the plan submitted. The applicant shall submit final design specifications for all chairs, tables, barriers, umbrellas, planters, wait stations, other components to be located within the outdoor dining area, and such additional information as the Director may reasonably require, for final review and approval by the Director of Planning & Zoning. The outdoor seating area shall not include advertising signage, including on umbrellas. (P&Z)
6. Outdoor dining, including all its components such as planters, wait stations, and barriers, shall not encroach onto the public right-of-way unless authorized by an encroachment ordinance. (P&Z) (T&ES)
7. On-premises alcohol service may be permitted but off-premises alcohol sales shall be prohibited. (P&Z)
8. No live entertainment shall be allowed at the restaurant. (P&Z)
9. Not more than one delivery vehicle operated by the applicant may be used to deliver food to customers. Alternatively, if delivery of food to customers is operated by a third-party service, not more than one delivery vehicle may pick up orders at the restaurant at any one time. In either case, the delivery vehicle must park in an off-street parking space when at the restaurant. (P&Z)(T&ES)
10. Meals ordered before the closing hour may be sold, but no new patrons may be admitted and all patrons must leave by one hour after the closing hour. (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, and on how to prevent underage sales of alcohol. (P&Z)

12. No food, beverages, or other material shall be stored outside. (P&Z)
13. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
14. 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)
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. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
17. 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)
18. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
19. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
20. 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. The applicant shall also provide information about off-street parking and alternative forms of transportation to access the location of the restaurant, via print and electronic promotional materials, posting on the restaurant website, and other similar methods. (P&Z) (T&ES)
21. The applicant shall post a sign at the front of the building directing patrons to the location of off-street parking to the satisfaction of the Director of Planning and Zoning. (P&Z)
22. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)

23. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security survey for the business and a robbery readiness program for all employees. (Police)
24. 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 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)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

Staff Note: In accordance with Section 11-506(C) of the Zoning Ordinance, operation shall be commenced 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 This parcel is outside of the RPA. (T&ES)
- R-1 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
- R-2 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)
- R-3 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-4 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
- R-5 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-6 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)
- R-7 Outdoor dining, including all its components such as planters, wait stations, and barriers, shall not encroach onto the public right-of-way unless authorized by an encroachment ordinance. (T&ES)
- R-8 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)
- R-9 Not more than one delivery vehicle operated by the applicant may be used to deliver food to customers. Alternatively, if delivery of food to customers is operated by a third-party service, not more than one delivery vehicle may pick up orders at the restaurant at any one time. In either case, the delivery vehicle must park in an off-street parking space when at the restaurant. (T&ES)

- 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. (T&ES)
- 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).

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

Code Enforcement:

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at ken.granata@alexandriava.gov or 703-746-4190. (Code)
- C-1 The current use is classified as B; the proposed use is A-2. Change of use, in whole or in part, will require a certificate of use and occupancy and compliance.
- C-2 The proposed use is a change in use group classification; a new Certificate of Occupancy is required.
- C-3 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. The 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, sanitary provisions, handicapped accessibility and plumbing facilities.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.

- C-7 The applicant shall provide a building code analysis with the following building code data on the plan: a) use group; b) number of stories; c) type of construction; d) floor area per floor; e) fire protection plan.
- C-8 A seating/table layout complete with dimensions showing all aisle and passageway clearances will be required for review and approval prior to occupancy (USBC 1004.2).
- C-9 Sufficient toilet rooms must be provided to accommodate the total occupancy load for restaurant staff per USBC.
- C-10 Prior to the issuance of a permit a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-11 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-12 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC.
- C-13 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-14 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-15 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.
- C-16 Certification is required from the owners or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.

Health:

- 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 Six sets of plans of each facility must be submitted through the Permit Center and approved by this department prior to construction. Plans must comply with Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$200.00 fee for review of plans for 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 and Recreation:

- F-1 No Comments Received

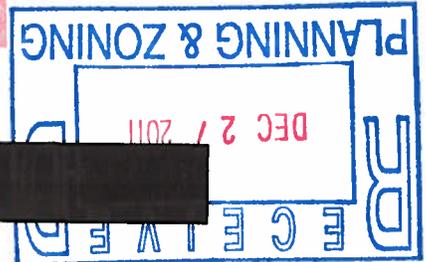
Police Department:

- 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 a robbery readiness program for all employees.
- F-1 The applicant is seeking an "ABC On" license only. The Police Department has no objections.



APPLICATION SPECIAL USE PERMIT

REVISIED



SPECIAL USE PERMIT # 2011-0086

PROPERTY LOCATION: 801 NORTH FAIRFAX ST.

TAX MAP REFERENCE: 55.03-02-01 ZONE: OCM(50)

APPLICANT:

Name: PHILIP McCOMBIE

Address: 501, SLATERS LANE #701, ALEX. VA 22314

PROPOSED USE: THAI RESTAURANT with parking reduction

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.

PHILIP D. McCOMBIE
Print Name of Applicant or Agent

[Signature] 12/21/11
Signature Date

501 SLATERS LANE #701
Mailing/Street Address

703 706 5886 703 706 5327
Telephone # Fax #

ALEXANDRIA VA 22314
City and State Zip Code

TOTTNM61@COMCAST.NET
Email address

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

SUP # 2011-0086

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 301 N. FAIRFAX ST. ALEX. VA 22314, I hereby
(Property Address)
grant the applicant authorization to apply for the RESTAURANT use as
(use)
described in this application.

Name: Waterfront Investment Group, LLC Phone: 703.876.9590
Please Print
Address: c/o Gates, Hudson & Assoc Inc Email: pblackburn@gateshudson.com
3020 Hamaker Ct., #301 Fairfax, VA 22031
Signature: [Signature] Date: December 19, 2011

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

- Required floor plan and plot/site plan attached.
- Requesting a waiver. See attached written request.

2. 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 or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

PHILIP M'COMBIE - 95%

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14

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. PHILIP McCOMBIE	501 SLATERS LANE #701 ALEXANDRIA VA 22314	95%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

c/o GATES HUDSON

Name	Address	Percent of Ownership
1. WATERFRONT INVESTMENT GROUP, LLC	3020 HAMAKER CT #301 FAIRFAX VA 22031	100%
2. - PATRICIA BLACKBURN	"	16.574%
3. - RICHARD MAZZUCHELLI	"	20.092%

SEE NEXT SHEET

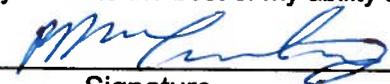
3. Business or Financial Relationships. Each person or entity indicated above, in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity below and "None" in the corresponding fields)**

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. PHILIP McCOMBIE	NONE	NO MEMBER OF ANY APPROVING BODY
2. PATRICIA BLACKBURN	NONE	NO MEMBER OF ANY APPROVING BODY
3. RICHARD MAZZUCHELLI	NONE	NO MEMBER OF ANY APPROVING BODY

SEE NEXT SHEET

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

12/21/11
Date
PHILIP McCOMBIE
Printed Name

Signature

* CONTINUATION *

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1.		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

* CONTINUATION *

c/o GATES HUDSON

Name	Address	Percent of Ownership
1. JEFFREY WEAVER	3020 HAMAKER CT #301 FAIRFAX VA 22031	16.574 %
2. JILL HUDSON-MILLER	"	11.805 %
3. DANA MARIE-HUDSON	"	11.805 %

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity below and "None" in the corresponding fields)**

* CONTINUATION *

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. JEFFREY WEAVER	NONE	NO MEMBER OF ANY APPROVING BODY
2. JILL HUDSON-MILLER	NONE	NO MEMBER OF ANY APPROVING BODY
3. DANA MARIE-HUDSON	NONE	NO MEMBER OF ANY APPROVING BODY

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

12/21/11 PHILIP McCOMBIE
Date Printed Name


Signature

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.)

This will be a full-service Thai restaurant serving Thai food & some sushi. Inside seating is planned for ~~60~~ seats; outside seating ¹⁸ ~~40~~ seats. No bar. A wine, beer, & mixed drinks license; on premise only, will be applied for. Carry-out & delivery also available. Delivery by 3rd party. All parking is on-site, although lunch patrons are on foot. Hours 11.30am → 10pm.

We are actually moving our current operation, Thailand, Royal St, from the corner of Royal & Montgomery to this new location at the corner of Montgomery & Fairfax.

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).
large of 150/day, seven days per week.

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

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

Day:	Hours:
<u>MON → SAT</u>	<u>11.30am → 10 pm.</u>
<u>SUN</u>	<u>11.30am → 9.30pm.</u>
_____	_____

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 regular kitchen operation.

B. How will the noise be controlled?
N/A.

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

None. New anti-pollution technology will be installed in the hood unit. No odors can reach outside.

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)

Excess food, plus paper & plastic products from patrons, cardboard boxes from deliveries!

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

Two or three "totes" per day, stored at the existing trash area for the building!

C. How often will trash be collected?

Daily by a private contractor we already use in our other restaurants.

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

Patrons will have many trash cans to choose from.

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.

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

Disposal as above, after hours.

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.

ABC licenses will be for "Beer & Wine" and "Mixed Drinks"; on-premise only.

PARKING AND ACCESS REQUIREMENTS

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

- Over 100 Standard spaces
- _____ Compact spaces
- 8 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?
<input type="checkbox"/> Yes <input type="checkbox"/> 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? 1

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____
Does the application meet the requirement?
<input type="checkbox"/> Yes <input type="checkbox"/> No

- B. Where are off-street loading facilities located? Delivery vehicles can stop in front of the trash area of the building.
- C. During what hours of the day do you expect loading/unloading operations to occur? Random, depending on suppliers schedule.
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? Once once per day.

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?
1,700 sq. ft. (existing) + _____ sq. ft. (addition if any) = 1,700 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: WATERFRONT CENTER 1
 - other. Please describe: _____

End of Application

REVISED



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: ~~54~~ 66 Outdoors: ~~14~~ 18 Total number proposed: ~~68~~ 84

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:
THAI & SUSHI

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? ONE
Will delivery drivers use their own vehicles? Yes No
Where will delivery vehicles be parked when not in use?
Will be using a 3RD party delivery service

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

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:
+ 108 Maximum number of patron dining seats
+ 0 Maximum number of patron bar seats
+ 0 Maximum number of standing patrons
= 108 Maximum number of patrons
2. 7 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 (Less than 20%)

Letter Plan

- 1) Trash cans will be available inside the restaurant.
- 2) One large, black trash receptacle will be purchased from the City for outside.
- 3) All other trash will be stored in "totes" sited in the existing trash area for the building.
- 4) Trash will be picked up daily by a private contractor that we already use for our other restaurants.



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)

See attached sheets.

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

See attached sheets.

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

There are no off-street parking spaces available for our sole use.

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 attached sheets.

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

1. Describe the requested parking reduction

We are applying for ⁶⁶66 seats in the dining room, and ¹⁸18 seats on the patio, totaling 84 seats.

Dinner Parking Readily Available:

Ample free parking on the streets and free in commercial public parking for dinner patrons. Please refer to details in item 2. 2

Lunch Parking Reduction:

84 seats requiring 21 parking spaces. The building has 5 parking spaces allocated to restaurant and therefore parking reduction is requested for 16.

There are several mitigating circumstances to offset the effect of parking reduction as described throughout this application.

6 months of the year in cold seasons only indoor seatings will be used (66 seats). 30 parking reduction requested is for only 11.5 included during winter months

2. A statement of justification for the proposed parking reduction.

We have been operating Thailand On Royal Street restaurant for almost 6 years, one block away from this location. We also have been running Perks Coffee Shop literally across the street, for almost 12 years. We know our customer base very well. We are well-informed that at lunch time, 90% (if not more) walk to our 2 establishments from their offices or hotels within 5 blocks.

At lunch, due to time limitations, people outside Old Town North do not have spare time to cross over into our area, thus strictly limiting the number of driving patrons.

It is also worth noting that 80% of our customers are repeat customers as opposed to tourists.

2.1 DINNER: Justification for unnecessary parking reduction at dinner.

- A. Street parking is vacated by office workers.
- B. Parking meters, 50 ft away, in front of The Crowne Plaza, become free of charge.
- C. The public commercial parking garage becomes open and free of charge and extremely underused because business hours are over and done with.
- D. Local residents walk from Old Town North.

2.2 Lunch: justification for the proposed parking reduction.

A. 90% (if not more) of customers are strictly from immediate locale. They work at offices or stay at hotels, literally within 5 blocks from restaurant. They come on foot. We hardly have customers from outside this immediate area as they generally have no spare time to cross over away from their work zone.

B. Off street parking is provided for delivery driver.

C. Commercial public parking garage is available immediately behind restaurant for the occasional few who may be coming twice a month.

D. Parking meters are 50 ft away and always underused. We can see it from Perks Coffee Shop.

5. Parking Management Plan

Dinner: Driving patrons will have the following parking available to them.

Street parking, vacated by office workers as business hours are over and done with.

Commercial public parking garage, immediately behind restaurant, open, free, and underused for the same reason.

Local residents in Old Town North walk to restaurant and therefore do not need parking spaces.

Parking meters , 50 ft away become free and more readily available because business hours are over.

Lunch:

90% of customers already are on foot. We will continue to encourage them, through our website, to continue to come on foot.

For the driving few, they will be informed through our website to carpool, and park at metered parking, 50 ft away and at the commercial public parking immediately behind restaurant.

In reality not many people want to drive to dine at lunch where we are!

6. *Based on the above facts, we do not expect any negative impact on the surrounding neighborhood.*

**ADDENDUM TO SUP APPLICATION - Parking Management Plan
by Philip McCombie
For 801 N. Fairfax St, Alexandria, VA 22314**

Enclosed please find our survey to support our parking management plan.

It consists of

-"WALK OR DRIVE" SURVEY on lunch customers for one week from February 7 to 13, 2012

Because the streets around our space in the application are heavily used during day time by office workers, question arises re parking management for our clientele. We are demonstrating that most of our customers come on foot to our current restaurant one block away on N. Royal St. The few cars joining our lunch have ample spaces in the commercial parking garage right behind our space in the application as the photos taken show.

- PHOTOS OF COMMERCIAL PARKING GARAGE

This garage is located behind our space in the application, in the same building. Photos are taken during lunch time for one week from Feb 7 to 13, 2012
82 to 95 spaces are unused during lunch time.

At dinner more spaces are unused as office workers leave, and by 7 or 8 pm more than 100 spaces are available.

- PHOTOS OF METERED PARKING AREA

Photos show that metered parking in front of The Crowne Plaza Hotel which is adjacent to the space in the SUP application being underused during lunch hours as well dinner hours

- COLONIAL PARKING REPORT FOR JANUARY 2012

The commercial parking garage is run by Colonial Parking. This report demonstrates that there are only a few transient visitors using this facility. This report is substantiated by the photos and the visual count performed during Feb 7 to 13, 2012.

- A REPORT ON VISUAL COUNT OF UNUSED PARKING SPACES

The applicant of the SUP personally counted the unused parking spaces at Colonial Parking garage, located right behind in the same building.

82 to 95 spaces were found unused during lunch hours from Feb 7 to 13, 2012 and more during dinner hours when offices are closed.

"WALK OR DRIVE" SURVEY

Performed by Thailand On Royal St Restaurant

835 N. Royal St, Alexandria VA 22314

On lunch customers

From 02/07/12 – 02/ 13/ 12

Questions were asked whether they drove or walked to the restaurant, where parked, how many in a car and if walked, how far.

Some people were not asked during time when restaurant was too busy, or customers needed to hurry out.

RESULTS:

167 people were asked. 19 came in 14 cars in the week surveyed. Less than 3 cars per working day.

Of 167 people, only 14 cars were employed.

(Saturday was skipped and Sunday was closed)

02/09/12 Wed Lunch : About 6 people were not asked

BY CAR	WHERE PARKED	HOW MANY PEOPLE IN CAR	ON FOOT	DISTANCE FROM OUR RESTAURANT				PLEASE INITIAL
				1-2 BLOCKS	3-4 BLOCKS	5-6 BLOCKS	Farther Than 6 blocks	
			X	X				ROO
X	Street	2 in car	X	X				KC
			X		X			DE
			X		X			ES
X	Street 1		X	X			X	MEP
			X		X			JOM
X	Street 1		X		X			STM
			X		X			KE
			X		X			GW
			X	X				CHL
			X	X				KO
			X	X				KO
			X	X				MB
			X	X				ME
			✓		✓			MM
			✓		✓			SP
X	Street 1 in car		✓		✓			GB
			+	✓				JCH
			+	✓				GW
			+	✓				GW
			+	✓				GW
			X	✓				GW
			X	✓				GW
			X	✓				GW
			X	✓				GW
			X	✓				GW
			X	✓				GW
X		2 in a car	X	✓				GW
			✓		✓			GW
5		10	27					GW

of 37 people asked, 27 walked, 10 came in 5 cars

02/09/12 Thurs Lunch : About 10 people were not asked

BY CAR	WHERE PARKED	HOW MANY PEOPLE IN CAR	ON FOOT	DISTANCE FROM OUR RESTAURANT			PLEASE INITIAL
				1-2 BLOCKS	3-4 BLOCKS	5-6 BLOCKS	
			✓		✓		IMP
			✓		✓		KL
			✓	✓			mg
			✓	✓			SI
			✓	✓			Y.A
			✓	✓			E.P
			✓	✓			KA
			✓	✓			JC
			✓	✓			DC
			✓		✓		NN
			✓		✓		EC
			✓		✓		RB
			✓		✓		AM
			✓	✓			CW
			✓	✓			HW
			✓	✓			GP
			✓				R.L.
			✓				AG
			✓				RB
			✓				EW
			✓				CW
			✓		✓		B.V.
			✓		✓		T.H
			✓		✓		ED
			✓		✓		John
✓	Street	1	✓	✓	✓		Rob
			✓	✓			Kristina
			✓	✓			mon
1 car		1	28				

of 29 people asked, 28 walked, 1 came in 1 car

02/10/12 Fri Lunch : Too busy to ask everybody. About 70% of customers were asked.

BY CAR	WHERE PARKED	HOW MANY PEOPLE IN CAR	ON FOOT	DISTANCE FROM OUR RESTAURANT				PLEASE INITIAL
				1-2 BLOCKS	3-4 BLOCKS	5-6 BLOCKS	Farther Than 6 blocks	
			✓	✓				ac
			✓		✓			a
			✓		✓			JS
			✓		✓			AP
✓	street	3 in car	✓				✓ by bus	JA
			✓					
			✓					
			✓	✓				SG
			✓	✓				PA
			✓	✓				WP
			✓	✓				GA
			✓		✓			AP
			✓		✓			TS
			✓		✓			SC
			✓		✓			SH
✓	street	2 in car	✓	✓				N.T.
			✓	✓				RL
			✓	✓				IT
			XX		✓			JO
			✓			✓		JP
			✓			✓		DS
			✓	✓				BT
			✓			✓		LP
✓	street	2 in car	XXX	X				KE
			✓		✓			A
			✓		✓			DS
			✓		✓			TS
			✓		✓	✓		HA
			✓		✓			Jan
			✓		✓			JS
3 CARS		7	35					

of 42 customers asked, 35 walked, 7 people came in 3 cars

02/13/12 Mon Lunch: About 90% of customers were asked.

BY CAR	WHERE PARKED	HOW MANY PEOPLE IN CAR	ON FOOT	DISTANCE FROM OUR RESTAURANT				PLEASE INITIAL
				1-2 BLOCKS	3-4 BLOCKS	5-6 BLOCKS	Farther Than 6 blocks	
✓	street	1 in car	✓	✓				Jm
			✓					WJ
			✓		✓			Bob
			✓			✓		Ge
			✓			✓		AT
			✓		✓			SW
			✓		✓			WF
			✓	✓				WC
			✓	✓				CA
			✓	✓				NE IV
			✓		✓			Alc
			✓					PF
			✓	✓				ST
			✓	✓				YH
			✓				✓	MM
///	street	2						PT
///	tennis court	4						Ph
			✓			✓		JD
			✓			✓		JA
			✓			✓		EL
			✓			✓		ES
			✓			✓		LI
TOTAL	3 cars	7	23					

Of 30 people asked, 23 walked, 7 people came in 3 cars

Number of unused parking spaces available for visitors at Colonial Parking Garage

Visual counts performed by the applicant of the SUP

12:02 pm.	82 spaces	02/07/12. Tuesday
1:15 pm.	87 spaces	
2:10 pm.	91 spaces	
12:05 pm.	91 spaces.	02/08/12. Wednesday
1:30 pm.	95	
12:01 pm.	86 spaces.	02/09/12. Thursday
1:15 pm.	92	
2:20 pm.	94	
1:10 pm.	99 spaces.	02/10/12. Friday
1:03 pm.	98 spaces.	02/13/12. Monday

Left in 5 minutes (Did not park)

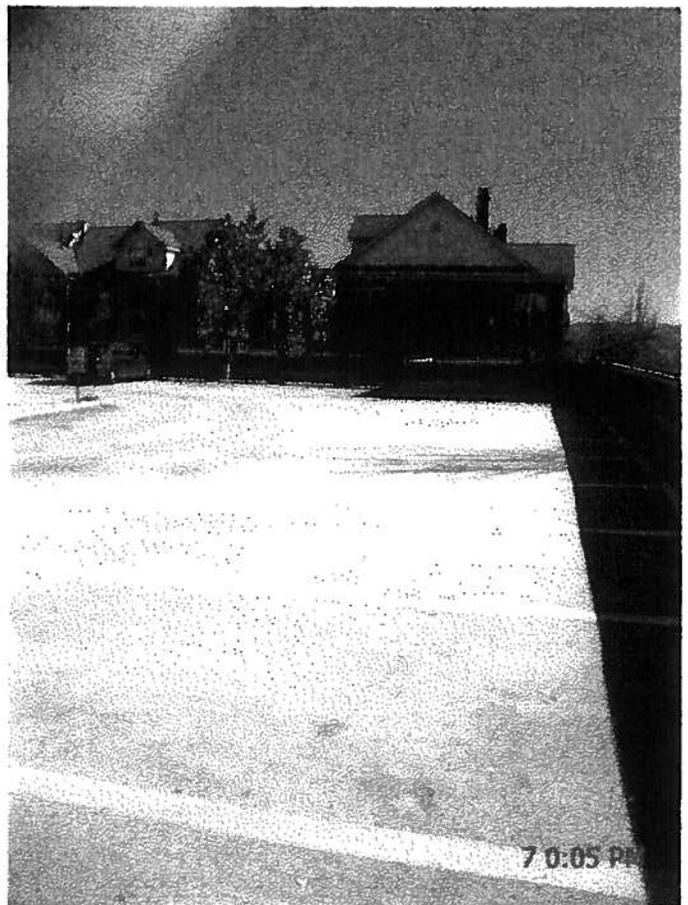
Visitors

	A	B	C	D	E	F	G
1	Day	Date	Transient				
2			No Charge	1 Hour	2 Hours	Maximum	Other Tickets
3	Sun	1/1/2012					0
4	Mon	1/2/2012					0
5	Tue	1/3/2012	1	2	1	0	0
6	Wed	1/4/2012	1	1	1	1	0
7	Thu	1/5/2012	3	1	1	0	0
8	Fri	1/6/2012	4	2	2	0	0
9	Sat	1/7/2012					0
10	Sun	1/8/2012					0
11	Mon	1/9/2012	6	1	0	1	0
12	Tue	1/10/2012	2	2	0	4	0
13	Wed	1/11/2012	5	2	1	3	0
14	Thu	1/12/2012	2	2	1	6	0
15	Fri	1/13/2012	1	1	4	5	0
16	Sat	1/14/2012					0
17	Sun	1/15/2012					0
18	Mon	1/16/2012	5	4	0	2	0
19	Tue	1/17/2012	2	2	3	3	0
20	Wed	1/18/2012	7	2	1	2	0
21	Thu	1/19/2012	2	0	0	3	0
22	Fri	1/20/2012	2	1	3	9	0
23	Sat	1/21/2012					0
24	Sun	1/22/2012					0
25	Mon	1/23/2012	4	0	0	2	0
26	Tue	1/24/2012	5	1	5	3	0
27	Wed	1/25/2012	3	0	0	0	0
28	Thu	1/26/2012	5	1	1	4	0
29	Fri	1/27/2012	4	0	0	3	1
30	Sat	1/28/2012					0
31	Sun	1/29/2012					0
32	Mon	1/30/2012	2	1	0	6	0
33	Tue	1/31/2012	4	3	1	2	0
34							
35		Totals	70	29	25	59	1

118/month

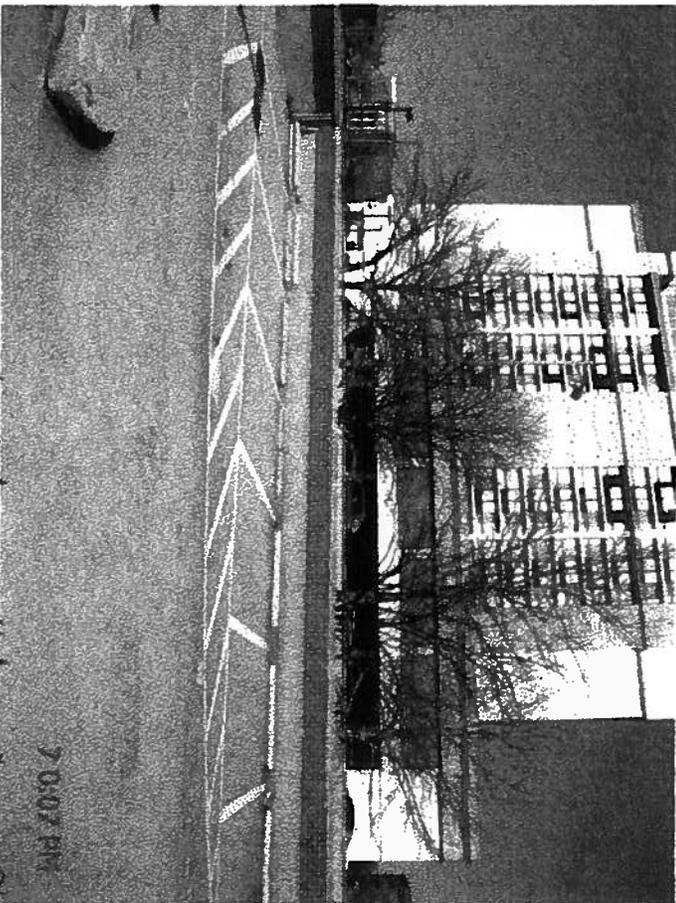
Colonial Parking Info.

The side parallel to Kaver Cook Community



the side parallel to Madison St

The side parallel to Crowne Plaza Hotel



Pictures taken on 02/07/12 Tues at NOON.

Pictures taken of 3 sides of the parking deck of COLONIAL PARKING

At that moment there were about 85 spaces unused.

Nathan Randall

Subject: FW: SUP Request

From: tottnm61@comcast.net [mailto:tottnm61@comcast.net]

Sent: Thursday, February 23, 2012 7:49 AM

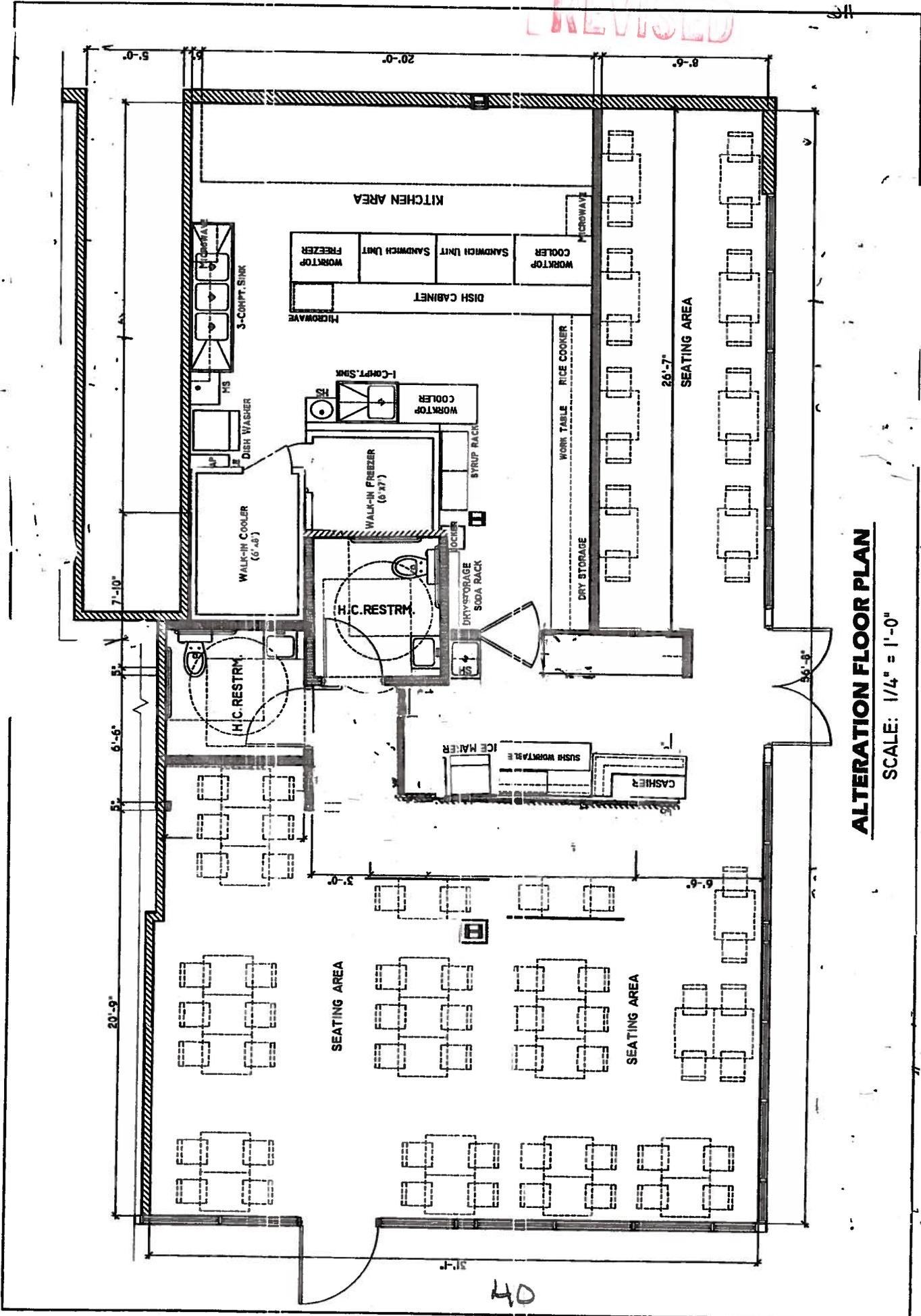
To: Nathan Randall

Subject: Re: SUP Request

Nathan,

Thank you for noticing the error. With all the to-ing and fro-ing and calculating seat reductions etc. I completely forgot the extra space. Please take this reply as confirmation that my parking reduction request must be for 17 spaces, not 16. Thanks again for your attention to detail. Take care,
Phil

REVISED



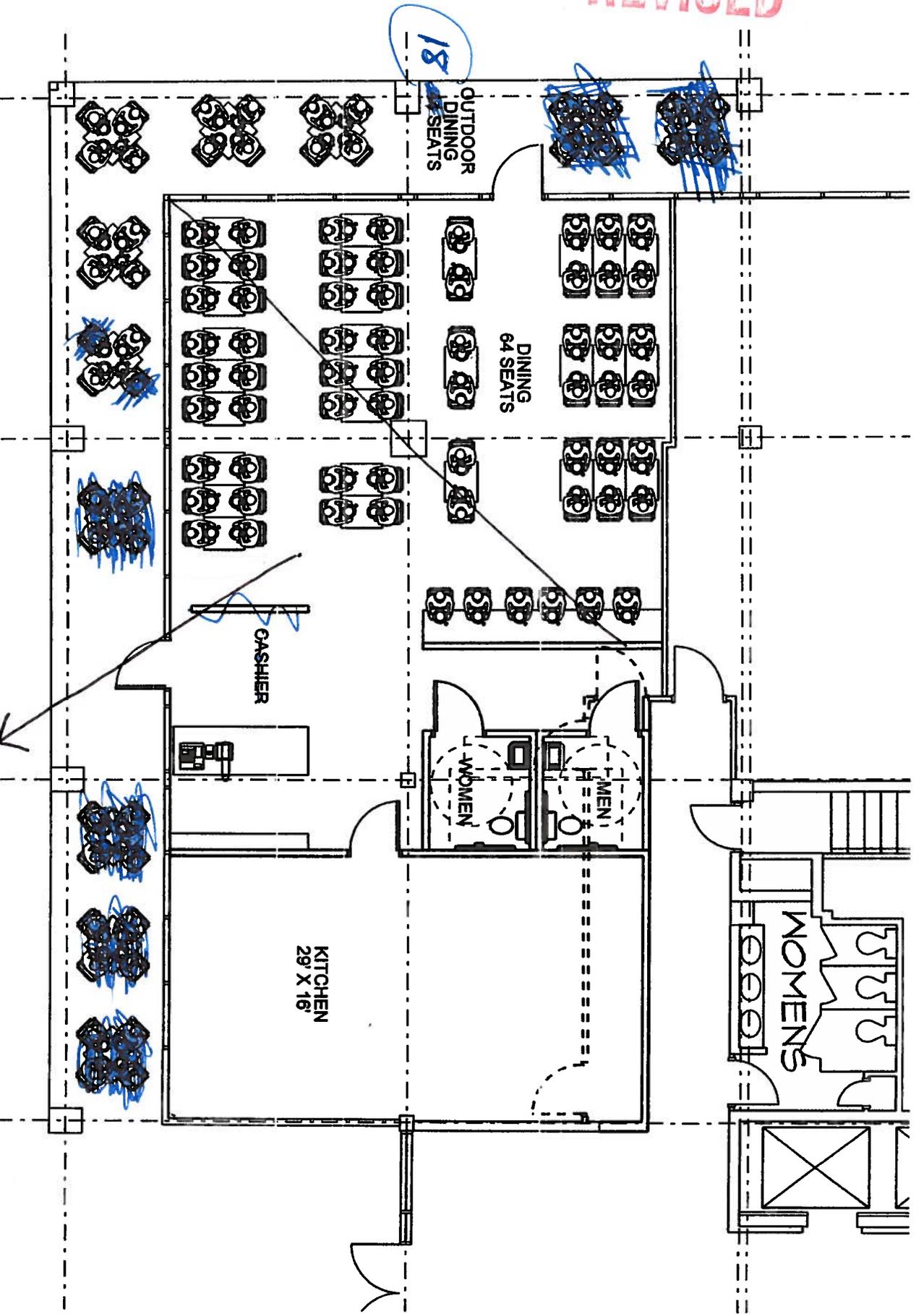
ALTERATION FLOOR PLAN

SCALE: 1/4" = 1'-0"

Interior Layout

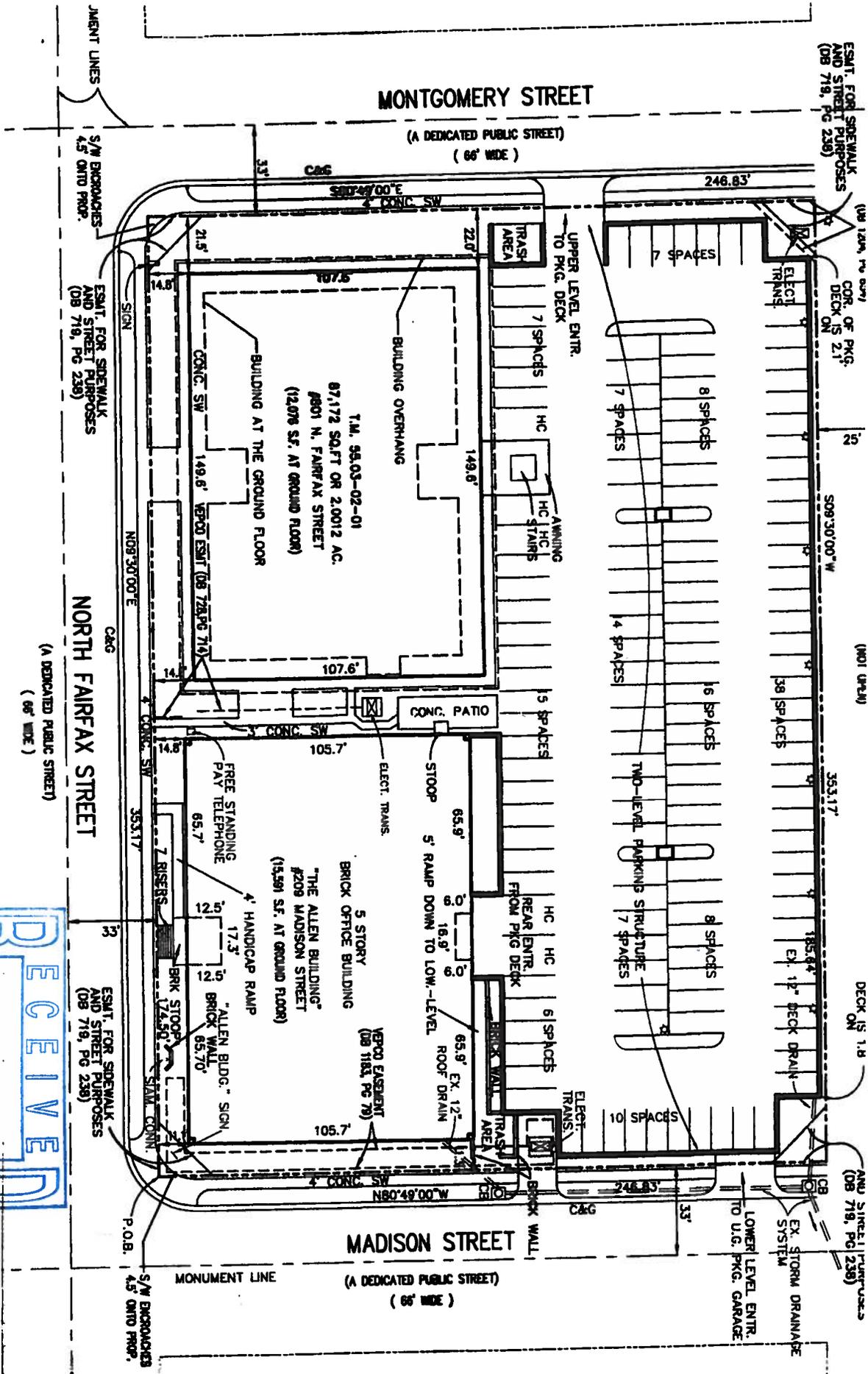
40

REVISED



Outdoor Seating layout
 801 NORTH FAIRFAX STREET
 1ST FLOOR RESTAURANT
 11/17/11

Please see detailed
 Alteration Floor Plan
 for interior layouts

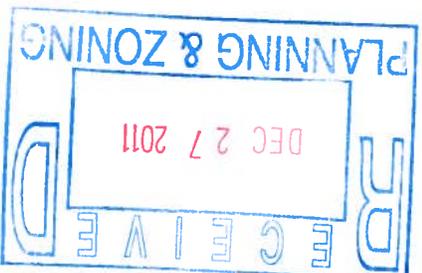
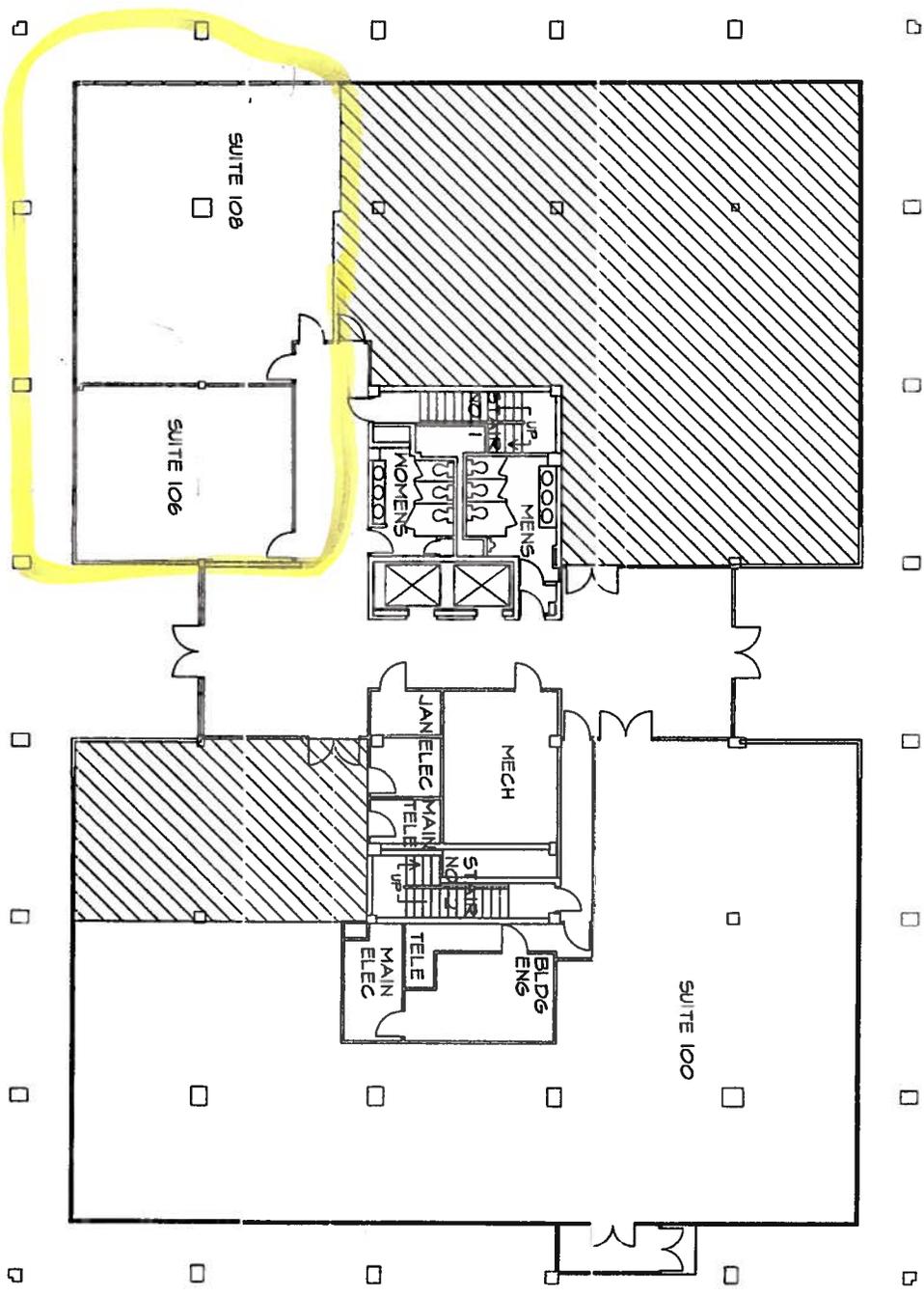


RECEIVED
 DEC 27 2011
 PLANNING & ZONING

THE WATER FRONT BUILDING

SHEET TITLE
FIRST FLOOR
AVAILABLE AREAS

PROJECT
801 NORTH FAIRFAX STREET
ALEXANDRIA, VIRGINIA



DATE: 09/14/11
SCALE: NTS
PROJECT NO.

SHEET: L1

soma
ARCHITECTS
21700 Street
Arlington, VA 22204
703.261.0000
www.somaarch.com