



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2010-0082

PROPERTY LOCATION: 1012 KING STREET

TAX MAP REFERENCE: 074.01-05-07 **ZONE:** KR

APPLICANT:
Name: BOCCATO, LLC

Address: 2719 WILSON BLVD., ARLINGTON, VA 22201

PROPOSED USE: GELATO & COFFEE SHOP
(RESTAURANT)

THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria 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.

Rob Shelton
Print Name of Applicant or Agent

JRS/WT
Signature

11/29/10
Date

2719 WILSON BLVD.
Mailing/Street Address

703 200 3200
Telephone #

Fax #

ARLINGTON, VA 22201
City and State Zip Code

jamesrobertshelton@yahoo.com
Email address

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

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 1012 King Street, I hereby
(Property Address)
grant the applicant authorization to apply for the Restaurant use as
(use)
described in this application.

Name: Castle + Pembroke LLC Phone: 703-548-3022
Please Print
Address: 108 N. Payne St - Alexandria VA 22314 Email: mcgrath@mcgrathlegal.com
Signature: [Handwritten Signature] Date: 11/26/10
Ian McGrath, Managing Member

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.

ROB SHELTON

CRISTIAN VELASCO

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. ROB SHELTON	2719 WILSON BLVD Arlington, VA 22201	50%
2. CRISTIAN VELASCO	2719 WILSON BLVD Arlington, VA 22201	50%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1012 KING ST. (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.

Name	Address	Percent of Ownership
1. Castle & Pembroke LLC	108 N. Payne St. Alexandria VA 22314	100%
2. Ian M. McGrath	108 N. Payne St. Alexandria VA 22314	↓ 100%
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is 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.

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.		
2.		
3.		

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.

11/29/10
Date

Rob Shelton
Printed Name

J.R. Atti
Signature

Alexandria City Council

William Euille
Kerry Donely
Frank Fannon IV
Alicia Hughes
Rob Krupicka
Redella "Del" Pepper
Paul Smedberg

Planning Commission

John Komoroske
H. Stewart Dunn
Jesse Jennings
Donna Fossum
Mary Lyman
J. Lawrence Robinson
Eric Wagner

Board of Zoning Appeals

Mark Allen
Geoffrey Goodale
John Keegan
Stephen Koenig
David Lantzy
Jennifer Lewis
Eric Zander

Board of Architectural Review

Old and Historic District

Chip Carlin
Oscar Fitzgerald
Thomas Hulfish
Arthur Keleher
Wayne Neale
Peter Smeallie
John Von Senden

Board of Architectural Review

Parker-Gray District

William Conkey
Robert Duffy
Christina Kelley
H. Richard Lloyd, III
Douglas Meick
Philip Moffat
Deborah Rankin

Updated 7/27/2010

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;
- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.

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.)

The proposed use for 1012 KING ST. is a gelato and coffee shop. We intend to produce and sell our gelato from the site according to Alexandria's Health Department standards. Our coffee and bakery products will be delivered by outside vendors. Bakery products will be kept in a glass enclosure, and coffee will be ground per order. The proposed space will predominantly be utilized for walk-in / carry-out clientele, but seating will be an offered option.

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).
20 early a.m. / 30 mid-day / 40 evenings

B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).
M-F 7 a.m. - 11 p.m. 3 (a.m.) 2 (mid-day)
Sat-Sun 8 a.m. - 11 p.m. 3 (evenings)

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

Day: <u>Mon. - Fri.</u>	Hours: <u>7 am - 11 pm</u>
<u>Sat. - Sun.</u>	<u>8 am - 11 pm.</u>
_____	_____
_____	_____

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

A. Describe the noise levels anticipated from all mechanical equipment and patrons.
Coffee grinders will be creating the most noise w/ a level of 59 db. intermittently.

B. How will the noise be controlled?
Doors and windows will be closed. Noise reducing insulation will be installed in walls and ceilings.

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

The scent of freshly brewed coffee may
be noticed when walking by.

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)
No office paper, minimal food wrappers. Mostly
cups and spoons that will be put in a recycling bin.

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

C. How often will trash be collected?
Once weekly

D. How will you prevent littering on the property, streets and nearby properties?
Trash / Recycling containers by front door and
throughout space.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[] Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

[] Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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

Staff will be trained in safety and emergency procedures.

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.

PARKING AND ACCESS REQUIREMENTS

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

- 2 Standard spaces
- 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?
<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? _____

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? Directly behind property. Alleg accessible.
- C. During what hours of the day do you expect loading/unloading operations to occur?
Early a.m. (7-9 a.m.)
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Once per week.

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 street access.

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?

1125 sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

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

a stand alone building

a house located in a residential zone

a warehouse

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

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

other. Please describe: Attached row of buildings

End of Application



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: 24 Outdoors: _____ Total number proposed: 24

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

3. Please describe the type of food that will be served:
GELATO, made on premises, and
bakery products delivered from an off-site vendor.

4. The restaurant will offer the following service (check items that apply):
X table service _____ bar X carry-out _____ delivery

5. If delivery service is proposed, how many vehicles do you anticipate? _____
Will delivery drivers use their own vehicles? _____ Yes _____ No
Where will delivery vehicles be parked when not in use?

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
_____ Yes X 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:
+ 24 Maximum number of patron dining seats
+ _____ Maximum number of patron bar seats
+ 8 Maximum number of standing patrons
= 32 Maximum number of patrons
2. 4 Maximum number of employees by hour at any one time
3. Hours of operation. 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

N/A

LITTER PLAN

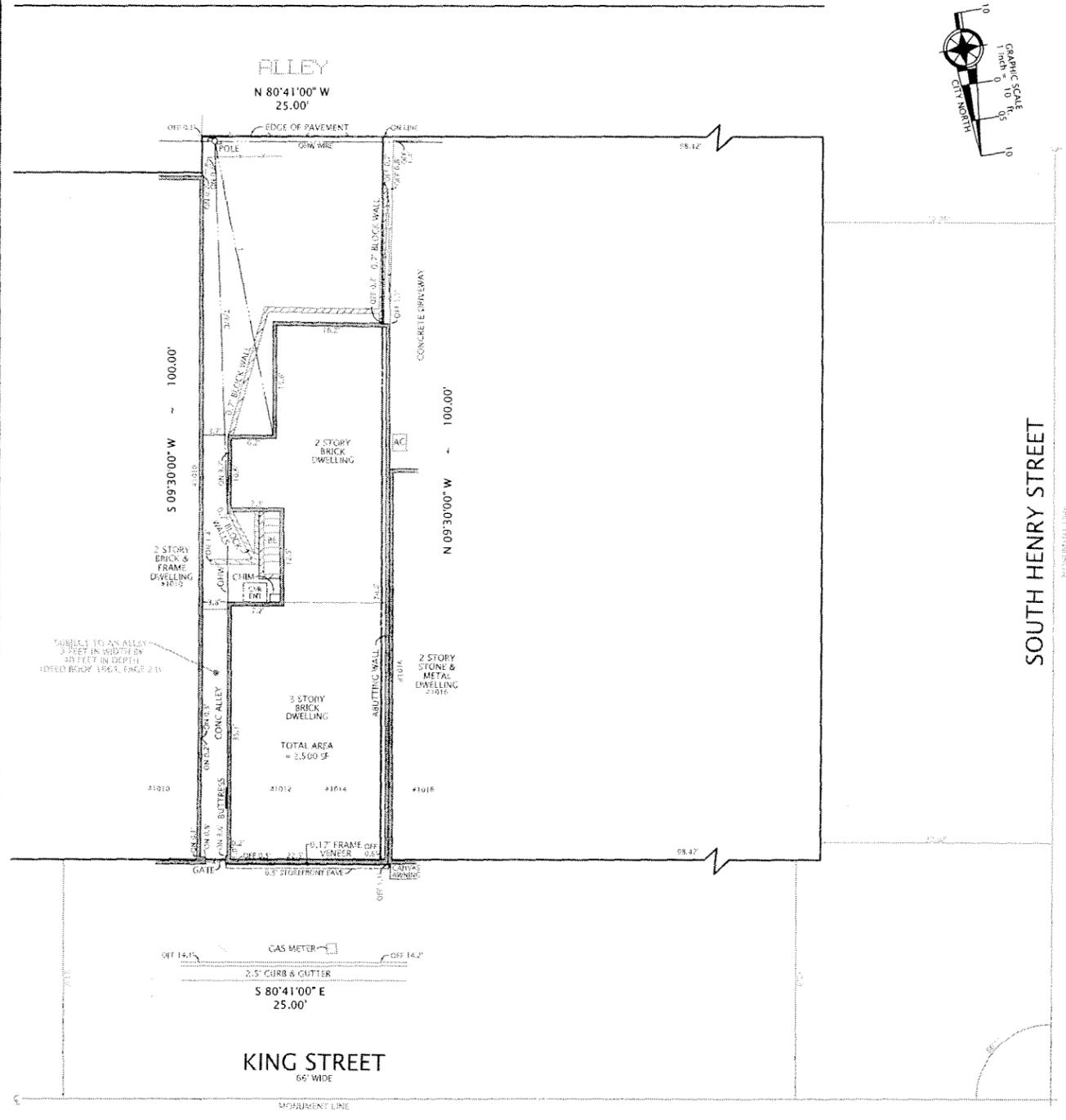
Bocato Gelato & Espresso Bar

We plan on eliminating litter by monitoring the front of our proposed space on an almost hourly basis. We will make sure dropped items are picked up and disposed of properly and our staff will be trained to keep a sharp eye out for litter in our vicinity.

Additionally, we will display discreet signs inside the property to convey respecting the neighborhood, and disposing of waste materials properly.

We may be obligated to contribute to an Alexandria City beautification fund per our SUP, which will help keep our general surroundings clean.

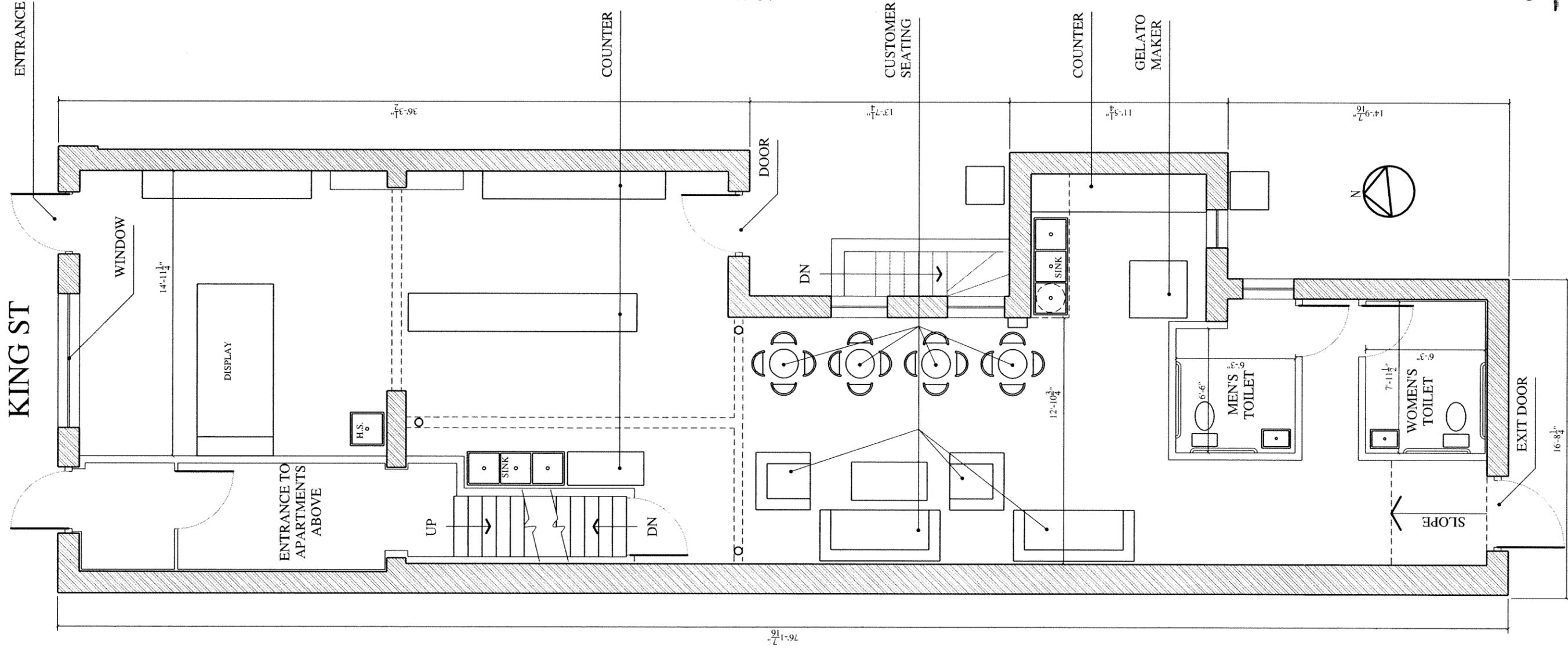
NOTE: FENCES ARE CHAIN LINK.



BOCCATO
gelato & espresso bar
james shelton (applicant)

PLAT
SHOWING HOUSE LOCATION ON
THE PROPERTY LOCATED AT
#1012 AND #1014 KING STREET
(DEED BOOK 1564, PAGE 24)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 10' JUNE 07, 2010

<p>I HEREBY CERTIFY THAT THE POSITIONS OF ALL THE EXISTING IMPROVEMENTS HAVE BEEN CAREFULLY ESTABLISHED BY A CURRENT FIELD SURVEY AND UNLESS SHOWN THERE ARE NO OTHER ENCUMBRANCES AS OF THIS DATE.</p>	<p>06/07/2010 GEORGE M. O'QUINN LICENSE NO. 2009 L.S. 2009</p> <p><i>George M. O'Quinn</i></p>	<p>CASE NAME: KOTLARCHIK CHAMOWITZ - CHAMOWITZ</p>
<p>THIS PLAT IS SUBJECT TO INSTRUCTIONS OF RECORD. A FIELD REPORT WAS NOT FURNISHED. NO CORNER MARKERS SET.</p>		<p>DOMINION Surveyors Inc. 8808-N PEAR TREE VILLAGE COURT ALEXANDRIA, VIRGINIA 22309 703-619-6555 FAX: 703-799-6412</p>



KING STREET

1012/1014

2 PARKING SPACES

PUBLIC ALLEY

INTERIOR AREA
1,125 sq. ft.

BOCCATO
gelato & espresso bar

APPLICANT- JAMES SHELTON
1012/1014 KING ST

SCALE: 3/16"=1'-0"
DATE: 11.22.10

SPECIAL USE PERMIT EXHIBIT

LEWIS & ASSOCIATES LTD., ARCHITECT