

Docket Item #23
SPECIAL USE PERMIT #2001-0040

Planning Commission Meeting
June 5, 2001

ISSUE: Consideration of a request for a special use permit amendment to change the hours of operation of a bakery and to allow loading operations to occur outside the building.

APPLICANT: Paul Christou and/or Nausika Christou Lyubinsky

LOCATION: 501 East Monroe Avenue
Gold Crust Baking Company

ZONE: CSL/Commercial Service Low

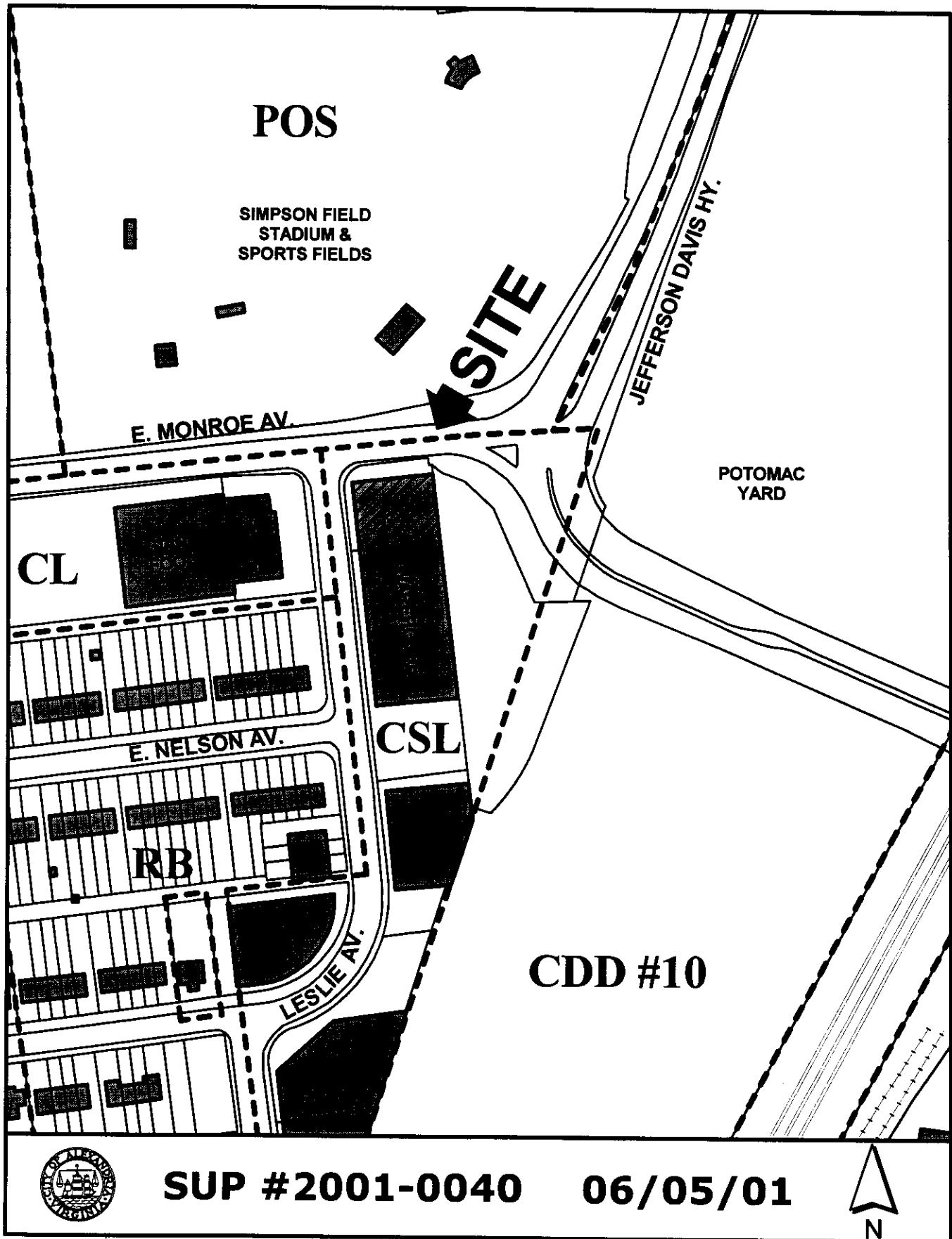
PLANNING COMMISSION ACTION, JUNE 5, 2001 : On a motion by Mr. Komoroske, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Conditions #7 and 11. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission disagreed with the staff analysis, noted that the community did not object to the applicant's requests and added language to restrict the location of loading operations and the dumpster.

Speakers:

Nausika Christou Lyubinsky, applicant, stated that she understood staff's recommendations but noted that outside deliveries will likely occur only once or twice a month, with more in the future, between the hours of 6:00 a.m. and 10:00 a.m. She stated that they receive one or two pallets of supplies per delivery which takes approximately 10 to 15 minutes to be unloaded. She stated that drivers of the large trucks that make the monthly deliveries cannot maneuver the trucks into the interior loading area, and that given the traffic on Leslie Avenue, they believe it is preferable that their unloading operations occur behind the building.

Amy Slack, on behalf of the Del Ray Citizens Association, stated that the Association supports the applicants' requests and noted that the unloading of cars on Mount Vernon Avenue takes more time than the unloading of a few pallets for this business.



SUMMARY:

The applicant requests permission to amend the hours of operation of the bakery located at 501 East Monroe Avenue, to allow its loading operations to occur outside the building and to place a dumpster outside the building. Staff recommends approval of the amended hours of operation but denial of the outdoor loading operations and dumpster. Staff believes that the applicant should reconfigure its loading dock to accommodate larger trucks, assure future access to the dock, and store the dumpster inside the building consistent with its original proposal.

STAFF RECOMMENDATION:

Staff recommends **approval** of the hours of operation subject to compliance with all applicable codes and ordinances and the following conditions, and **denial** of the applicant's request for outdoor loading operations and dumpster:

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) (SUP #99-0057)
2. No indoor or outdoor dining facilities shall be located on the premises. (P&Z) (SUP #99-0057)
3. CONDITION AMENDED BY STAFF: The retail hours of operation shall be limited from 9:00 a.m. to 7:00 p.m. daily ~~except Saturday.~~ (P&Z) (SUP #99-0057) ~~(P&Z)~~
4. The applicant shall post the hours of operation at the entrance to the bakery. (P&Z) (SUP #99-0057)
5. No alcoholic beverages shall be sold. (P&Z) (SUP #99-0057)
6. The proposed loading dock and the access from the right-of-way shall be located as far to the south as possible to the satisfaction of the Director of Transportation and Environmental Services. (T&ES) (SUP #99-0057)
7. CONDITION AMENDED BY PLANNING COMMISSION: No loading or unloading is permitted on right-of-way ~~or outside the building of Leslie or East Monroe Avenues.~~ (P&Z) (SUP #99-0057) **(PC)**

8. The applicant shall encourage its staff to use mass transit or to car pool when traveling to and from the bakery, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, the advertising of car pooling opportunities, and shall provide a transit subsidy to all employees. (P&Z) (SUP #99-0057)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #99-0057)
10. **CONDITION AMENDED BY PLANNING COMMISSION:** 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 and debris shall be allowed to accumulate on site outside of those containers. **A dumpster may be located outside the building as long as it is not visible from Leslie or East Monroe Avenues.** (P&Z) (SUP #99-0057) (PC)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #99-0057)
12. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program. (Police) (SUP #99-0057)
13. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Health Department. (Health) (SUP #99-0057)
14. No amplified sound shall be audible at the property line. (P&Z) (SUP #99-0057)
15. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit ~~after it has been operational for 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, (b) the director has received a request from any person to docket the permit for review, 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 #99-0057) (P&Z)

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.

DISCUSSION:

1. The applicants, Paul Christou and/or Nausika Christou Lyubinsky, request special use permit approval to amend the hours of operation of an existing bakery and to allow loading operations to occur outside the building located at 501 East Monroe Avenue.
2. The subject property is one lot of record with approximately 102 feet of frontage on Monroe Avenue, approximately 100 feet of frontage on Leslie Avenue and a total lot area of 11,508 square feet. The site is developed with a one story warehouse building. Part of the warehouse is occupied by the Alexandria Center for the Woodworking Arts, Inc.

To the north of the site across Monroe Avenue is Simpson Field. To the east is the Monroe Avenue bridge. The vacant lot to the east of the building, which had been used by Avis, was sold to Virginia Power for a substation. To the west is an office building and residences. To the south is a linear warehouse building.

3. On September 18, 1999, City Council granted Special Use Permit #99-0057 allowing a bakery with a reduction of off-street parking.
4. As approved by Council, the applicants operate a 10,000 square foot bakery with a retail component. The bakery produces breads, rolls, and specialty breads for sale to restaurants and institutional facilities in this area, and to the public in the retail store. No seating is provided in the retail store.
5. In its original application, the applicant stated that between six and ten employees will operate the business, and the applicant anticipated between 50 and 100 retail customers a day during its hours of operation.

6. The applicant proposes to change the days and hours of operation for the bakery and retail store as follows:

	<u>Approved days and hours of operation</u>	<u>Proposed days and hours of operation</u>
Production	Sunday through Friday 9:00 a.m. to 7:00 p.m	Daily 7:00 a.m. to 7:00 p.m. *
Retail Operation	Daily except Saturday 9:00 a.m. to 7:00 p.m	Daily 9:00 a.m. to 7:00 p.m.
Delivery	Sunday through Friday 5:00 a.m. to 8:00 a.m.	Monday through Saturday 5:00 a.m. to 8:00 a.m.

* Note: Cleaning of the facility will occur daily from 6:00 p.m. to Midnight

7. Condition #7 prohibits loading and unloading operations from occurring on the public right-of-way or outside the building. In its original application, the applicant proposed to construct an interior loading bay along the Leslie Avenue frontage of the building to be accessed by a new curb cut. Similarly, the applicant's dumpster was to be stored inside the building and accessed by the trash removal company via the loading dock. During staff's review of the applicant's original special use permit application, it was concerned that the delivery trucks not unload or encroach onto the sidewalk, or otherwise interfere with traffic circulation on Leslie Avenue, and included a condition requiring that all loading occur inside the building (Condition #7). T&ES also recommended that the loading dock and access to the right-of-way be located as far to the south of the intersection of Monroe and Leslie Avenues as possible (Condition #6). The applicant obtained special use permit approval in September 1999 and later submitted building plans that comported with the special use permit approval.

During its renovation of the building, however, the applicant determined that it was too costly to build a loading bay on Leslie Avenue. As an alternative, the applicant proposed to provide the bay on the east side of the building, to be accessed by trucks by way of the Virginia Power land behind the building using an easement to cross the property next to the applicant's on Leslie Avenue.

In May 2000, staff met with the applicant regarding this proposal and indicated that the applicant could proceed with this arrangement, if he chose to do so, with one caveat. Staff explained to the applicant that the redevelopment of Potomac Yard and the straightening of the Monroe Avenue bridge may preclude access to a rear loading bay and indicated that the unloading operations in this location may negatively impact the redeveloped Potomac Yard property. Staff further explained that the applicant would then be required to reconfigure the loading bay or make other arrangements in the future in order to comply with the special use permit approval (see attached letter dated May 11, 2000).

8. The applicants have secured a lease with Virginia Power which owns property that abuts the applicants' lot to the east. The lease allows the applicants to use the Virginia Power land for delivery access to the applicants' building, loading and unloading of materials related to the applicants' bakery business, and temporary parking. The applicants have advised staff that the temporary parking allowed in the lease will be used as employee parking. The lease also allows the applicants to install a dumpster and requires that it be removed on or before the termination of the lease. It does not require the removal of the concrete ramp that provides access to the applicants' loading dock.
9. The applicants now seek permission to allow the deliveries of goods they receive from national supply companies, such as Sysco and Lentz Milling Company, to occur outside the building. According to the applicants, deliveries from these companies occur monthly. On the other hand, the applicants indicate that its own delivery trucks are small and will be able to load inside the building (see memo dated April 10, 2001).
10. The applicants also seek permission to place a dumpster outside the building, near the concrete ramp that provides access to the loading bay (see attached plat). According to the applicant, the dumpster will accommodate both garbage and cardboard for recycling.
11. No other changes are proposed to the operation of the bakery.
12. Zoning: The subject property is located in the CSL/Commercial Service Low zone. Section 4-303(B.1) of the zoning ordinance allows a bakery exceeding 3,500 square feet which includes a retail component in the CSL zone only with a special use permit.
13. Master Plan: The proposed use is consistent with the Potomac West small area plan chapter of the Master Plan which designates the property for commercial and service uses.

STAFF ANALYSIS:

Staff supports the applicants' requests to amend the hours of operation of the bakery located at 501 East Monroe Avenue because the additional retail hours on Saturdays will provide greater opportunities for area residents and others to purchase fresh baked items and encourages the retail portion of the business which is required by CSL zone. As to the earlier and longer production hours, staff notes that the bakery only recently began to operate and as such it does not have an established track record. However, staff notes that the baking and loading and unloading of the applicant's delivery trucks will occur inside the building. As a consequence, staff expects these operations will have little impact on adjacent businesses or residences. Staff has amended the review condition to require a review one year after approval, so that if there are problems associated with these operations, additional conditions may be imposed or the hours of operation may be scaled back.

As to the request for loading and locating the dumpster outdoors, staff has serious concerns. Last year when the applicant requested permission to modify the location of its loading dock, staff explained to him that the straightening of the Monroe Avenue bridge and/or the redevelopment of Potomac Yard might preclude access to this bay in the future, and that he would be required to build a different bay or make other arrangements in order to comply with the special use permit (see letter from staff to applicant dated May 11, 2000).

Staff's approval regarding the location of the loading dock was based on the applicant's assertion that all loading and unloading operations would take place inside the building and that the applicant's dumpster would be located within the building and not be visible from the exterior of the building (see attached letter to staff). Staff notes that conditions in this area have not changed; however, the applicant has failed to construct a loading bay that may accommodate the large trucks that deliver its supplies on a monthly basis. Rather than support the applicant's request to make further short-term modifications to its operations, staff recommends that the applicant's request be denied, and that he construct, as he proposed in his original application, a loading dock that will accommodate the delivery trucks he anticipates and has access that will be assured in the future.

Staff recommends approval of the applicant's request to amend its hours of operation but denial of its request to allow loading operations, and a dumpster, to be located outside the building.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 No objections or additional recommendations
- R-1 T&ES recommendations from SUP #99-0057 shall be brought forward to the current application.

Code Enforcement:

- F-1 No comment.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 This facility is currently operating as Gold Crust Bakery under #01-16F-1186-1, issued to Gold Crust Bakery, Inc.
- C-3 Five set of plans are to be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-4 Approval must be obtained prior to use of the modified areas.
- C-5 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-6 A Certified Food Manager must be on duty during all hours of operation.

- C-7 A reinforced concrete pad will be required for the outside refuse container. The lids to the container must be tight-fitting and vermin proof.
- C-8 There are no objections to the proposed change in hours of operation.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the business.
- R-2 Recommend a robbery awareness program for all employees.
- F-3 The applicant is not seeking an A.B.C. permit. The Police Department concurs with this.

APPLICATION for SPECIAL USE PERMIT # 2001-0040

[must use black ink or type]

PROPERTY LOCATION: 501 East Monroe Ave. Alexandria, VA 22301

TAX MAP REFERENCE: 044.01 ZONE: _____

APPLICANT Name: Paul Christou and/or Nausika Christou Lyubinsky

Address: 1808 Old Meadow Rd, #1008 McLean, VA 22102

PROPERTY OWNER Name: Paul Christou

Address: 1201 S. Eads Street #401 Arlington, VA 22202

PROPOSED USE: wholesale bakery including Retail Component
GOLD CRUST BAKING Co. amendments to change
hours of operation

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

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) 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 Planning Commission or City Council in the course of public hearings 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.

Nausika Christou Lyubinsky
Print Name of Applicant or Agent

501 East Monroe Ave.
Mailing/Street Address

Alexandria, VA 22301
City and State Zip Code

Nausika Christou Lyubinsky
Signature
703-549-0420 (bakery)
703.963.0924 801.459.0341
Telephone # Fax #

March 26, 2001
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

2001-0040

Special Use Permit # 99-0057

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

1. The applicant is (check one) ☒ the Owner ☐ Contract Purchaser
☐ Lessee or ☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Paul Christou 70% 1201 S. Eads St. #401 Arlington, VA 22202

Chris Christou 15% 1201 S. Eads St. #401 Arlington, VA 22202

Nausika Christou Lyubinsky 15%, 1808 Old Meadow Rd, McLean, VA
Unit #1008

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- ☐ Yes. Provide proof of current City business license
☒ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

The nature of our request is to change two components of our existing Special Use Permit # 99-0057. We would like to change our hours of operation from: Sunday - Friday 9am to 7pm to Sunday - Saturday 7am - Midnight. (production and retail will begin at 7am with production ending at ^{7:00 p.m. (P.C.)} ~~8pm~~ and retail shutting down at 7pm. A cleaning crew will be working daily from 6pm - midnight). Although we would like to be open 7 days a week it is too soon to tell if we will need to be open 7 days a week. At this point we would like to not be in production one day, but our retail shop will be. Secondly, Since we 1st submitted our SUP application and have been approved, we have signed a lease agreement with Dominion Virginia Power Company for the use of their property (labeled #6 on the Alex, VA Assessment map) for the sole purpose of gaining access to our building from the back using the loading ramp located on their property and into our building. This will be used for loading and unloading and will relieve the traffic on Leslie and will allow our employees to park in back of the building. With this new situation we have developed w/ the Dominion Virginia Power Company we would like to request that our SUP allow us to place a dumpster (like our neighbors) on the property which will not be noticeable from Leslie and Monroe Avenues.

2001-0040

Special Use Permit # 99-0057

USE CHARACTERISTICS

4. The proposed special use permit request is for: (check one)

- ☐ a new use requiring a special use permit,
☐ a development special use permit,
☐ an expansion or change to an existing use without a special use permit,
☒ expansion or change to an existing use with a special use permit,
☐ other. Please describe: _____

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

50-100 Walk-in Customers

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

6-10 Employees/Staff

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

Day:

Hours:

Sunday - Saturday (Hrs. of Operation
Production/Retail Operation)

7 a.m. - 7 p.m. (P.C.)
7 a.m. - 8 p.m. Production

7 a.m. - 7 p.m. Retail

6 p.m. - midnight Cleaning

Sunday - Saturday (Delivery
+ pick-up)

5 a.m. - 8 a.m.

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

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

No noise from mechanical equipment will be heard
outside the building.

B. How will the noise from patrons be controlled?

10% of Business will come from walk-in patrons
to retail shop. Business will be conducted in a
professional manner, noise will be minimal.

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

No disturbing odors will be emanating from proposed 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?

The only trash and garbage generated by use will be paper
and cardboard, no glass but some/minimum plastic. We have arranged
for recycling and trash pick-up for twice a week.

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

Approximately 6 yards per week.

C. How often will trash be collected?

Twice per week. We would like to have dumpster located
outside in back of building, not noticable from Leslie ave or
Monroe ave.

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

We will be subcontracting landscaping/atdoor maintenance,
once a week.

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

☐ Yes. ☒ No.

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

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

☐ Yes. ☒ No.

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

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

Employees governed by OSHA standards for baking industry.
Training and safety seminars will be conducted twice
a year. Rebil Shop will have professional, welcoming
atmosphere.

ALCOHOL SALES

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

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

There is ample off-street parking, however since we rent property in back (VA Power Co.) it will allow us to parking (during business hrs) into back and relieve the use

- B. How many parking spaces of each type are provided for the proposed use: on Leslie Ave.

_____ Standard spaces

_____ Compact spaces

N/A

_____ Handicapped accessible spaces.

_____ Other.

- C. Where is required parking located? ☐ on-site ☒ off-site (check one)

If the required parking will be located off-site, where will it be located:

Street parking and in back of building for employees & deliveries.

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

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

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? _____

- B. How many loading spaces are available for the use? Drive-in loading ramp located in back of building to accommodate 3 step vans and trailers.

- C. Where are off-street loading facilities located? _____

No off-street loading, all loading & unloading will take place in back of building and will be done using the ramp (existing) from the property we rent from Dominion, VA Power Company.

D. During what hours of the day do you expect loading/unloading operations to occur?

Between 5am to 8am

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

Loading for deliveries: 5am - 7am 4 trucks / 1 time / day.

Unloading from Vendors/Suppliers: Once every 2 weeks during
hours of operation.

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?

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?

10,000 sq. ft. (existing) + 0 sq. ft. (addition if any) = 10,000 sq. ft. (total)

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

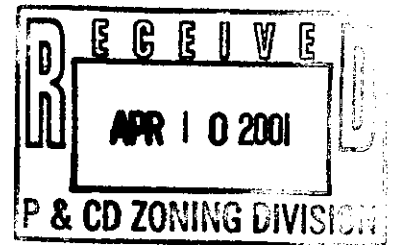
☐ a stand alone building ☐ a house located in a residential zone ☐ a warehouse

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

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

☒ other, please describe: 1/3 of stand alone building

SUP 2001-0040



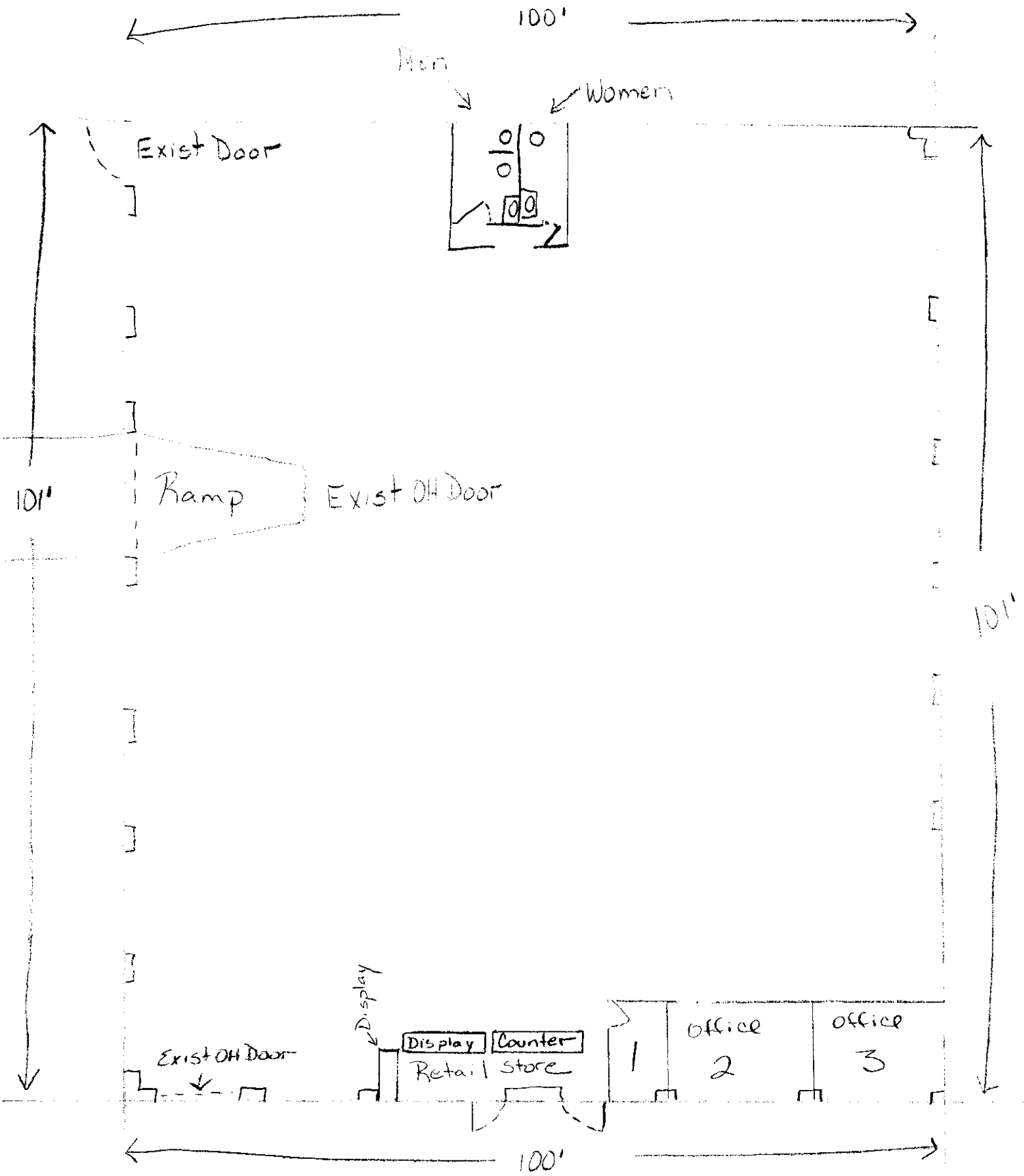
MEMORANDUM

TO: Department of Planning and Zoning
FROM: Gold Crust Baking Co., Inc.
DATE: April 10, 2001
RE: SUP #99-0057
Loading Dock

It has recently come to our attention that we may not meet the loading and unloading requirements set forth by the Department of Planning and Zoning's letter dated May 11, 2000 stating, that all loading and unloading must take place completely within the building.

We would like an amendment to this requirement that will allow some loading and unloading to take place outside. Since a loading bay on the Leslie Avenue frontage would be cost prohibitive to build, we have signed a lease agreement with Dominion Virginia Power for the use of their easement to cross their property on the back of ours and use the loading bay already existing in our building. Although we understand that this may be a short term solution this will allow us to not only save on the cost associated with building a loading bay on Leslie Ave., but will also relieve the traffic on Leslie Ave. We feel very comfortable and confident with these decisions. Since we do not have control over the size of the trucks that will be delivering ingredients to our site or delivering our products out, it may not be possible for them to drive the trucks into our building, which will require them to unload outside the building, but directly up to the bay. This will in no way disrupt any traffic since there is no traffic in the back of our building and the property is private. We believe that 80 % of the trucks will need to unload outside the building. These trucks are the deliveries that come once a month (Sysco and Lentz Milling Company, which are national suppliers). Our trucks that we will be using to deliver our products are smaller will be able to load inside our building.

If you have any questions please contact Nausika Lyubinsky at 703.549.0420.



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SUP 2001-0040

2001-0040



City of Alexandria, Virginia

DEPARTMENT OF PLANNING AND ZONING

301 King Street, Room 2100

Alexandria, Virginia 22314

(703) 838-4666

FAX (703) 838-6393



May 11, 2000

VIA FACSIMILE AND REGULAR MAIL

Mr. Paul Christou

2042 Chadds Ford Drive

Reston, Virginia 20191

Re: SUP #99-0057

Dear Mr. Christou:

This will confirm the discussion we had in our offices yesterday regarding the bakery approved under the above special use permit for 501 East Monroe Avenue. The permit was approved by City Council on September 18, 1999, with the following requirements:

- All loading and unloading must take place completely within the building: no trucks may be parked outside the building or on the right of way, including during loading and unloading activities. See Conditions 6 and 7 and paragraph 8 of report and paragraph 16C of application.
- Dumpsters will be located within the loading bay and will not be noticeable from the outside of the building. Paragraph 10C of application.
- The bakery must include a retail component. This is a requirement of the CSI zone. Without a retail outlet, the bakery use is not permitted.

We signed off on your initial building permit plans to renovate the building because they were consistent with the proposal as approved by City Council and specifically included the above required elements. You now seek to change the building plans in a way that affects each of the above elements.

Loading and Unloading

You have explained that to build a loading bay on the Leslie Avenue frontage is cost prohibitive; instead you propose to build the loading bay on the back side of the building and have trucks enter it by way of the Virginia Power land behind the building, using the Virginia Power easement to cross the property next to yours on Leslie Avenue. Given the radical changes expected in this part of the

City in the future, we are concerned that access to the new loading bay location will not remain viable. Even if you are able to conform to the above requirements regarding loading in the short term, you will be required to build a different loading bay or make other arrangements in the future in order to comply with the existing Council approval. If you wish to proceed now with the new loading bay location, knowing that a change will be necessary in the future, we can allow that, but you must at all times have all trucks located within the building. .

Garbage and trash pick up

We did not discuss this issue yesterday, but your SUP approval requires that all dumpsters be located in the building and that garbage pick up occur from the loading bay. You will not be permitted to locate your dumpsters outside the building.

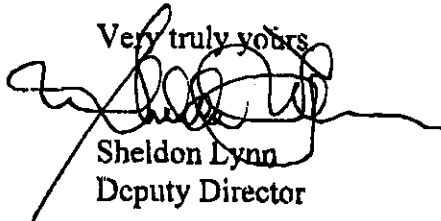
Retail store

The new building plans show no retail store whatsoever. You indicated to us that it will be located by a door on Monroe Street, instead of its original location on Leslie Avenue. You must revise your plans to show the new location before we will approve them. In addition, you must make the retail store a significant feature of the operation. Given the grade change and the difficult access at the new location, it will be important to include signage showing where the retail store is located so that the public is aware of it.

If you wish to change any of the Council requirements the bakery building, you must apply for an amendment to your SUP.

If you agree with each of the above points, we will allow the change to your original plans. Please indicate your agreement by signing below.

Very truly yours

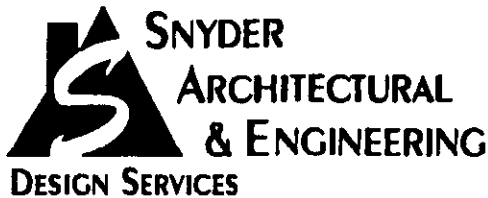


Sheldon Lynn
Deputy Director

Agreed:



Paul Christou Date



SUP 2001-0040

11 May 2000

City of Alexandria
Department of Planning & Zoning
310 King Street
Room 2100
Alexandria, Virginia 22314

Attn: Ms. Barbara Ross

Re: Gold Crust Bakery
501 E. Monroe Street

SUP #99-0057

Dear Ms. Ross,

We have worked extensively with Paul and Chris Christou for the last month to coordinate the construction effort at the referenced site. The revised plans as submitted were the result of extensive coordination with the Christou's, the General Contractor and all of the trades in regard to available utilities and internal procedures within the bakery operation.

As we understand the items that require further clarification, as to procedures within the operation of the bakery, have been listed below. All of the following clarifications have been thoroughly discussed and approved by the Chrisou's prior to sending this letter.

- All loading and unloading will take place completely within the building. All truck access will be through the rear of the building as indicated on the revised plans.
- Dumpster will be located within the building and not visible from the exterior.
- The bakery will have a retail area with public access from the sidewalk. The interior area will be defined with mobile bakery carts. The patrons will make their selections directly from the carts and pay at the cashiers window. A plan delineating the retail area is attached.
- Due to the nature of the time-sensitive nature of the bakery business, it is crucial to schedule all outside deliveries and in-coming delivery drop-offs. There will never be more than one truck on-site at any time and upon arrival will immediately proceed to the delivery entrance within the building. There will be no street parking of commercial vehicles.

Page 2
Gold Crust Bakery
5/1/00

Please feel free to call at any time to discuss these or any other issues that need to be resolved or clarified.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia M. Snyder', written in a cursive style.

Patricia M. Snyder
Principal Designer

cc: Paul Christou
Chris Christou

THE DEL RAY CITIZENS ASSOCIATION

P.O. BOX 2233

ALEXANDRIA, VIRGINIA 22301

ESTABLISHED 1954

To: Honorable Members of City Council
Members of Alexandria Planning Commission
Eileen Fogarty, Director, Office of Planning and Zoning

From: Amy Slack, Land Use Committee Co-Chair
Stephanie Sechrist, Land Use Committee Co-Chair
Bill Hendrickson, President

Date: May 23, 2001

Subject: SUP# 2001-0040, Gold Crust Bakery at 501 East Monroe Avenue. Request to change hours of operation.

The applicant attended the DRCA Land Use Committee meeting on April 11 and presented the application to the committee. The applicant seeks to change the hours of the retail component of their business from Sunday-Friday 9am until 7pm to 7 days a week 7am until 7pm. In addition, they have arranged for access to the rear of the building for use in loading, deliveries, and employee parking thus allaying staff's concern with the parking reduction request in their original SUP.

The Land Use Committee, voted to recommend support with the following conditions:

- That retail hours of 7am to 7pm be granted. While we recognize the applicant's need to performing cleaning and maintenance chores after closing, we do not see the extended hours of operation until midnight as necessary to do so.
- In addition, any condition set by staff.

At their meeting on April 17, Executive Committees voted to *support the SUP as recommended by Land Use.*

The general membership voted in confidence of the Land Use Committee decision at the regular May meeting.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Stephanie Sechrist at 703-548-0536 and President Bill Hendrickson at 703-549-7365 (days), 703-519-9410 (evenings).

APPLICATION for SPECIAL USE PERMIT # 2001-0040

[must use black ink or type]

PROPERTY LOCATION: 501 East Monroe Ave. Alexandria, VA 22301

TAX MAP REFERENCE: 044.01 ZONE: _____

APPLICANT Name: Paul Christou and/or Nausika Christou Lyubinsky

Address: 1808 Old Meadow Rd., #1008 McLean, VA 22102

PROPERTY OWNER Name: Paul Christou

Address: 1201 S. Eads Street #401 Arlington, VA 22202

PROPOSED USE: wholesale bakery including Retail Component
including BAKING & DELIVERY - to change
to 11-207(A)(10)

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

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) 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 Planning Commission or City Council in the course of public hearings 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.

Nausika Christou Lyubinsky
Print Name of Applicant or Agent

501 East Monroe Ave.
Mailing/Street Address

Alexandria, VA 22301
City and State Zip Code

Nausika Christou Lyubinsky
Signature
703-549-0420 (bakery)
703.963.0924 801.459.0341
Telephone # Fax #

March 26, 2001
Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

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

ACTION - PLANNING COMMISSION: 6/5/01 Recommend Approval 7-0

ACTION - CITY COUNCIL: 6/16/01PH -- CC approved the Planning Commission recommendation.