

EXHIBIT NO. 1

17
12-16-00

Docket Item #13
SPECIAL USE PERMIT #2000-0121

Planning Commission Meeting
December 5, 2000

ISSUE: Consideration of a request for a special use permit for expansion of a restaurant.

APPLICANT: Bhavana Inc.
by Fausto R. Bayonet for the Heiserman Group LLC

LOCATION: 3050 Duke Street
Dunkin Donuts

ZONE: CG/Commercial general

PLANNING COMMISSION ACTION, DECEMBER 5, 2000: On a motion by Mr. Robinson, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Condition #22. The motion carried on a vote of 6 to 1. Mr. Leibach voted against the motion.

Reason: The Planning Commission agreed with the staff analysis as to its recommendation for a monument sign but recommended that the applicant not be required to install the sign until the streetscape standards described by staff have been adopted.

Speakers:

Fausto Bayonet, agent for the applicant, spoke.

Rich Porterfield, representing the franchiser, stated that they object to the proposed monument sign. He asked for equal treatment regarding the signage and stated that the applicant may not go forward with the proposed expansion if they were required to replace the existing sign with a monument sign. As to the new condition, Mr. Porterfield could not agree prior to seeing the actual standards that would be imposed.

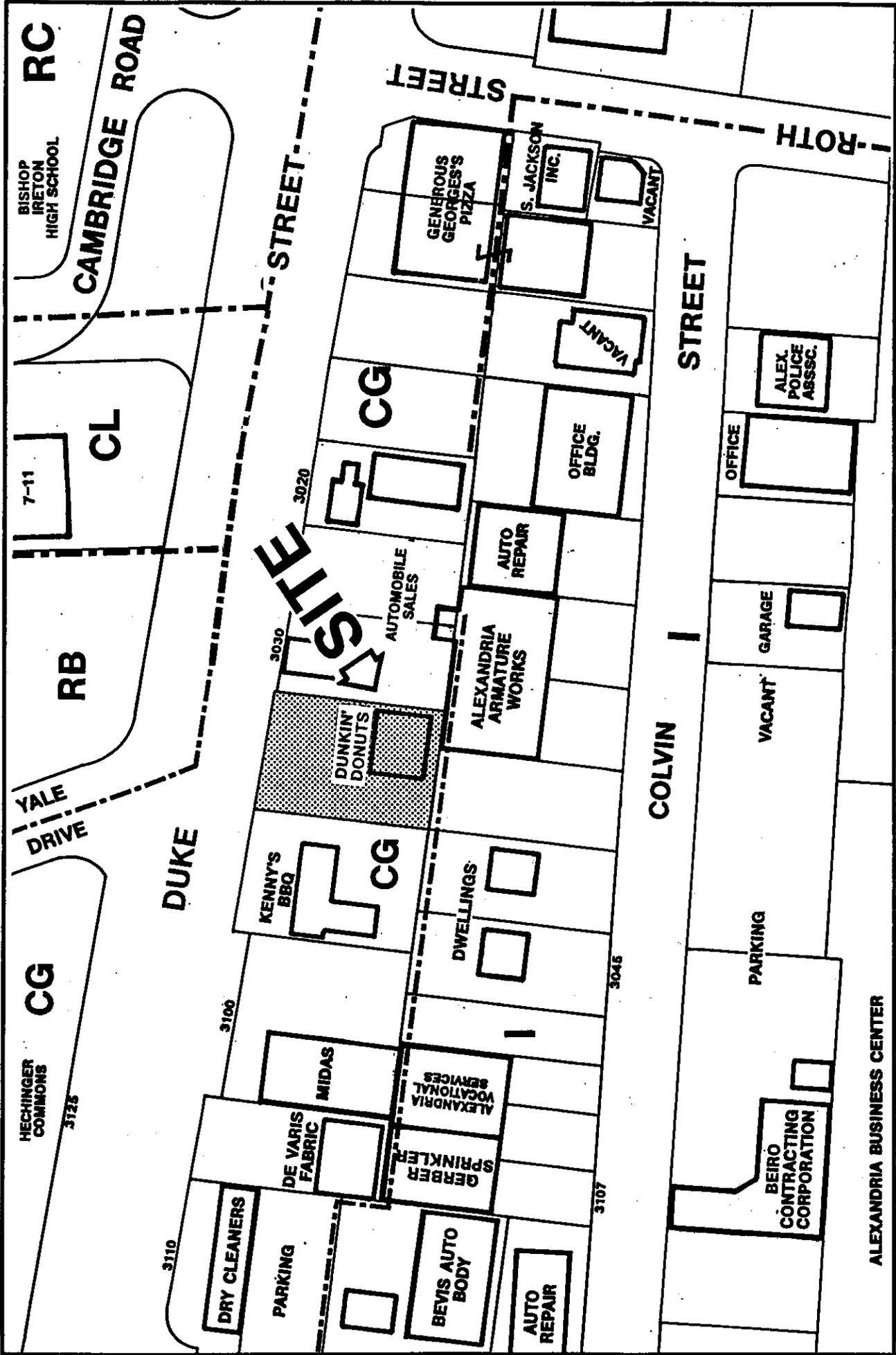
PLANNING COMMISSION ACTION, NOVEMBER 9, 2000: By unanimous consent, the Planning Commission deferred the request.

Reason: The Planning Commission deferred the applicant's request in order to give it the opportunity to meet with staff regarding options for the applicant's sign.

Speakers:

Fausto Bayonet, agent for the applicant, spoke.

Rich Porterfield, representing the franchiser, stated that they had no objections to the majority of the staff recommendations but did object to Condition #22 requiring the applicant to install a monument sign. He expressed concern about the lack of visibility of the business given the setback of the building from Duke Street and believed that the monument sign would not provide enough visibility as they need.



12/5/00

SUP #2000-0121

ALEXANDRIA BUSINESS CENTER



STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. Seating shall be provided for no more than 32 patrons. (P&Z)
3. No outside dining facilities shall be located on the premises. (P&Z)
4. No live entertainment shall be provided at the restaurant. (P&Z)
5. The restaurant is permitted to operate 24 hours a day. (P&Z)
6. No alcohol sales are permitted. (P&Z)
7. No pay telephones shall be installed on site. (P&Z)
8. No food, beverages, or other material shall be stored outside. (P&Z)
9. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z)
10. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)
11. The applicant shall install at least one trash container within the restaurant for customers' use. (P&Z)
12. The applicant shall obtain, at its expense, one City trash container model 2701-SP for installation on the adjacent public right-of-way and shall contact the T&ES Solid Waste Division at (703)751-5130 for information. (T&ES)(P&Z)

13. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
14. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
15. No amplified sound shall be audible at the property line. (P&Z)
16. The applicant shall require that its employees who drive to work use off-street parking. (P&Z)
17. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and a robbery awareness program for all employees prior to the completion of renovations. (Police)
18. A minimum of two foot candles of lighting shall be maintained in the parking lot. (Police)
19. All lighting shall be directed downward and shall be screened at the sides to avoid glare on the street and on adjacent properties and public rights-of-way to the satisfaction of the Director of Planning and Zoning. (P&Z)
20. The dumpster shall be screened with a solid wood fence and shall be maintained in good condition. (P&Z)
21. The applicant shall install and maintain landscaping along the Duke Street frontage of the property as depicted on staff's plan to the satisfaction of the Director of Planning and Zoning and the City Arborist. All landscaping shall be installed by November 18, 2001. (P&Z)
22. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall ~~remove~~ may retain the existing noncomplying sign until the City adopts streetscape standards and design guidelines for Duke Street that incorporate a new approach for signage at this location. ~~The applicant shall remove the existing sign~~ and replace it with a monument sign ~~not to exceed 21 square feet~~ consistent with the guidelines within six months of their adoption. ~~(P&Z)~~ **(PC)**

23. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (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)

Staff Notes: 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 applicant, Bhavana Inc., by Fausto R. Bayonet for the Heiserman Group LLC, requests special use permit approval to expand an existing restaurant located at 3050 Duke Street.
2. The subject property is one lot of record with approximately 75 feet of frontage on Duke Street, approximately 99 feet of depth and a total lot area of approximately 7,461 square feet. The site is developed with a one story building and 12 parking spaces.

To the north across Duke Street is 7-11 convenience store. To the south is warehouse buildings. To the east is an automobile sales business operated by Mr. Shaker. To the west is Kenny's Barbecue restaurant.

3. On November 18, 1978, City Council granted Special Use Permit #1212 to Danish, Inc., t/a Mister Donut, for the operation of a restaurant. The restaurant was approved by Council to operate 24 hours a day and to provide a total of 32 seats.
4. The applicant has filed an application to expand the restaurant now known as Dunkin Donuts. As part of its plans, the applicant proposes to construct an approximately 250 square foot addition at the front of the restaurant and to provide a total of 30 seats. The applicant also proposes to construct a 55 square foot vestibule at the entrance of the restaurant. A walk-up window is proposed along the eastern side of the building (see attached plans).
5. No other changes are proposed to the operation of the restaurant.
6. The applicant estimates that the number of patrons will increase from 2,800 to 3,000 per week, with about 65 percent of patrons visiting the restaurant between 6:00 a.m. and 11:00 a.m.
7. A total of nine employees will operate the restaurant daily, in three shifts as follows: four employees from 6:00 a.m. to 3:00 p.m.; two employees from 3:00 p.m. to 12:00 Midnight; and three employees from 2:00 a.m. to 6:00 a.m.
8. Food waste and paper cups will constitute the majority of the garbage generated by the restaurant. The applicant states that garbage will be stored in its existing dumpster and will be collected weekly.
9. The applicant expects loading and unloading operations to occur between the hours of 10:00 a.m. and 1:00 p.m. once a week along the eastern side of the building.

10. Staff has visited the subject property and observed that no landscaping is currently provided. As part of its evaluation of this special use permit request, and others, for business along Duke Street, staff proposes several changes to the site that will greatly improve its appearance and enhance the streetscape along this portion of Duke Street:

Landscaping

Unlike many other properties on Duke Street that have insufficient width or are adjacent to narrow public rights-of-way, staff believes that there is room along Duke Street in this location to install a significant amount of landscaping. Staff has developed a landscaping plan that depicts the installation of four trees and many shrubs both along Duke Street and the eastern property line (see attached plan). In order to install the proposed landscaping, the applicant must remove some of the existing asphalt, and install a new concrete curb to protect the landscaping from damage caused by patrons' vehicles.

Freestanding sign

Staff has determined that the existing freestanding sign was installed in 1973. The rules for signage changed in 1992 and, as a consequence, freestanding signs are now prohibited unless the lot on which the sign is to be located is at least 100 feet wide at the street frontage. The width of the subject property is approximately 75 feet. Therefore, the existing, 18 foot high sign is a noncomplying use. Staff proposes that the large freestanding sign be removed and replaced with a smaller, monument sign not to exceed 21 square feet (see attached plan). The removal of this sign will greatly reduce the cluttered appearance of this part of the street and will support Council's approval of low, monument signs for the new CVS Drug Store on Duke and North Pickett Streets, at the Cameron Station development, and at the Crown gas station at 4109 Duke Street.

Dumpster screening

During its site inspection, staff observed two unscreened dumpsters that are visible from Duke Street. Staff has consistently recommended that unscreened dumpsters be enclosed and has talked with the applicant regarding the dumpsters. He advised that the restaurant uses only the dumpster closest to the building, and that the other dumpster is used by Kenny's Restaurant. Staff has suggested to him that he coordinate the screening of the dumpsters with Kenny's Restaurant, and told him that staff will also speak to Kenny's Restaurant about this possibility.

11. Zoning: The subject property is located in the CG/Commercial general zone. Section 4-403(Y) of the zoning ordinance allows a restaurant in the CG zone only with a special use permit.

12. Master Plan: The proposed use is consistent with the Taylor Run/Duke Street small area plan chapter of the Master Plan which designates the property for commercial use.

STAFF ANALYSIS:

Staff has no objection to the proposed expansion of the restaurant located at 3050 Duke Street. Staff notes that the expansion is small and does not include an increase in seating. No existing off-street parking will be removed in conjunction with the applicant's plans and the technical parking requirement is met.

Despite the fact that the proposed expansion is small, and that the City has yet to create design guidelines for all the properties in this part of Duke Street, staff has taken the opportunity presented in this application to find design solutions for an unattractive site. As a result of its exercise, staff believes that the case illustrates an important point: that an individual property can be significantly improved with a series of relatively minor site changes.

Therefore staff recommends that the applicant be required to install landscaping as depicted on staff's plan, to remove the existing noncomplying free standing sign and to replace it with a monument sign not to exceed 21 square feet, and to screen its dumpster. Staff approximates the cost of the improvements: \$5,000 for landscaping; \$10 - 15,000 for the new sign and has discussed this issue with the applicant's agent. Staff strongly recommends that these improvements be required and has included conditions to this effect.

The Police recommend that a minimum of two foot candles of lighting be maintained in the parking lot. Given the 24 hour operations of the restaurant, staff supports the recommendation and has included it as a condition. Staff has also included a condition requiring the lighting to be screened so that the lighting does not shine onto Duke Street or other adjacent properties.

STAFF: Barbara Ross, Acting Director, Department of Planning and Zoning; Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 The applicant must comply with the City of Alexandria's Noise Control Code, Chapter 11, Section 5, which sets the maximum permissible noise level as measured at the property line.
- R-1 A condition of the SUP require the following: The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-2 A condition of the SUP require the following: Kitchen equipment shall not be cleaned outside nor shall any cooking residue or other waste be washed into the streets, alleys, sidewalks or storm sewers.
- R-3 The applicant shall obtain, at their expense, one City trash container model 2701-sp, for installation on the adjacent right-of-way.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A fire prevention code permit is required for the proposed operation due to change in occupant load. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Four sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-5 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.

- C-6 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-7 A rodent control plan shall be submitted to this office for review and approval. This plan shall include the following components:
- (a) Trash storage, control and removal measures.
 - (b) Foodstuff storage
 - (c) Rodent baiting

Health Department:

- F-1 No objections to addition of six seats.

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. This is to be completed prior to the completion of the renovations.
- R-2 Robbery awareness program for all employees.
- R-3 The lighting on the parking lot is to be a minimum of 2.0 foot candles minimum maintained.

APPLICATION for SPECIAL USE PERMIT # 2000-0121

[must use black ink or type]

PROPERTY LOCATION: 3050 DUKE ST., ALEXANDRIA, VA 22314

TAX MAP REFERENCE: 61.04-01-14 ZONE: CG

APPLICANT Name: Bhavana Inc.
~~FAUSTO R. BAYONET FOR THE HEISERMAN GROUP, LLC~~
(agent)

Address: 4905 MONTGOMERY LANE, BETHESDA, MD 20814

PROPERTY OWNER Name: ISABEL M. TABER

Address: 2627 FAIRVIEW DRIVE
ALEXANDRIA, VA 22306-6406

PROPOSED USE: RESTAURANT (Dunkin Donuts)

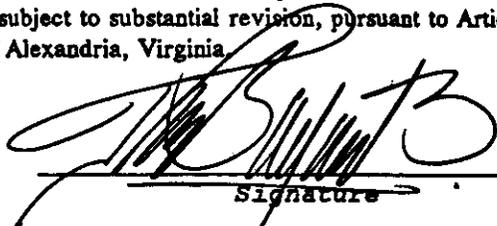
building expansion and additional
in door seats

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.

FAUSTO R. BAYONET
Print Name of Applicant or Agent


Signature

4905 MONTGOMERY LANE
Mailing/Street Address

(301) 654-4301 (301) 454-5191
Telephone # Fax #

BETHESDA, MD 20814
City and State zip Code

Date

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

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

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

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: AGENT / ARCHITECT of the subject property.
FOR LESSEE

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.

SATASIYA MITESH AND AMITA PATEL (HUSBAND AND WIFE)
OF 119 NORMANDY HILLS DRIVE, ALEXANDRIA, VA 22314 WITH 49%
OF OWNERSHIP OF BHAYANA, INC., AND MEHUL PATEL OF
208 NORTH FURMAN STREET, ALEXANDRIA, VA 22304 WITH 51%

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)

REQUEST FOR THE RENOVATION AND ADDITION TO AN EXISTING DUNKIN DONUTS SHOP. THE ADDITION WILL CONSIST OF 250 SQUARE FEET ADDED TO THE PATRON / SALES AREA IN ORDER TO INCREASE THE NUMBER OF SEATS BY 6, FROM 24 TO 30. IT WILL ALSO ADD A 55 SQ. FT. VESTIBULE ON THE FRONT OF THE BUILDING.

THE NUMBER OF PARKING SPACES WILL REMAIN UNCHANGED. THE ADDED AREA WILL BE COVERED BY EXPANDING THE EXISTING ROOF. A WALK-UP WINDOW WILL BE ADDED TO THE RIGHT SIDE OF BUILDING FOR SECURITY REASONS.

THE HOURS OF OPERATION WILL REMAIN 24 HOURS A DAY. THE ESTIMATED NUMBER OF PATRONS IS EXPECTED TO BE FROM 2,800 TO 3,000 PER WEEK WITH ABOUT 65% OF THEM VISITING BETWEEN THE PEAK HOURS OF 6:00 TO 11:00 AM.

THE NUMBER OF EMPLOYEES WILL BE 9, WITH 4 OF THEM WORKING THE 6:00 AM TO 3:00 PM SHIFT; 2 IN THE 3:00 PM TO 12:00 AM SHIFT; AND 3 EMPLOYEES WORKING FROM 2:00 AM TO 6:00.

MOST EMPLOYEES WALK OR TAKE A BUS TO WORK. THE BUSINESS PROVIDES PARKING TO THOSE EMPLOYEES WHO DRIVE. THE TOTAL NUMBER OF PARKING SPACES PROVIDED WILL BE 12; 8 FOR PATRONS, INCLUDING 2 HANDICAPPED, AND 3 FOR EMPLOYEES.

3.. THE NATURE AND USE OF THE BUSINESS WILL NOT GENERATE ANY MAJOR TYPE OF NOISE. NO ALCOHOLIC DRINKS WILL BE SERVED AT THE PREMISES.

TRASH COLLECTION WILL TAKE PLACE ONCE A WEEK. THERE WILL BE 2 TRASH DUMPSTERS / BINS AND A TRASH CAN INSIDE THE BUILDING BY THE EXIT DOOR AND ANOTHER OUTSIDE THE BUILDING.

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).

2,100 TO 3,000 PER WEEK, WITH 60-65% DURING THE PEAK HOURS (6:00 AM / 11:00 AM.)

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift). 9 EMPLOYEES PLUS THE OWNERS (2)

6:00 AM TO 3:00 PM - 4 EMPLOYEES
3:00 PM TO 12:00 AM - 2 "
2:00 AM TO 6:00 AM - 3 "

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

Day:

Hours:

MONDAY / SUNDAY

24 HOURS

7. Please describe any potential noise emanating from the proposed use: NONE

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

B. How will the noise from patrons be controlled?

THERE WILL NOT BE ANY NOISE

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

THE POTENTIAL ODORS WILL BE FROM COFFEE RESIDUE AND DONUTS.

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?

DONUTS LEFTOVERS, PAPER CUPS, CUPCAKE RESIDUE

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

ABOUT 75% OF DUMPSTERS CAPACITY

C. How often will trash be collected?

ONCE A WEEK

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

THERE WILL BE A TRASH RECEPTACLE ON SITE

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?

- BOCA 1996/1996 VIRGINIA UNIFORM STATEWIDE BUILDING CODE
- 1996 VIRGINIA STATEWIDE FIRE PREVENTION CODE
- OSHA (OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION)

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?

7.5 (1 FOR EVERY 4 SEATS)

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

5 Standard spaces

4 Compact spaces

2 Handicapped accessible spaces.

1 (LOADING) 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:

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

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

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

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? 1

B. How many loading spaces are available for the use? 1 (ONE)

C. Where are off-street loading facilities located? NO

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

10:00 A.M. / 1:00 P.M.

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

ONCE A 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? YES, IT IS 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? 250 square feet.

18. What will the total area occupied by the proposed use be?

1,699.0 sq. ft. (existing) + 250.3 sq. ft. (addition if any) = 1,949 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: _____

RESTAURANT SUPPLEMENTAL APPLICATION

All applicants requesting special use permit approval for restaurants shall complete the following section. Applicants requesting approval of a special use permit for a restaurant in Old Town shall complete the SUPPLEMENTAL INFORMATION FOR RESTAURANTS IN OLD TOWN section and submit the required parking management plan and litter reduction plan.

Please provide the following information:

1. How many seats are proposed?

At tables: 30 ^{NEW OR ADDED} At a bar: 0 Total number proposed: 30

2. Will the restaurant offer any of the following? NO

NO alcoholic beverages NO beer and wine (on-premises)

NO beer and wine (off-premises)

3. Please describe the type of food that will be served:

DONUTS, BAGELS, CUPCAKES (BAKED GOODS)

4. The restaurant will offer the following service (check items that apply):

 table service bar ✓ carry-out delivery

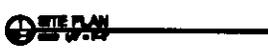
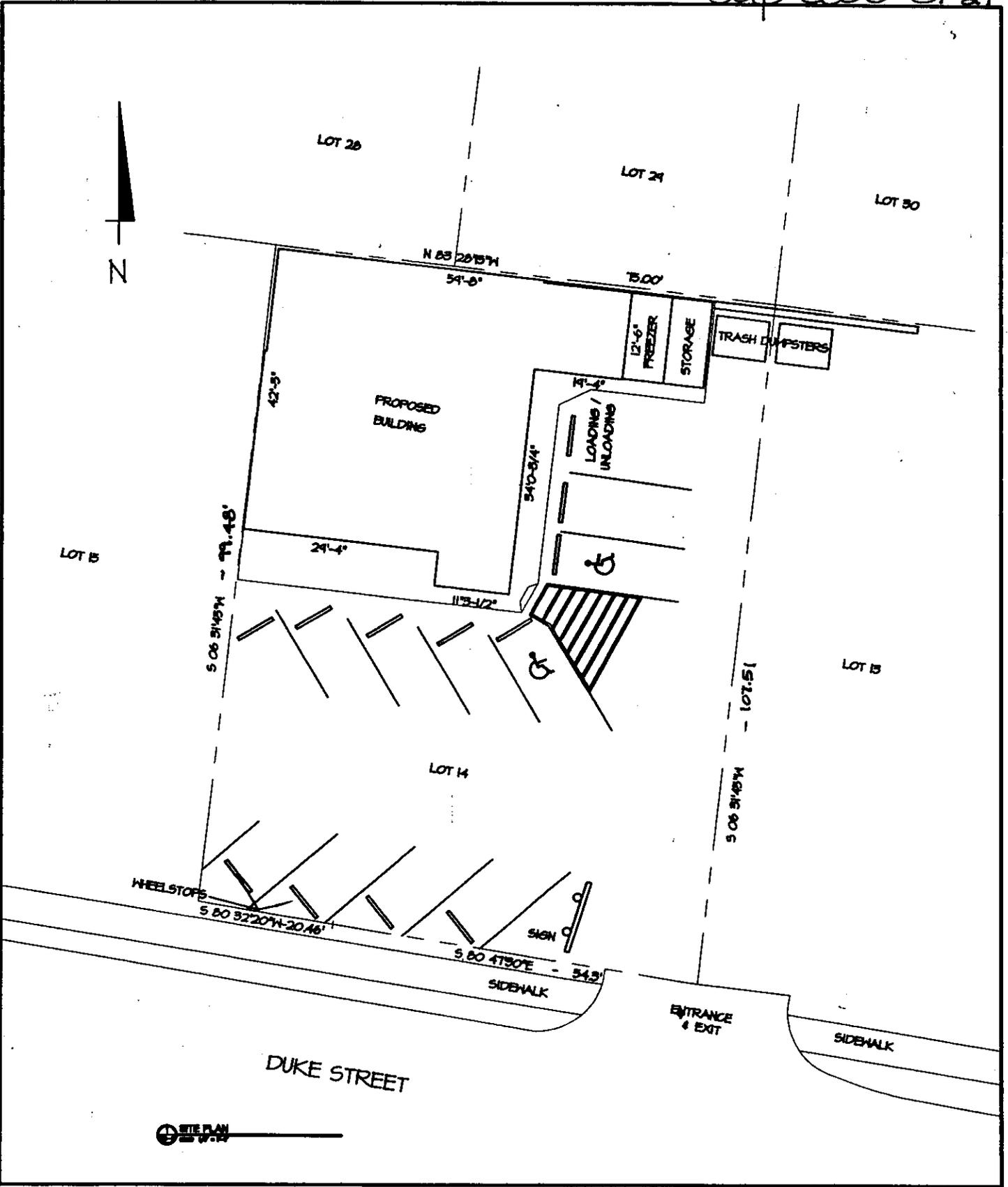
5. If delivery service is proposed, how many vehicles do you anticipate? N/A

Will delivery drivers use their own vehicles? Yes. No.

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)? Yes. ✓ No.

If yes, please describe: _____

Sup 2000-0121

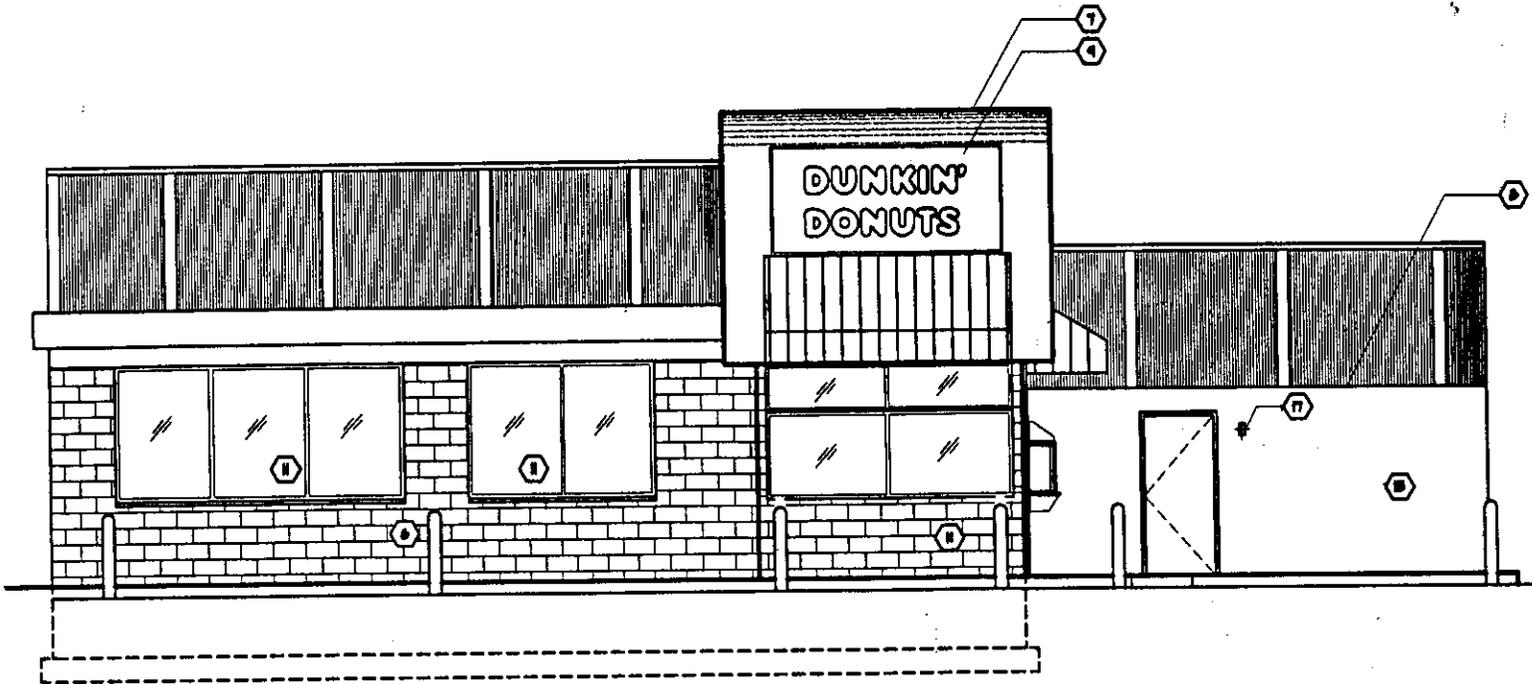


Job Name
DUNKIN DONUTS
 6800 CHASE DR.
 ALBANY, N.Y. 12219

Sheet Description
SITE PLAN

Project # **00-054**
 Scale **1" = 20'**
 Drawn by **PHB**
 Date **SEPT. 21, 2000**

SP



FINISHES LEGEND

- | | |
|----------------------------------|--|
| ① METAL COPING | ⑩ ALUMINUM GUTTER |
| ② RIBBED METAL PANELS | ⑪ CLEAR ANODIZED ALUMINUM STOREFRONT |
| ③ ACCENT TRIM | ⑫ ALUMINUM DOWNSPOUT |
| ④ LIGHT VALANCE (SEE DET. 4/A-B) | ⑬ ROOF METAL LADDER (NOT USED) |
| ⑤ SMOOTH HORIZONTAL METAL PANELS | ⑭ PANEL 15 - TEXTURED ALUMINUM |
| ⑥ EPS/STUCCO FINISH | ⑮ EXC. WALK-IN FREEZER BOX WITH EPS FINISH |
| ⑦ METAL SHROUD | ⑯ SLIDING WALK-UP WINDOW |
| ⑧ AWNING (FABRIC) | ⑰ SECURITY LIGHT |
| ⑨ SIGN FACE BY SIGN VENDOR | |

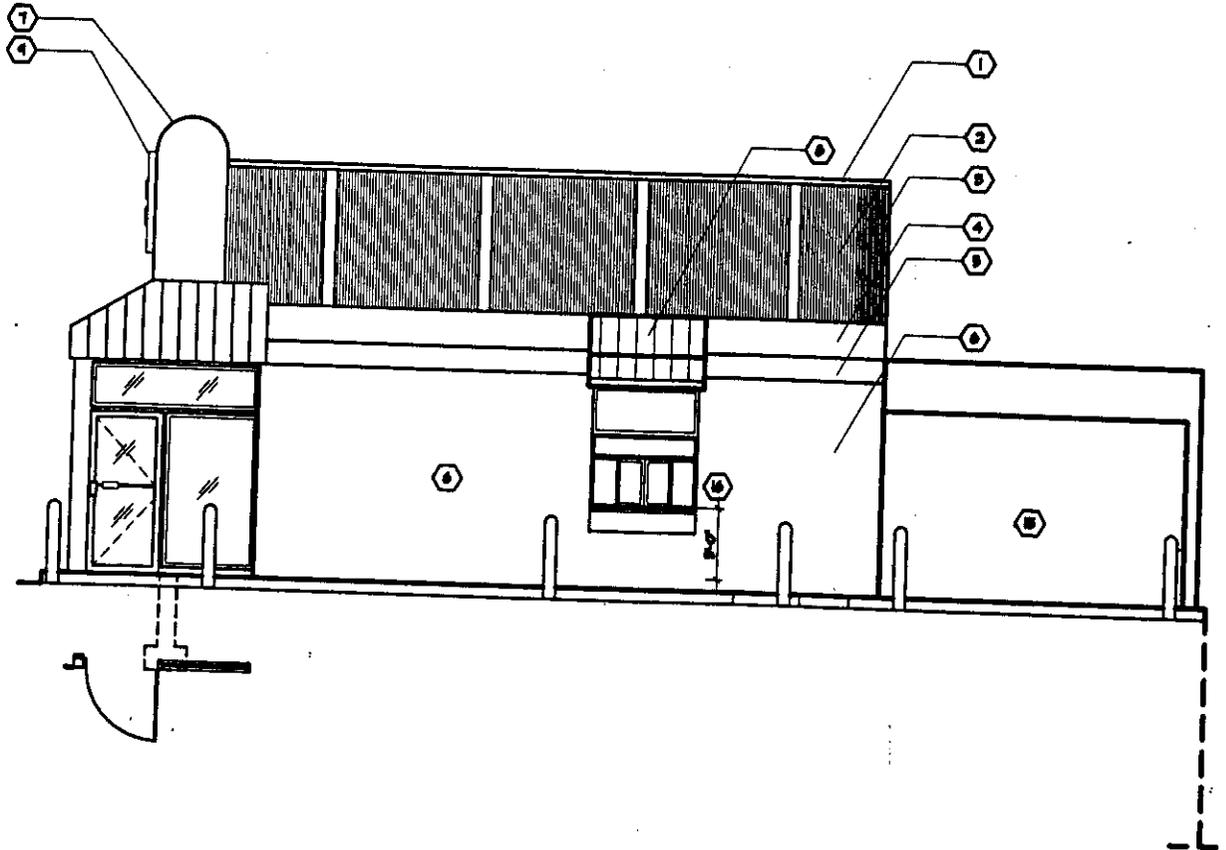


Job Name
**DUNKIN'
 DONUTS
 RESTAURANT
 ALEXANDRIA**
 880-000-00
 ALEXANDRIA

Sheet Description
**PROPOSED
 FRONT
 ELEVATION**

Project # 00-054
 Date 1/8th = 1-01
 Drawn by PFB
 Date 01-21-00

**DD-1
 00-054**

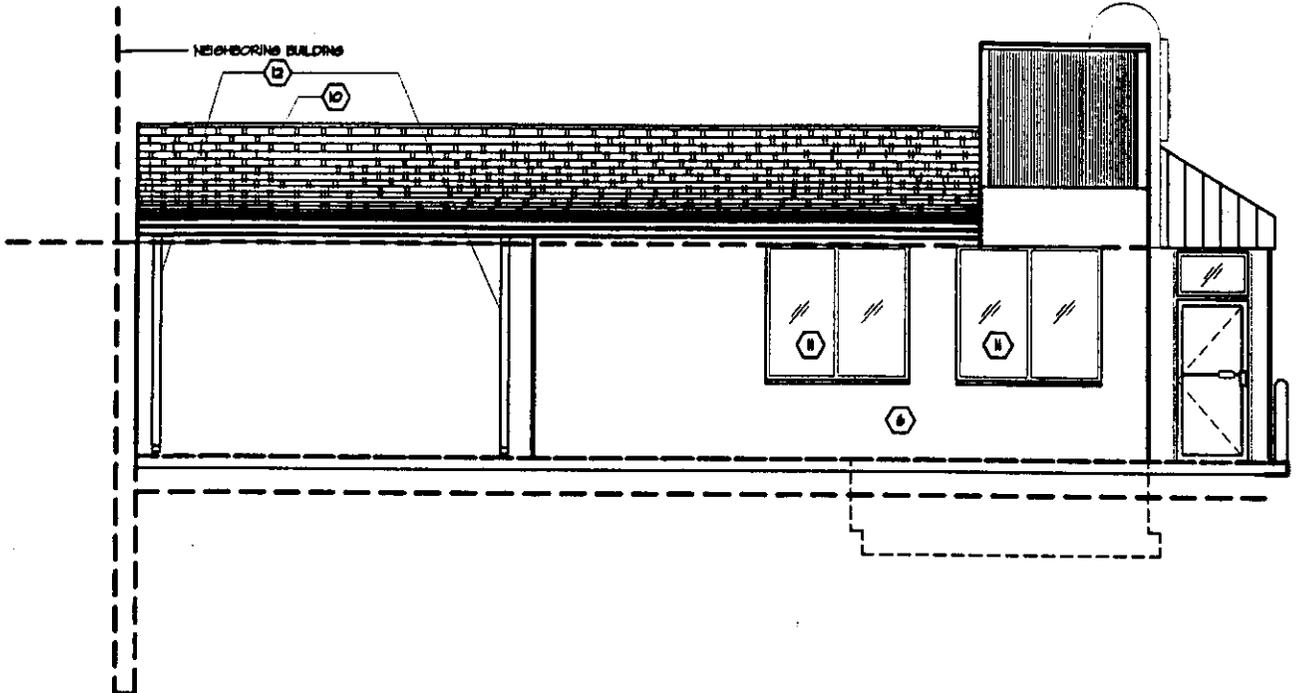


100-0000
**DUNKIN
 DONUTS
 RESTAURANT
 ALEXANDRIA**
 1000-0000-00
 ALEXANDRIA, VA

100-0000
**PROPOSED
 RIGHT-SIDE
 ELEVATION**

Project #	00-054
Scale	1/8" = 1'-0"
Drawn by	PHB
Date	04-21-00

DD-1
00-054



Job Name
**DUNKIN
 DONUTS
 RESTAURANT
 ALEXANDRIA**
 800-CHOC-IT
 ALEXANDRIA, VA

Sheet Description
**PROPOSED
 LEFT-SIDE
 ELEVATION**

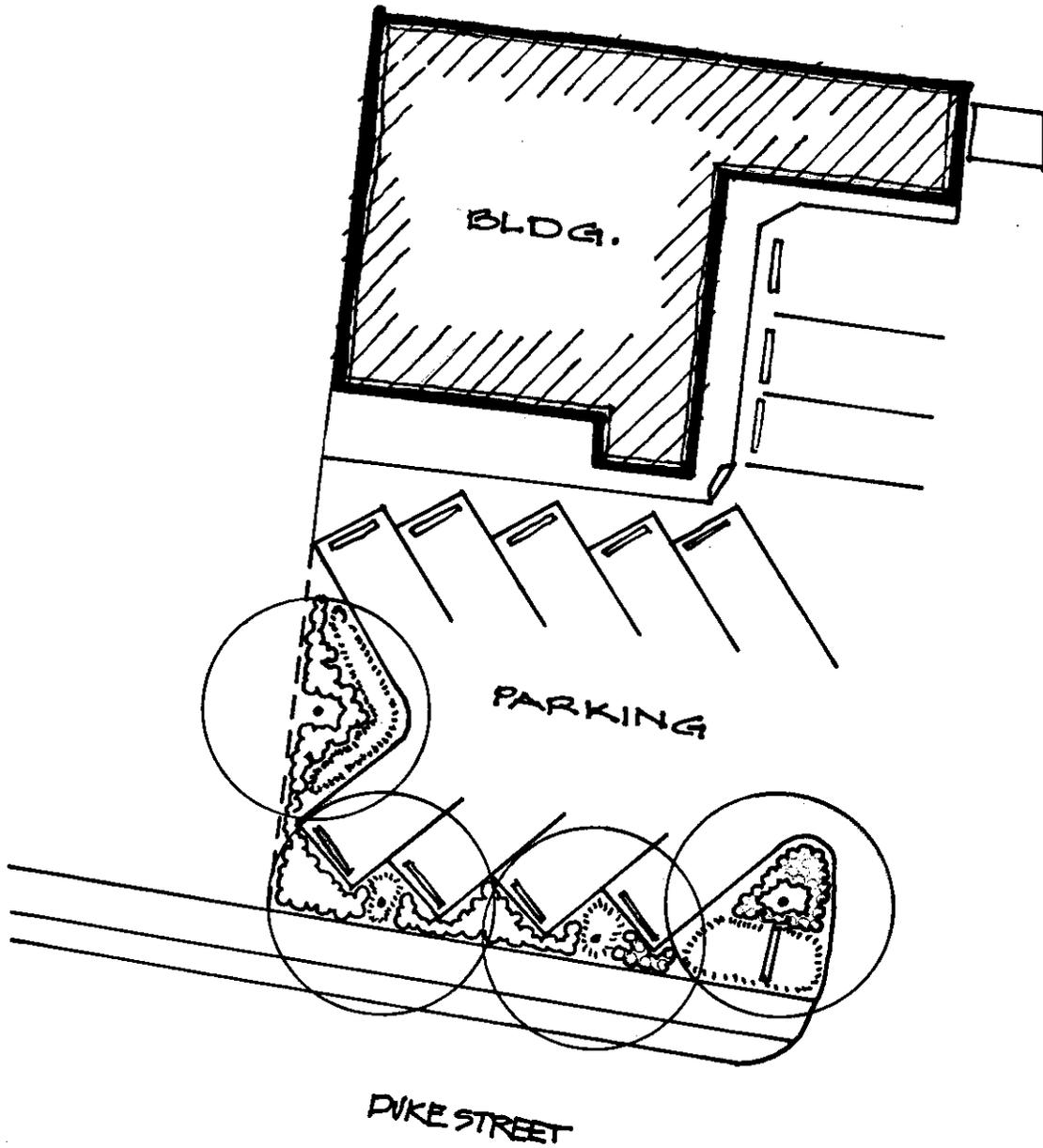
Project # **00-054**
 Scale **1/8" = 1'-0"**
 Drawn by **PPB**
 Date **04-21-00**

DD-1
00-054

**3000 -3200 Southside Duke Street
Heights of Freestanding Signs**

Address	Business	Height of Sign*	
3260 Duke	Mattress Discounters	30 feet	
3250 Duke	Cafe Monti	28 feet	
3240 Duke	Mattress and Carpet Express	23 feet	
3230 Duke	Mattress and Carpetland	22 feet	
3210/3220 Duke	Morgan Bay Cleaners	20 feet 14 ½ feet	
3208 Duke	Desk and Furnishings	13 feet	
3206 Duke	Hadeed Carpet	14 feet	
3148 Duke	Banana Banner	14 ½ feet	
3110 Duke	Care Cleaners	17 feet	
3104 Duke	Devaris Fabrics	15 feet	
3100 Duke	Midas Muffler	15 feet	
3060 Duke	Kenny's BBQ	11 ½ feet	
3050 Duke	Dunkin Doughnuts	18 feet	
3000 Duke	Generous George	25 feet	

* all heights are approximations

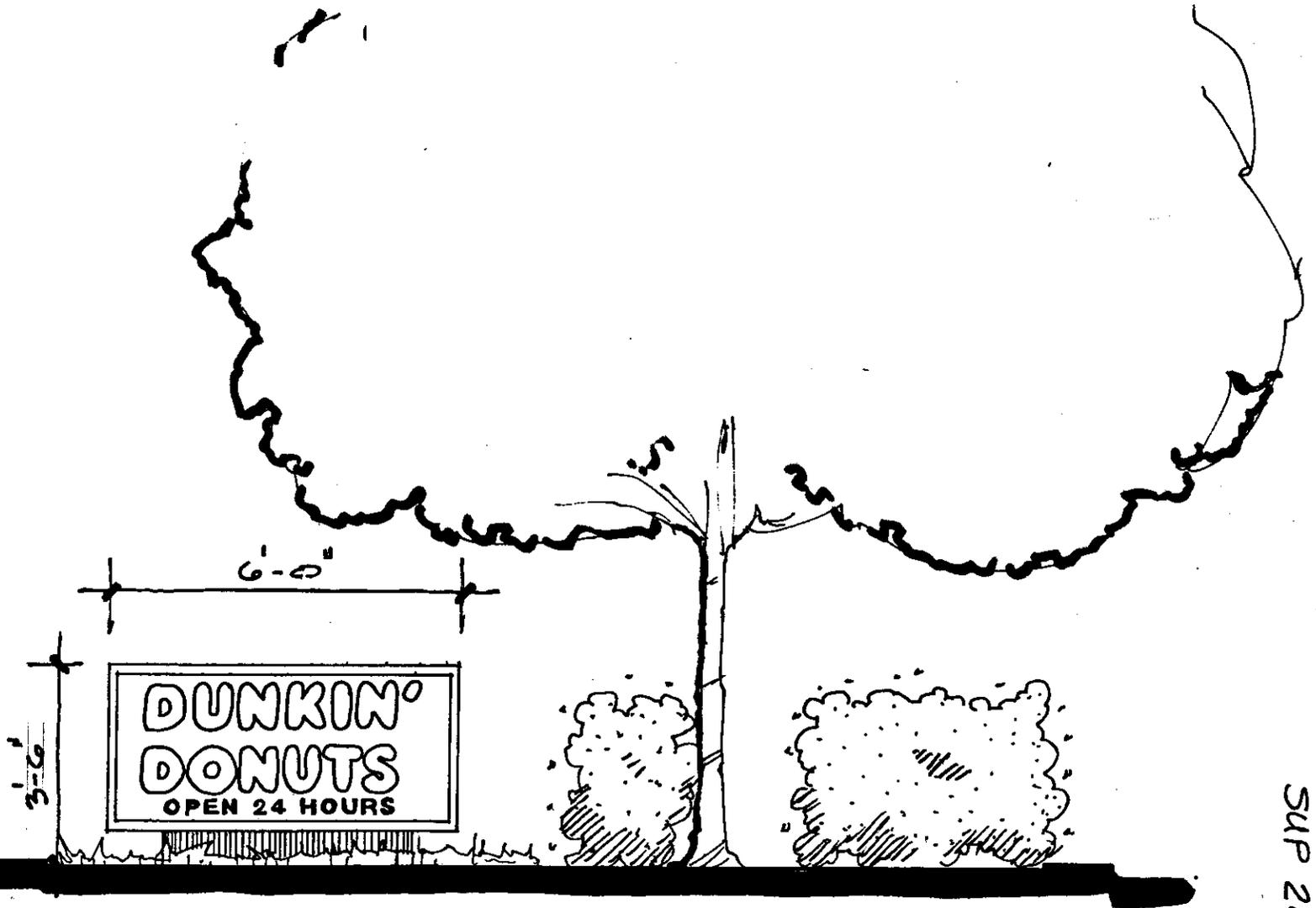
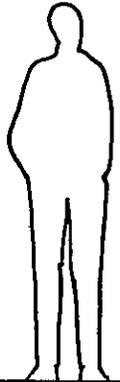


DUNKIN' DONUTS
STAFF RECOMMENDED
LANDSCAPE SCREEN

SCALE: 1"=20'

NORTH

28



MONUMENT SIGN

1/4" = 1'-0"

SUP 2000-0121

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 1, 2000
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING 
SUBJECT: SUP #2000-0121
DUNKIN DONUTS
3050 DUKE STREET

This case involves a request to expand the existing restaurant and was first presented to the Planning Commission at its November meeting. As part of its review of the proposal, staff recommended site improvements including landscaping and the removal of the existing freestanding sign. The applicant has agreed to install staff's suggested landscaping plan, which will significantly improve the appearance of the site. The applicant objected however to staff's proposed monument sign as a replacement for the freestanding sign, and suggested that it be permitted to submit alternative approaches for staff's consideration. The Planning Commission deferred the case until its December meeting to allow staff to review any new proposal.

On November 28, the applicant's agent met with staff and proposed an alternative freestanding sign that is only 12 feet tall (see attached drawing). The sign is clearly an improvement over the existing 18 foot tall pole sign, and is similar to the new sign at the CVS store at Duke and Sweeley Streets. It is lower than the 25 feet tall signs permitted by the zoning ordinance and smaller in size than the 50 square feet sign face permitted. The applicant objects to staff's proposed monument sign because it believes it will not provide sufficient visibility on Duke Street for the restaurant's customers who, according to the applicant, include impulse buyers who only stop after they have seen the sign for Dunkin Donuts.

This area of Duke Street has been the focus of repeated negative attention in recent years, and staff has been asked by the Commission and Council to study the area in order to improve its appearance. Staff intends to conduct such a study in the near future and, as part of that, to develop design guidelines and streetscape standards to include landscaping and sign requirements. The particular part of Duke Street which includes the Dunkin Donuts store is characterized by small lots with many pole signs and little landscaping, resulting in a harsh, disruptive and cluttered look, which stands in sharp contrast to the softer, harmonious appearance of the north side of the Duke Street at the same

location (see attached photographs.) Design guidelines for this part of Duke Street will likely include the provision of widened sidewalks, planting beds and street trees. Assuming street trees are planted on the south side of Duke Street, the existing freestanding signs — including either the existing or proposed one for Dunkin Donuts — will not be visible to drivers on Duke Street. Staff anticipates that the design guidelines will recommend that the freestanding signs be removed and replaced with monument signs, because they reduce visual clutter and because the street trees are such an important element for the street.

Recent efforts to improve the streetscape of Duke Street include the installation of new monument signs at the Gambro Health Care facility at 5150 Duke Street, CVS Drug Store at North Pickett and Duke Streets, and the Land Rover automobile dealership at 2706 Duke Street. In other cases, Council has required the lowering of existing tall freestanding signs, such as Cafe Monti at 3250 Duke Street (from 28 feet to 15 feet), Dancing Peppers at 4111 Duke Street (from 20 feet to 15 feet) and the adjacent Crown Gas Station (from 30 feet to 8 feet).

Staff has considered the applicant's proposed new 12 foot tall freestanding sign, and its concerns about visibility. Staff also recognizes and applauds the applicant's attempt to find a compromise solution and the expense it is willing to undertake to install the new, lower freestanding sign. After doing its own field investigation to determine visibility, however, staff believes that the proposed monument sign will provide sufficient visibility to the applicant's patrons. Staff notes that if design guidelines are adopted which include the provision of street trees, the applicant's freestanding sign, and others in this location, would be obscured. A low, monument sign, however, would be visible under the tree canopy. In addition, if the applicant's existing sign remains, or a new freestanding sign is installed, there will not be sufficient room for both the sign and the proposed tree depicted on the landscaping plan in that location.

For these reasons, and because a monument sign is consistent with the current and future efforts to improve the streetscape of Duke Street, staff continues to recommend that the applicant be required to remove its freestanding sign and replace it with a monument sign.

Staff: Kathleen Beeton, Urban Planner; Al Cox, City Architect; Brian Franklin, Landscape Architect.

STORE LOCATION IDENTITY PYLON

SUP 2000-0121



QUALITY TEAM

APPLICANT'S PROPOSED SIGN

Client Name	DUNKIN' DONUTS
Project	
Location	ALEXANDRIA, VA
Phone	
Fax	
Designer	RH GSG Rep. ROSS H.
Drawing No.	742KH
Date	11/15/00 Scale 1/4" = 1'
Notes	

Client Approval	Date
Landlord Approval	Date
Notes	

This drawing remains the exclusive property of Gable Signs & Graphics, Inc. It is submitted for your consideration in the purchase of the product(s) manufactured according to these plans. This design cannot be copied in whole or in part, altered or exhibited in any manner without written permission of Gable Signs & Graphics, Inc. Exceptions are previously copyrighted artwork supplied by client. Colors portrayed are representational unless noted; actual color samples available upon request.

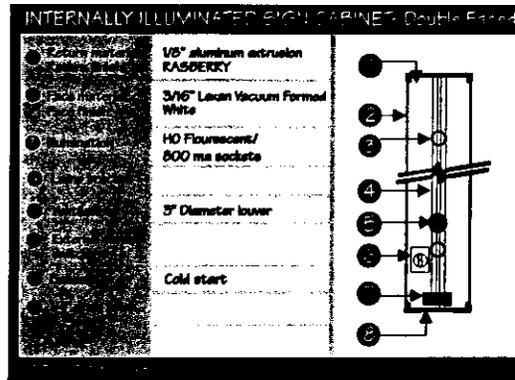
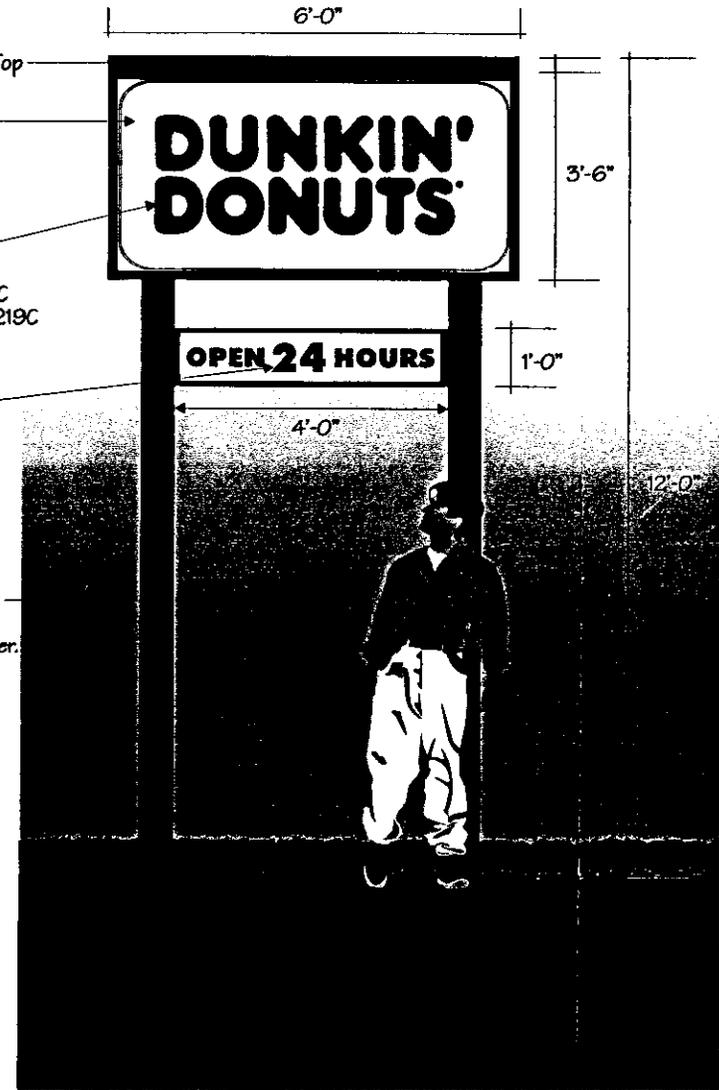
Decorative Radius Aluminum Top

Illuminated Sign Cabinet :
Sign Faces:
Lexan Vacuum Formed

Dunkin' Donuts:
"Dunkin'" Finished Orange 165C
"Donuts" Finished Raspberry 219C

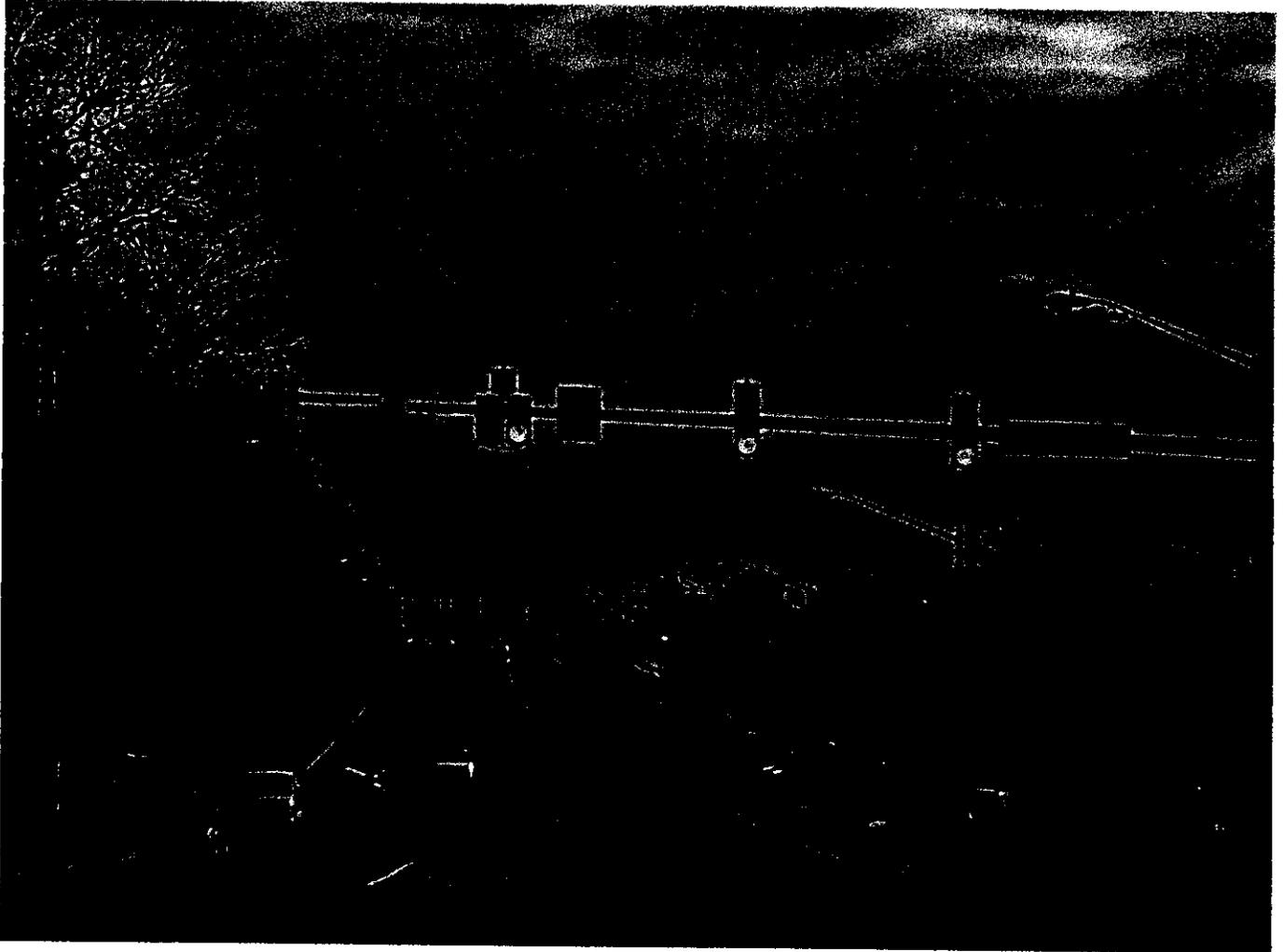
"OPEN 24 HOURS"
Finished Black

6" Square Steel Pole Support:
Pole will be mounted into an augured poured concrete footer.



31

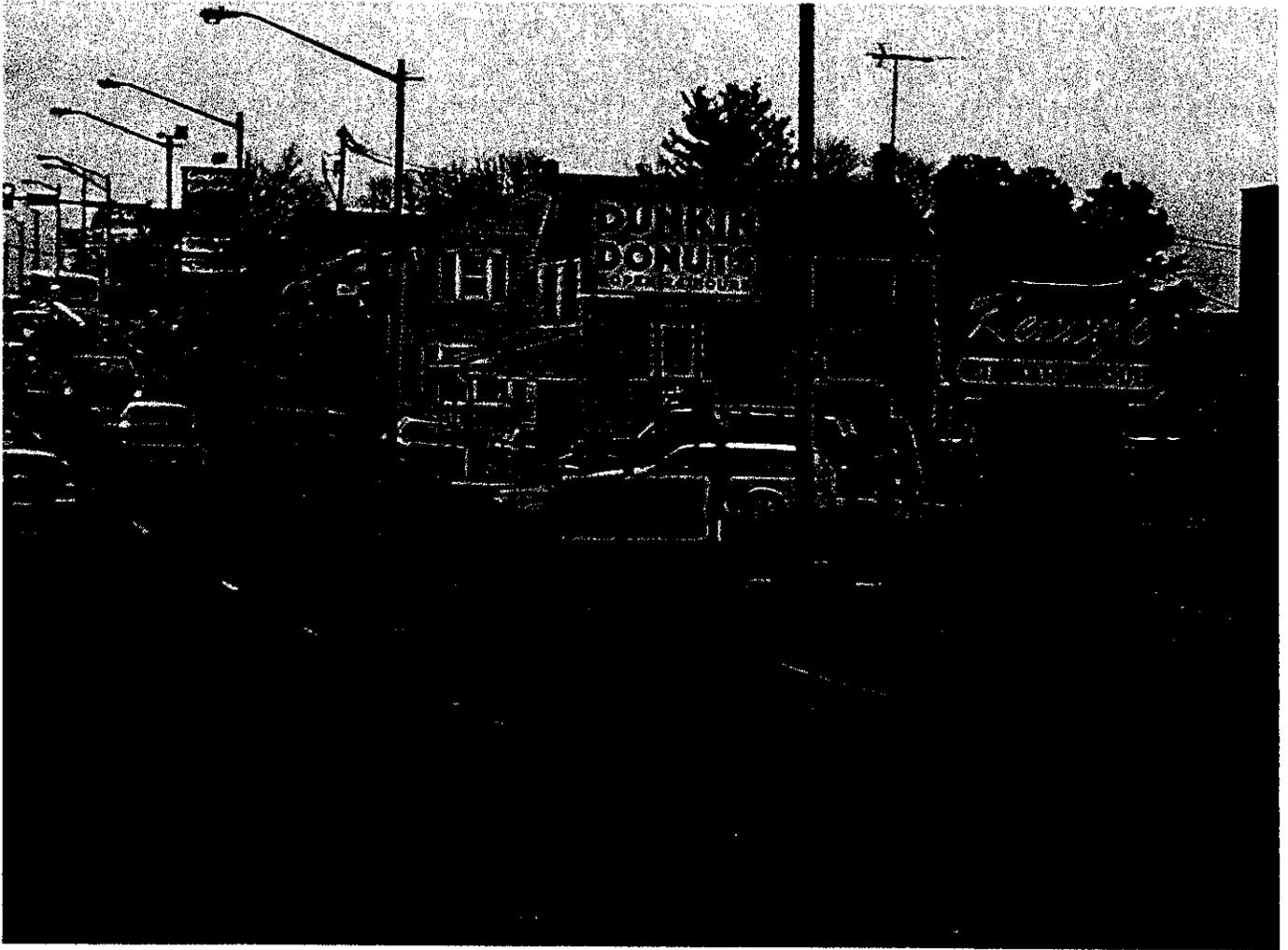
SUP #2000-0121
3050 Duke St
Dunkin Donuts



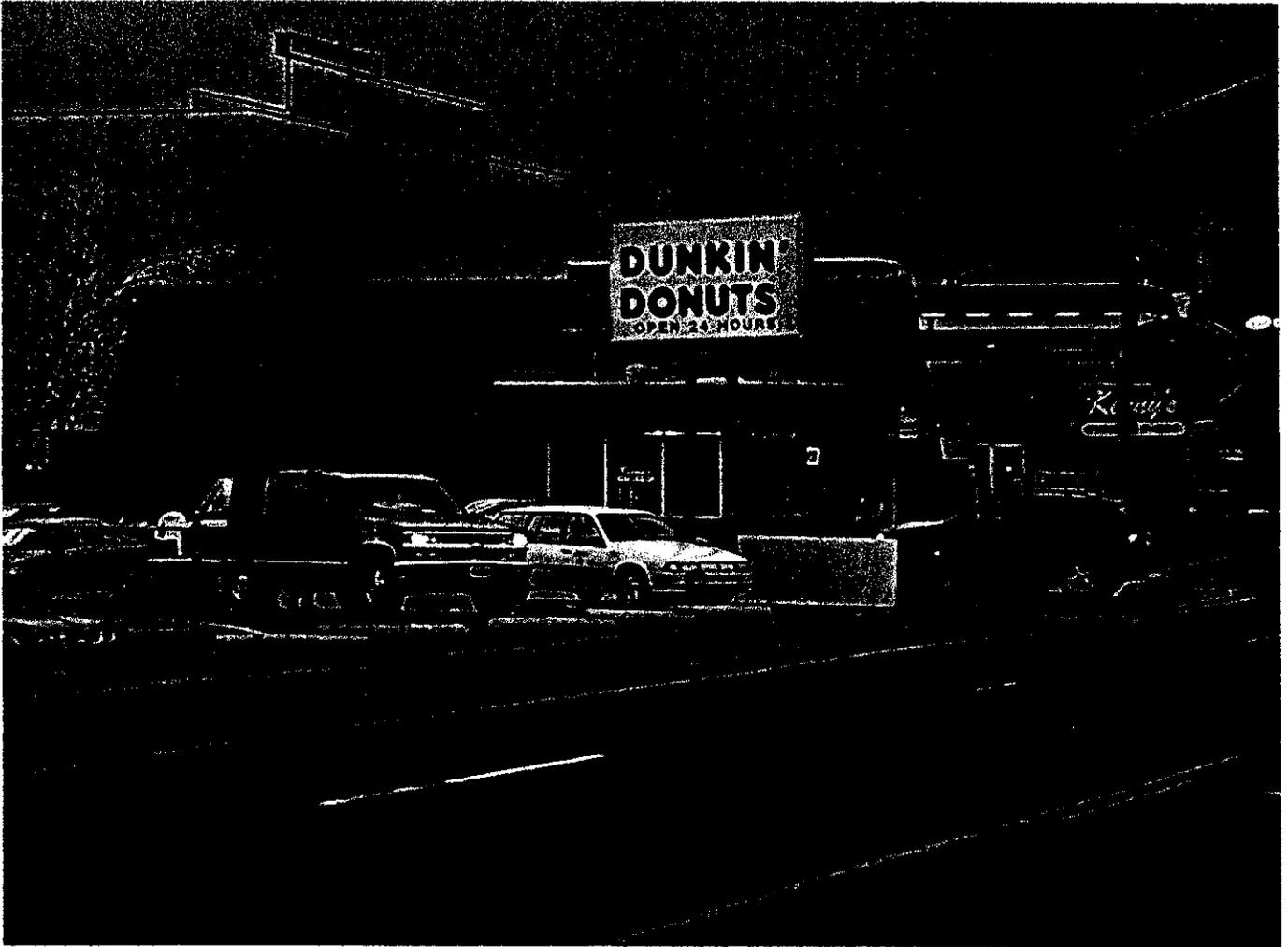
**STAFF MONUMENT SIGN STUDY
DUKE STREET LOOKING EAST**



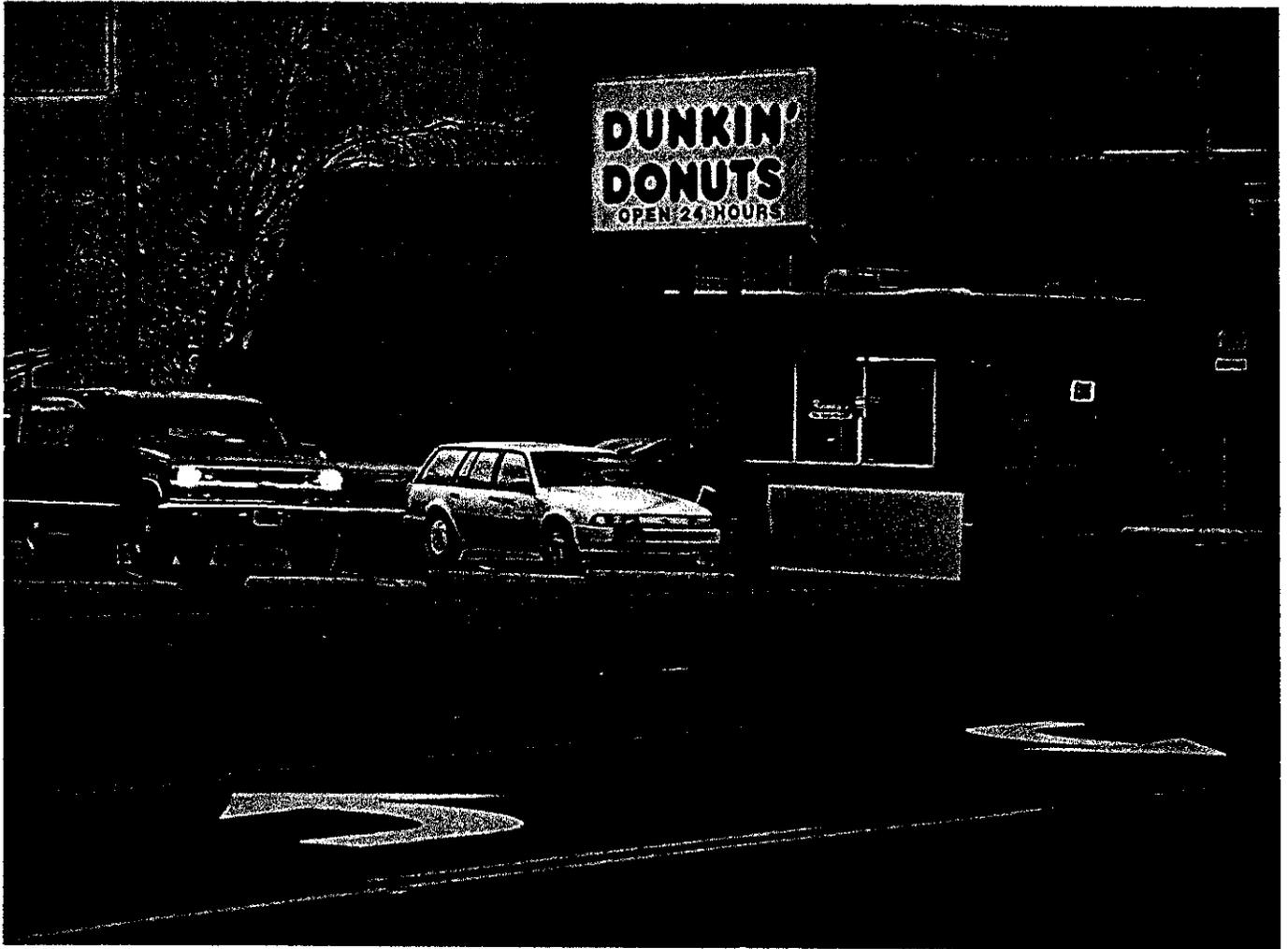
**STAFF MONUMENT SIGN STUDY
DUKE STREET LOOKING EAST**



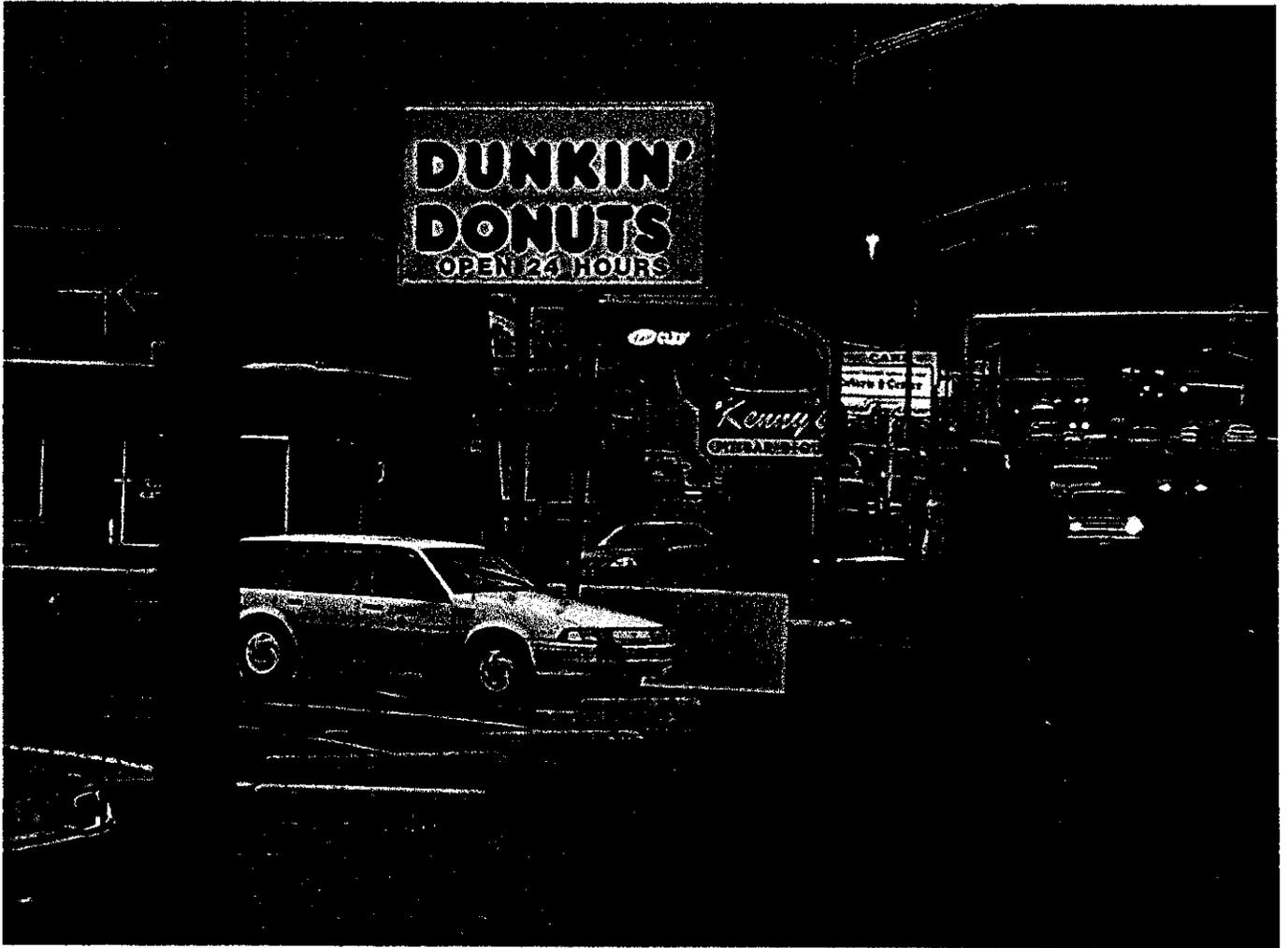
**STAFF MONUMENT SIGN STUDY
DUKE STREET LOOKING EAST**



**STAFF MONUMENT SIGN STUDY
DUKE STREET LOOKING WEST**



**STAFF MONUMENT SIGN STUDY
DUKE STREET LOOKING WEST**



**STAFF MONUMENT SIGN STUDY
DUKE STREET LOOKING WEST**

APPLICATION for SPECIAL USE PERMIT # 2000-0121 17

[must use black ink or type]

PROPERTY LOCATION: 3050 DUKE ST., ALEXANDRIA, VA 22314

TAX MAP REFERENCE: 61.04-01-14 ZONE: CG

APPLICANT Name: BHAVANA LLC.
FAUSTO R. BAYONET FOR THE HEISERMAN GROUP, LLC
(agent)

Address: 4905 MONTGOMERY LANE, BETHESDA, MD 20814

PROPERTY OWNER Name: ISABEL M. TABER

Address: 2627 FAIRVIEW DRIVE
ALEXANDRIA, VA 22306-6406

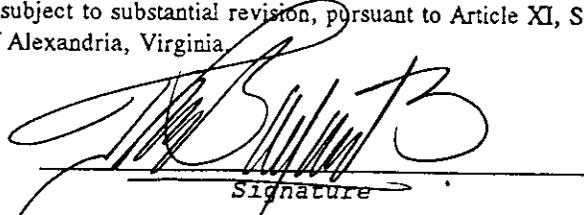
PROPOSED USE: RESTAURANT (Buckin Donuts)

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.

FAUSTO R. BAYONET
Print Name of Applicant or Agent


Signature

4905 MONTGOMERY LANE
Mailing/Street Address

(301)654-4301 (301)654-5191
Telephone # Fax #

BETHESDA, MD 20814
City and State Zip Code

Date

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

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

ACTION - PLANNING COMMISSION: 12/05/2000 Recommend Approval 6-1

ACTION - CITY COUNCIL: 12/16/00PH -- CC approved the Planning Commission recommendation.