

Docket Item #15
SPECIAL USE PERMIT #2000-0138

Planning Commission Meeting
September 4, 2001

ISSUE: Consideration of a request for a special use permit amendment to a restaurant to (1) add live entertainment, (2) increase the hours of operation, (3) add outdoor seating and, (4) hold an outdoor community event.

APPLICANT: Oavars Inc.
by Harry P. Hart, attorney

LOCATION: 3901 Mount Vernon Avenue
Lillian's Restaurant

ZONE: CL/Commercial Low

PLANNING COMMISSION ACTION, SEPTEMBER 4, 2001: On a motion by Mr. Komoroske, seconded by Ms. Fossum, 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 #3. The motion carried on a vote of 6 to 1. Mr. Leibach voted against the motion.

Reason: The majority of the Planning Commission agreed with the staff analysis and supported limited entertainment, outdoor seating, an annual community event, but no increase in hours. There was concern, however, about the impact of the proposed outdoor dining and live entertainment on the adjacent Chiralaugua residential community.

Speakers:

Harry Hart, attorney representing the applicant, stated that the applicant would like permission to allow live entertainment in the restaurant and limited dancing in the basement for weddings only. He requested that outdoor seating be allowed subject to a plan approved by the Directors of Planning and Zoning and Transportation and Environmental Services. He stated that he had discussed the flood proofing issue with Transportation and Environmental Services and was sure there was a substitute approach so that the wall could be removed consistent with the plan for the outdoor seating area.

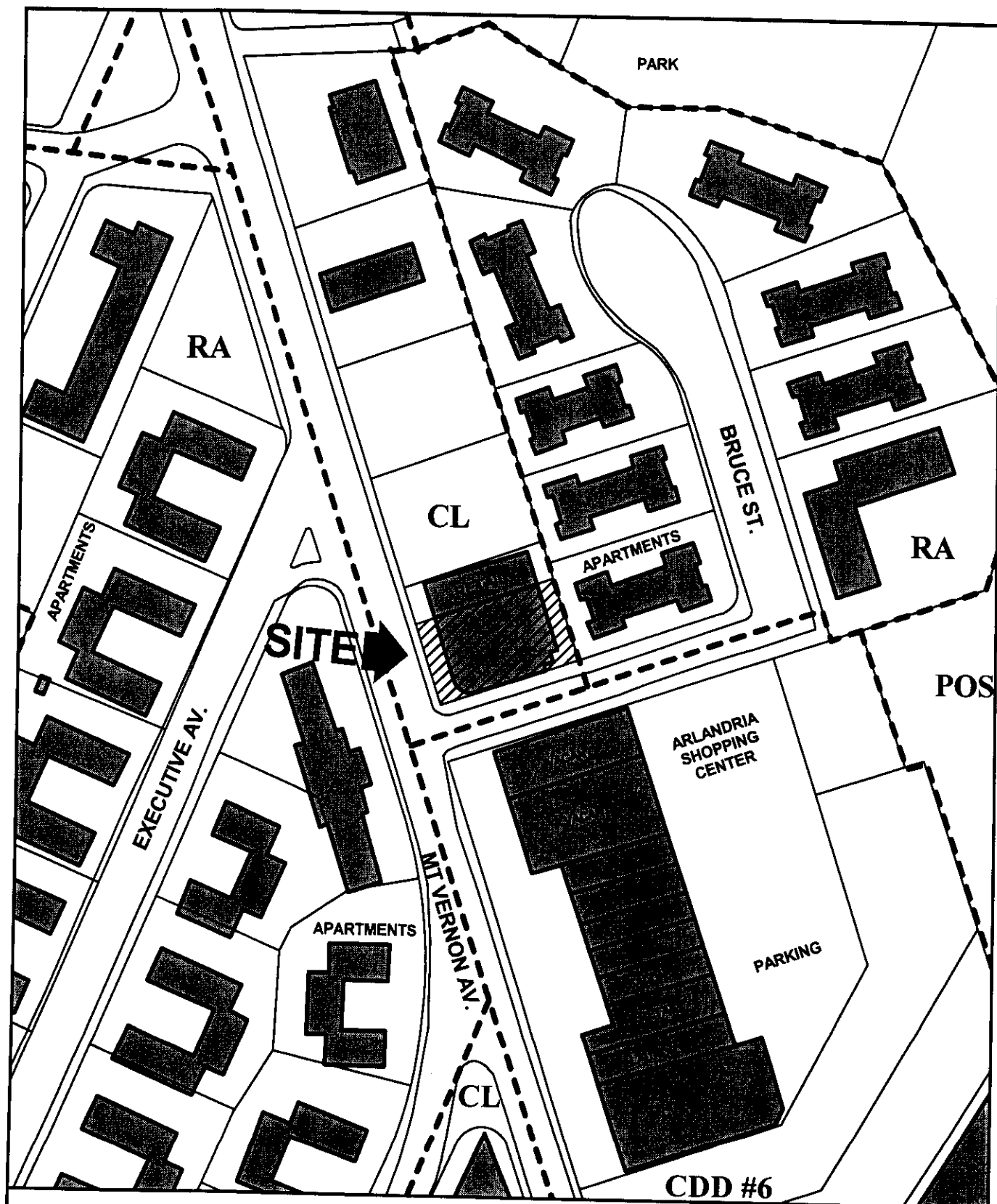
Henver Palma, property owner, requested that the concrete flood wall be removed.

PLANNING COMMISSION ACTION, DECEMBER 5, 2000: The Planning Commission noted the deferral of the request.

Reason: The applicant requested the deferral.

PLANNING COMMISSION ACTION, JUNE 6, 2000: By unanimous consent, the Planning Commission deferred the request.

Reason: The applicant requested the deferral.



SUP #2000-0138

09/04/01



SUMMARY

The applicant requests permission to extend its hours of operation, add live entertainment and dancing, add outdoor dining and allow an annual community event. Given the past Police activity at the restaurant, staff does not support the applicant's request for later hours of operation and live entertainment and dancing in the basement. Staff does support limited live entertainment on the first floor of the restaurant and an annual community event.

A majority of the Planning Commission agreed with the staff approach, with a dissenting vote, recognizing that if there were problems, there could be a change in conditions after a six month review.

STAFF RECOMMENDATION:

Staff recommends **approval** of part of the request, specifically limited live entertainment on the first floor of the building and the outdoor community event, subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #99-008)
2. Seating shall be provided for no more than 300 patrons. (P&Z) (SUP #99-008)
3. **CONDITION AMENDED BY PLANNING COMMISSION:** No ~~o~~ Outside dining facilities ~~shall~~ may be located on the premises provided in a manner consistent with the plan dated August 28, 2001, provided that alternative flood proofing to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services is provided. (P&Z) (SUP #99-008) (PC)
4. **CONDITION AMENDED BY STAFF:** No ~~1~~ Live entertainment ~~shall~~ may be provided at the restaurant and shall be limited to a three or four piece instrumental and singing group on the first floor only. No live entertainment and no dance floor shall be provided in the basement of the restaurant. (P&Z) (SUP #99-008) (P&Z)
5. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to between 10:00 a.m. and Midnight daily. The hours of operation of the outdoor dining area shall be limited from 10:00 a.m. to 10:00 p.m. daily. The outdoor dining area shall be cleared of all diners by 10:00 p.m. and shall be cleaned and washed by 10:30 p.m. (P&Z) (SUP #99-008) (P&Z)

6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #99-008)
7. The applicant may serve beer, wine and liquor for on premise consumption only. (P&Z)(SUP #99-008)
8. The applicant may not provide alcohol service to standing customers. (P&Z) (SUP #99-008)
9. No food, beverages or other material shall be stored outside. (P&Z) (SUP #99-008)
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) (SUP #99-008)
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 #99-008)
12. CONDITION AMENDED BY STAFF: 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 ~~Health~~ Transportation and Environmental Services.(~~Health~~) (SUP #99-008) (T&ES)
13. 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 containers which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #99-008)
14. No music or amplified sound shall be audible at the property line. (P&Z) (SUP #99-008)
15. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the business and a robbery awareness program for the employees. (Police) (SUP #99-008)

16. CONDITION AMENDED BY STAFF: The Director of Planning and Zoning shall review the special use permit after it has been operational for one year and six months after this approval in March 2002 and six months later in September 2002 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 as a result of a complaint that rises to the level of a violation, 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 #99-008) (P&Z) (Police)
17. CONDITION ADDED BY STAFF: In order to ensure compliance with its affidavit, the applicant shall provide a quarterly update to the Police Department. (Police)
18. CONDITION ADDED BY STAFF: The applicant shall obtain at their expense, one Model SD-42 Bethesda Ironside Series trash container to replace existing container located on the adjacent located on the adjacent right-of-way. (T&ES)
19. CONDITION ADDED BY STAFF: The outdoor community event as described by the applicant shall be coordinated through the City of Alexandria Special Events Committee. Not more than one event shall occur annually and the hours of operation of the event shall be restricted to between 10:00 a.m. and 6:00 p.m. (Police) (P&Z)
20. CONDITION ADDED BY STAFF: The outdoor event shall occur only in the on-site parking lot located to the north of the building and only with the permission of the owner of the property. (P&Z)
21. CONDITION ADDED BY STAFF: No music or other amplified sound shall be audible at the property line and no speakers or entertainment be permitted outside of the building without first obtaining a noise permit from T&ES Division of Environmental Quality. (T&ES)
22. CONDITION ADDED BY STAFF: The applicant shall apply for a temporary food event permit from the Health Department at least two weeks prior to the event. (Health)
23. CONDITION ADDED BY STAFF: Meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z)

DISCUSSION:

1. The applicant, Oavars, Inc., by Harry P. Hart, attorney, requests special use permit approval to add live entertainment, to increase the hours of operation, to add outdoor seating, and to offer an outdoor community event for a restaurant located at 3901 Mount Vernon Avenue.
2. The subject property is one lot of record with approximately 70 feet of frontage on Mount Vernon Avenue, 126 feet of frontage on Bruce Street and a total lot area of approximately 8,820 square feet. The subject lot is part of a larger site developed with a one story building with three tenant spaces and a large parking lot to the north of the building. An alley runs along the building to the east. The adjacent storefronts house an H&R Block office and a tailors shop.
3. On March 13, 1999, City Council granted Special Use Permit #99-008 to the applicant for the operation of a restaurant.
4. The applicant requests permission a) to allow live entertainment, b) to increase its hours of operation, c) to provide outdoor dining and, d) to offer an annual outdoor event.

Entertainment

According to the application materials, the proposed live entertainment has two components: (a) a three or four piece instrumental and singing group which will perform on the restaurant's first floor; and (b) music for dancing in the basement. According to the applicant, the basement music will be provided by a disk jockey, a jukebox, or, on occasion, a band of up to six members. The applicant told staff that a dance floor is proposed to be installed and a new service bar with no seats will be added both in the basement. The applicant has also advised staff that 125 seats (of the 300 permitted seats) will be provided in the basement and its full menu will be offered. In response to questioning by staff, the applicant has explained that the proposed dancing will occur both by groups of people attending a function at the restaurant as well as members of the general public. The applicant has also advised staff that it will not require persons who dance to purchase food as a condition of their dancing.

Hours of operation

The current special use permit restricts the hours of operation to between 10:00 a.m. and midnight daily. The applicant seeks permission to operate the restaurant until 2:00 a.m. on Fridays and Saturdays.

Outdoor dining area

The applicant requests permission to construct a wood deck that will extend approximately 39 feet along the Mount Vernon Avenue in order to provide eleven tables that will seat a total of 36 patrons (see attached plan). To provide the dining area, some portion of the low concrete retaining wall that separates the concrete walkway and the planting bed will be removed and the applicant will construct a wood deck over the walkway and around the existing trees. The applicant advises staff that the trees in this area will not be removed to accommodate the seating area. To separate the dining area from the adjacent brick sidewalk, the applicant proposes to install planters. As the proposed seating will be located on private property, no encroachment approval is necessary.

Outdoor community event

The applicant proposes to host an annual party and festival in July for the community. The applicant told staff that only one event is proposed and will be held in the parking lot adjacent to the building to the north. The day-long event will end between 5:00 p.m. and 6:00 p.m. and will include the sale of arts and crafts made by local residents, live entertainment, and food. The applicant expects most people attending the event to walk from nearby residences.

5. As approved by Council, a total of 300 seats is permitted in the basement and on the first floor of the building. A bar with a total of 15 seats is located on the first floor of the restaurant.
6. Staff has visited the subject property to determine if the business is in compliance with the conditions of its special use permit and observed no violations of the conditions.
7. This application has been pending but deferred by the applicant for some time. In May 2000 during its initial review, the Police Department opposed the applicant's requests because of problems at the restaurant, including drug usage and the service of alcoholic beverages both to underage patrons and to intoxicated patrons (see attached comments). The applicant deferred its application in order to meet with the Police to discuss these issues and to undertake efforts to resolve them.

The applicant has submitted a copy of the affidavit it provided to the Police in August 2000 outlining the actions the restaurant promised to take, including hiring private security personnel, training employees to recognize inebriated patrons and to refuse to serve them, and to meet with the Narcotics and the Community Support Section of the Police Department (see attached affidavit). During this period, the Police have monitored the calls for service to the restaurant and note that the number of calls has decreased since June 2000. Based on the affidavit and the decrease in calls for service, the Police no longer oppose the applicant's

requests. However, the Police recommend that the restaurant be reviewed six months from Council's approval and six months after that review. The Police also request quarterly updates from the applicant to ensure that it complies with the issues agreed upon in the affidavit (see attached comments).

8. The Arlandria/Chirilagua Housing Cooperative has opposed the applicant's requests because it is concerned that the addition of live entertainment and later hours of operation will create a late night, alcohol-centered nightclub adjacent to their property (see letter dated August 23, 2000).
9. Zoning: The subject property is located in the CL/Commercial Low zone. Section 4-103(M) of the zoning ordinance allows a restaurant in the CL zone only with a special use permit.
10. Master Plan: The proposed use is consistent with the Potomac West chapter of the Master Plan which designates the property for Commercial Low use.

STAFF ANALYSIS:

Staff is concerned about the applicant's request to add live entertainment and to extend its hours of operation until 2:00 a.m. daily given the historical problems at the restaurant. Although the Police report a decrease in calls for service to the restaurant and no longer oppose the applicant's requests, Planning staff remains concerned about the applicant's ability to successfully manage the existing restaurant without a negative impact on its adjacent residential and commercial neighbors. Staff recalls the unfortunate experience of Flags restaurant, located across Bruce Street, which failed to comply with City and ABC regulations regarding its approved hours of operation and limited live entertainment. However, in this case, staff believes that the applicant is earnest in his efforts to resolve past problems at the restaurant, but does not support such significant changes, such as the addition of live entertainment and a dance floor in the basement of the restaurant and extending the closing hour until 2:00 a.m., at this time. However, limited live entertainment on the first floor of the restaurant could be an amenity for restaurant patrons, and staff supports approval of it as represented by the applicant.

As to the proposed outdoor dining area, the plan is unclear but appears to include an elevated deck on which the seating will be located. While staff generally supports outdoor seating, staff would prefer that the applicant reconsider his plan and provide the seating area at grade level. In order to provide outdoor dining at grade, the existing concrete retaining wall in front of the building must be removed. The removal of this wall will also allow disabled patrons to access the restaurant via the entrance at the corner of Bruce Street and Mount Vernon Avenue. However, T&ES staff has advised us that the wall is a flood proofing measure installed by the City per an agreement with the former property owner and that flood proofing of this building is required. In addition, Code Enforcement staff advise that the proposed dining area is not American with Disabilities Act (ADA) accessible. Finally, the City Arborist has advised staff that the footers for the proposed boxes to be constructed around the existing trees will harm the health of the trees and recommends that the applicant redesign the plan in a manner that ensures the survival of the trees. Planning staff does not support approval of the outdoor dining area until these issues are resolved with the applicant to the City's satisfaction.

Staff does support the applicant's request to host an annual community event as described by the applicant as long as it occurs in the parking lot adjacent to the building, with the property owner's permission, and during the day. Staff has included a series of recommendations from other departments regarding noise, food, and the coordination of the event with the City's Special Events Committee. Staff notes, however, that if there are problems with the operation of the restaurant, including the community event, additional conditions may be imposed or permission for the community event may be revoked when the permit is reviewed in the future.

Finally, staff has amended Condition #16 to require a review of the restaurant. Consistent with the Police recommendation, two reviews are scheduled at six months and again at one year after approval, so that if there are problems with the operation of the restaurant, additional conditions may be imposed. With this condition, staff recommends approval of limited live entertainment on the first floor of the restaurant only and an annual community event. Staff does not support the applicant's request for later hours of operation, live entertainment and dancing in the basement of the restaurant, and outdoor dining.

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 Outdoor seating plan shows intention to remove concrete wall along Mt. Vernon Avenue. This is a flood proofing wall installed by the City per an agreement with the former property owner. (DB 987 PG 427) Flood proofing of this building is required and any modification to the flood proofing wall must be approved by the Engineering and Design Division of T&ES.
- R-1 Applicant shall obtain at their expense, one Model SD-42 Bethesda Ironside Series trash container to replace existing container located on the adjacent located on the adjacent right-of-way.
- R-2 No music or other amplified sound shall be audible at the property line and no speakers or entertainment be permitted outside of the building without first obtaining a noise permit from T&ES Division of Environmental Quality.
- R-3 Kitchen equipment shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys or storm sewers.
- C-1 The applicant shall comply with the City of Alexandria Noise Control Code, Title 11, Chapter 5, which sets maximum permissible noise level as measured at the property line.

Code Enforcement:

- C-1 The outside dining area is required to be handicapped accessible. This will require the installation of a ramp at slope no greater than 1:12..
- C-2 Prior to the issuance of a building permit a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-3 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the electrical systems.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. This facility is currently operating as Lilian's Restaurant under health permit #01-0119, issued to Oavar's Inc.
- C-2 Food must be protected to the point of service.
- C-3 If changes to the facility are to be done, five sets of plans must 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 plans review of food facilities.
- C-4 Permits or approval must be obtained prior to use of the new area(s).
- C-5 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions both indoors and at the outside dining areas.
- C-6 Certified Food Managers must be on duty during all hours of operation.
- C-7 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- F-1 At this time, due to steps taken by the business to improve on our concerns, the Police Department does not object to the following:
 - 1) live entertainment, contingent upon noise not being an issue (we note that they wish to have the entertainment downstairs),
 - 2) extended hours of operation,
 - 3) hold an outdoor event (the business would have to coordinate this through the City's special events committee),

- R-1 However, we need a six month review to look at the data at the end of the summer, instead of a year.
- R-2 We would also ask for periodic (quarterly would suffice) updates from the business that would ensure compliance with the issues agreed upon in the affidavit. A business with a high employee turnover rate would need training for new employees on alcohol/ABC issues. (Serving drunks was an original concern).

Initial Police comments:

- F-1 The Alexandria Police Department opposes the applicants request for amendments of this SUP until the Applicant has met with the Chief of Police to discuss continuing problems at the business.
- F-2 The Alexandria Police Department opposes the Applicant's request for live entertainment. The Police Department has received information of the following problems: underage patrons being served alcohol, intoxicated patrons being served alcohol, and drug usage.
- F-3 The Alexandria Police Department does oppose the Applicant's request for extending the hours of operation.
- F-4 A security survey of business and robbery awareness program for all employees was completed.
- R-1 Recommend "ABC On" license only. If "ABC Off" is approved, we recommend the following conditions:
1. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 si or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold.
 2. That the SUP is reviewed after one year.
- R-2 The proposed annual party for the surrounding community; as well as the proposed festival in July should be coordinated through the City of Alexandria Special Events Committee.

SPECIAL USE PERMIT APPLICATION # 2000-0138

3901 Mt. Vernon Avenue
Property Location

LILLIAN'S RESTAURANT

7.00-02-13
Tax Map Reference

CL
Zone

OAVARS, Inc.
Applicant's Name

Suthanthiran Krishnan
Property Owner's Name

3444 N. Fairfax Drive, Suite 102

P.O. Box 315

Arlington, VA 22201
Address

Springfield, VA 22150-0315
Address

Request for an Amendment to a Special Use Permit to add outdoor seating to the existing Restaurant.
Proposed Use

- ① ADD LIVE ENTERTAINMENT,
② HOLD AN OUTDOOR COMMUNITY EVENT,
③ INCREASE 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 notices 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.

Harry P. Hart
Print Name of Applicant or Agent

Harry P. Hart
Signature

HART & CALLEY, P.C.

(703) 836-5757
Telephone Number

307 N. Washington St., Alex. VA 22314
Mailing Address

October 17, 2000
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: _____
date received _____ fee paid \$100 - fr. SUP00-068 date paid _____

Legal Advertisement: _____ Property Placard: _____

Planning Commission Action: _____

City Council Action: _____

All Applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, auto 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 in which case identify each owner of more than 10%.

Mr. Oswaldo Salinas, 3444 N. Fairfax Dr., Suite 102, Arlington, VA 22201

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.

2. Submit a map showing the location of the property in question as well as all property within 300 feet of the boundaries of the property for which this special use permit is sought, including as to all property identified, the following information:

- A. existing uses
- B. existing zoning
- C. land use designation contained in the master plan

Staff may waive this requirement if the information is easily obtainable.

3. 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 8 1/2" x 14" or smaller. Twenty-four plans 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

4. 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 applicant is requesting an amendment to his current SUP #99-008 because he would like to add live entertainment by way of a 3-4 piece instrumental and singing group in the restaurant, and music for dancing in the lower level or basement. The applicant believes that during the past year of operation, Lillian's has been a responsible neighbor in the community and deserves the chance to demonstrate that it will be a good neighbor with the addition of an opportunity to provide musical background to dining and the opportunity for dancing.

The applicant would also like to point out that he is spending over \$15,000 a year in security. He would like to hold an annual party for the surrounding Community; as well as a Festival in July for the community where they could sell arts and crafts or "garage sale" items while enjoying concert music.

NARRATIVE DESCRIPTION

4. 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 applicant is requesting an amendment to a Special Use Permit to add outdoor seating to Lillian's Restaurant at 3901 Mt. Vernon Avenue.

The applicant would like to modify the area between the Restaurant store front and the public sidewalk to create an outdoor seating area approximately forty feet along the Mount Vernon Ave side of the Restaurant and seventeen feet from the front of the Restaurant to the public sidewalk. Doing so would require the applicant to remove the cement rise along the front and side of the Restaurant and construct a patio area for eight to ten tables, to seat approximately thirty two to thirty six patrons. The applicant intends to retain all of the existing trees along the store front as part of the renovation for the outdoor seating area.

It is intended that the total number of seats at the restaurant will not exceed 300 even with 36 outdoor seats. At present there are far less than 300 total seats inside. If this request is granted, applicant will see that there are never more than 300 seats at the restaurant, including the outdoor seating.

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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,
☒ 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).

Up to 300 patrons between the hours of 10 am and 12 am Mon.-Thurs., 10am to 1 am
Friday and Saturday and 10 am to 2 pm Sunday.

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

Approx. 10 - 15 part-time and full-time employees, with approx. one half (1/2) there at
any one time.

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

Day:

Hours:

<u>Mon-Thurs</u>	<u>10 a.m. to Midnite</u>
<u>Fri.-Sat.</u>	<u>10 a.m. to ^{2a.m.} 1a.m.</u>
<u>Sunday</u>	<u>10 a.m. to 2 p.m.</u>
_____	_____
_____	_____

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

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

Normal for proposed use.

B. How will noise from patrons be controlled?

The restaurant will have sound proof paneling inside. Planters around the outdoor seating area will absorb some of the noise emanating from patrons outside.

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

Normal for proposed restaurant use.

10. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Normal for proposed use, ie., food refuse.

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

Normal for proposed use.

C. How often will trash be collected?

Weekly

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

Maintenance service provides cleaning and our employees will check around the property every morning as well.

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19 8 18

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

[] Yes. [**X**] No. If yes, provide the name, monthly quantity, and specific disposal method below:

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

[] Yes. [**X**] No. If yes, provide the name, monthly quantity, and specific disposal method below:

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

The applicant will provide on-site security with its own personnel.

ALCOHOL SALES

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

[**X**] 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.

On Premises Only: Maximum of 40% alcohol sales to 60% food sales.

PARKING AND ACCESS REQUIREMENTS

16. 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?

75

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

80 Standard spaces (9 feet x 18.5 feet)

 Compact spaces (8 feet x 16 feet)

 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?

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking with 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.

17. 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

- C. Where are off-street loading facilities located? There is an alley with 2 entries into the restaurant.

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

8 a.m. to 11:00 a.m.

24 x 20
x 20

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

3 times per week.

18. 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?

Street access is adequate.

SITE CHARACTERISTICS

19. Will the proposed uses be located in an existing building?

☒ Yes. ☐ No. Along the front of the existing building

Do you propose to construct an addition to the building?

☐ Yes. ☒ No.

How large will the addition be? _____ square feet.

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

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

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

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

☒ shopping center. Please provide name of the center: _____
Beverly Plaza/Arlandria Shopping Center

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

☐ other, please describe: _____

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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: 32-36 At a bar: (inside) Total number proposed 32-36

2. Will the restaurant offer any of the following?

X alcoholic beverages X beer and wine (on-premises)
 beer and wine (off-premises)

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

El Salvadorean and Mexican Food

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

X table service X bar carry-out delivery

5. If delivery service is proposed, how many vehicles do you anticipate? NA

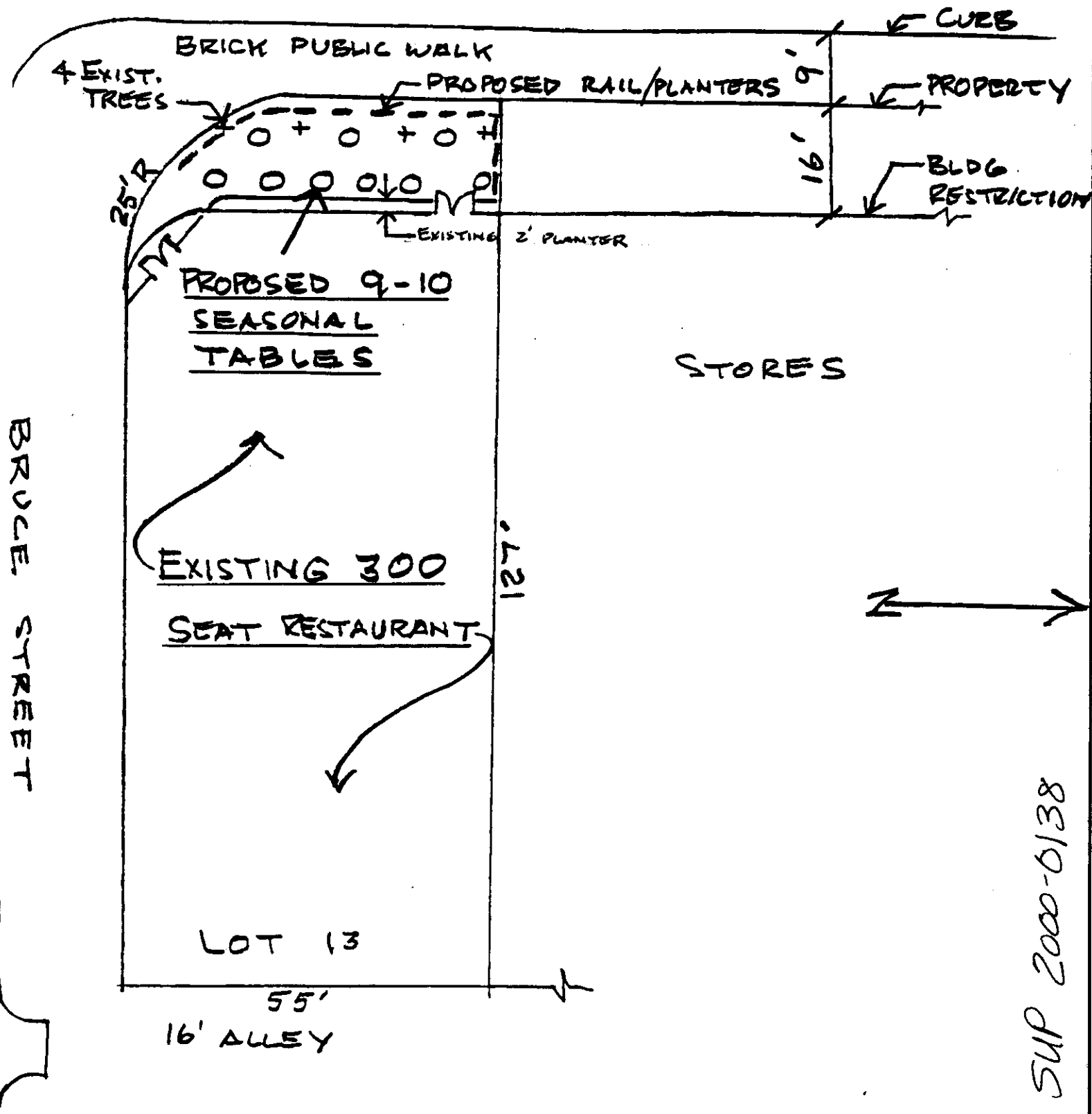
Will delivery drivers use their own vehicles? Yes No.

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?

 Yes X No.

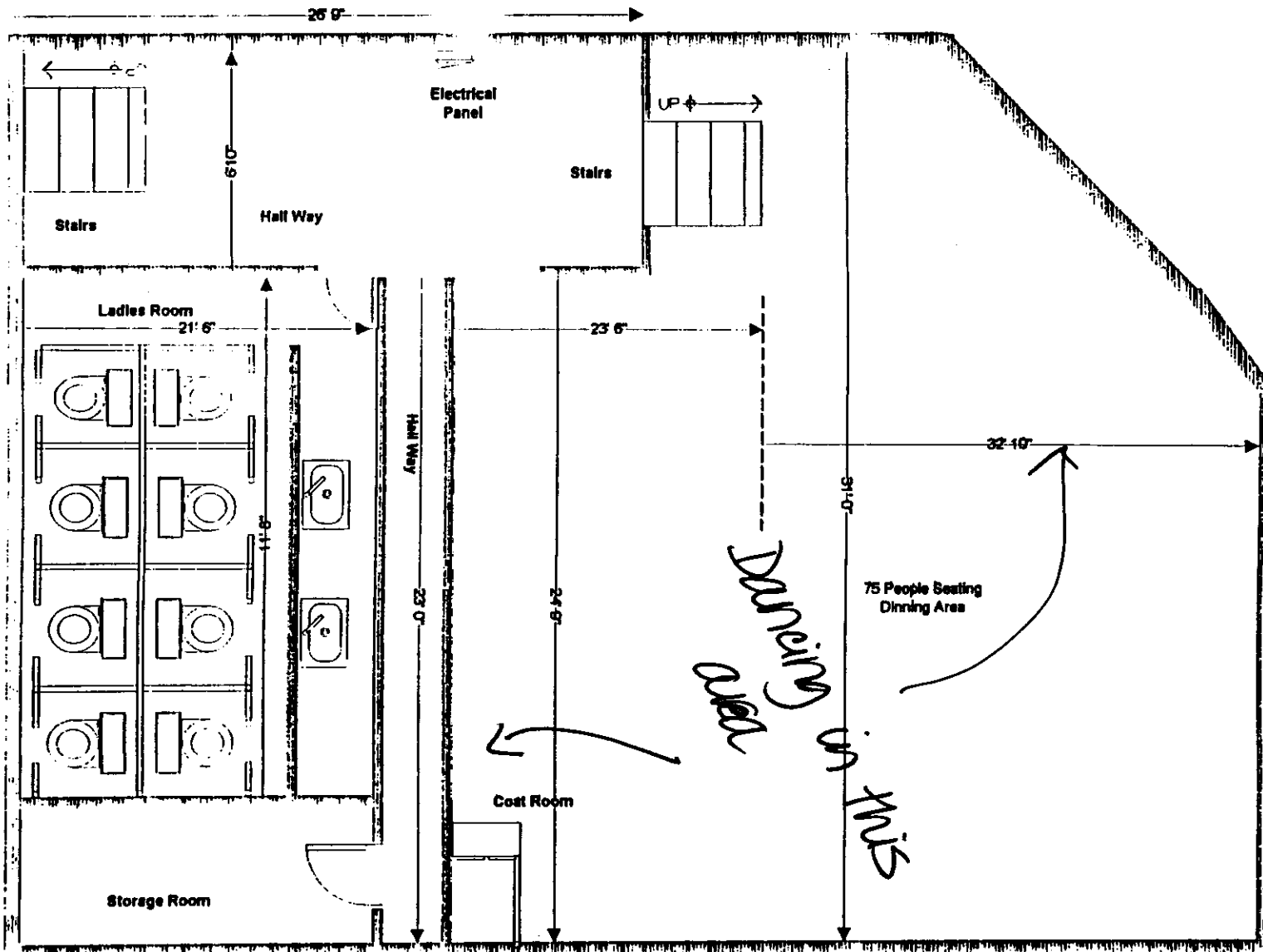
If yes, please describe: Not in the Outdoor seating area.

MOUNT VERNON AVENUE (R/W VARIES)



LILLIAN'S RESTAURANT
3901 MOUNT VERNON AVE.
SCALE 1" = 20'

23
24
23



DOWNSTAIRS SITE PLAN
3901 Mount Vernon Ave.
Alexandria, VA

SUP 2000-0068
0138

SUP 99-0008

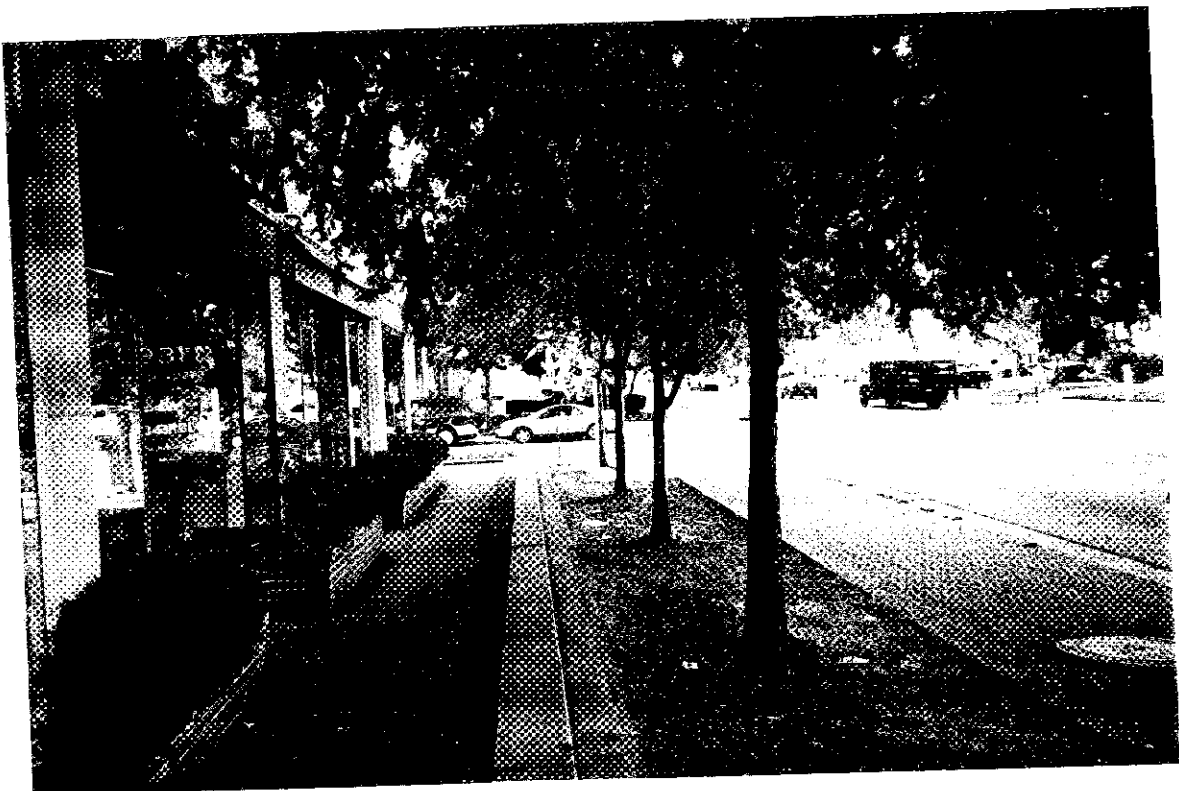
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SUP 2000-0138



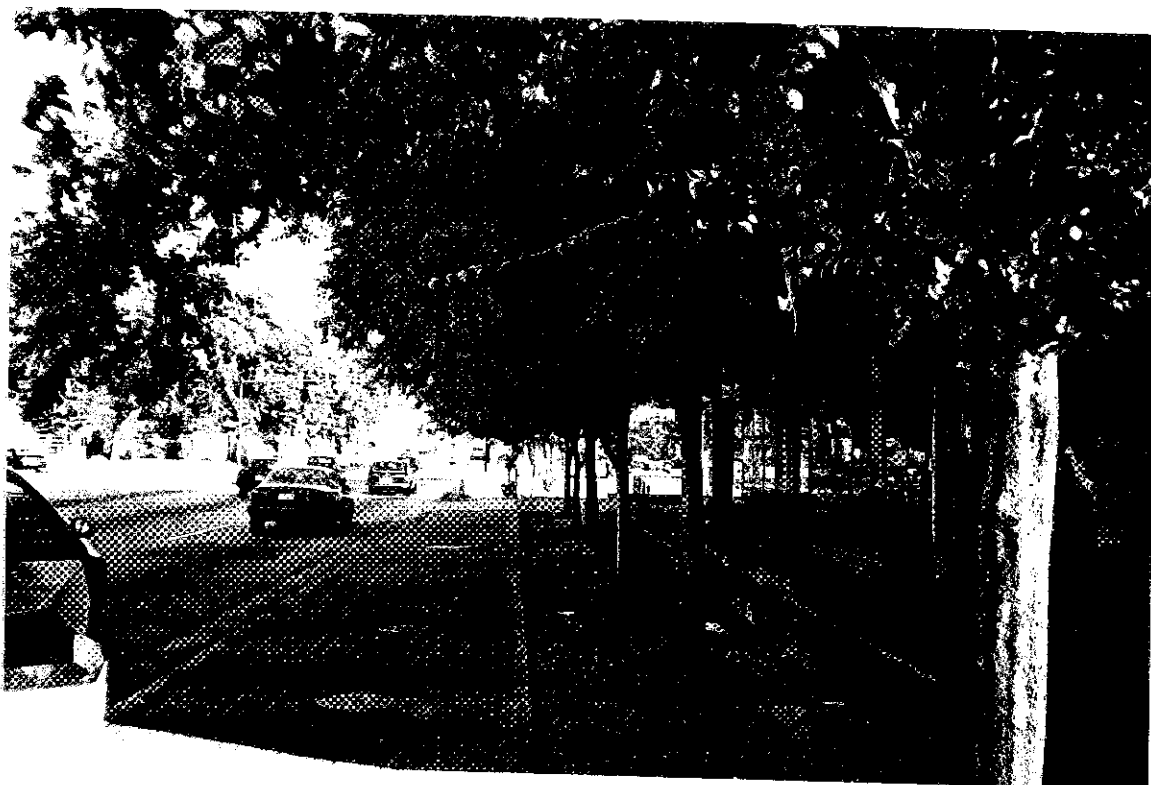
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SUP 2000-0138



28 27
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SUP 2000-0138



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SUP 2000-0138
~~0068~~HARRY P. HART
CYRIL D. CALLEYof counsel
ROBERT L. MURPHY
LUIS CHINCHILLA**HART & CALLEY**
A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELLORS AT LAW
307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557(703) 836-5757
FAX (703) 548-54431201 CONNECTICUT AVENUE, N.W.
TWELFTH FLOOR
WASHINGTON, D.C. 20036

May 19, 2000

Mr. Sheldon Lynn
Director, Planning & ZoningMs. Barbara Ross
Deputy Director, Planning & ZoningMs. Kathleen Beeton
Urban Planner II, Planning & Zoning
City Hall, Room 2100
Alexandria, VA 22314

Re: Lillian's Restaurant - 3901 Mt. Vernon Ave.

Dear Mr. Lynn, Ms. Ross and Ms. Beeton:

This is to confirm our meeting of May 10, 2000. Per your request, I am writing this letter to clarify the following details of our application and request a later closing time:

- 1) We would like to request that Lillian's be permitted to allow dancing and have live entertainment in the form of the following:
 - a) D.J. music
 - b) Small groups or bands of six (6) maximum (e.g. for weddings)
 - c) Jukebox
- 2) We would request a closing time of 2:00 a.m. on Friday and Saturday.
- 3) Lillian's would like to divide its 300 total patrons by having up to 125 in the basement and the remaining 175 in the restaurant upstairs.
- 4) The basement area would have a serving bar, with no bar seats.

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SUP 2000-0068 0138

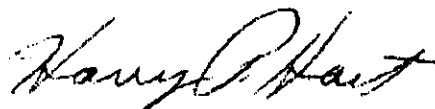
May 19, 2000

Page 2

- 5) Lillian's would like to be permitted to have an annual Community Day Party or festival. They would agree to a permit on a year-by-year basis which would be reviewed by the City annually. Lillian's would not sell alcohol outside nor allow drinking alcohol outside. We would ask that Lillian's be permitted to have music and food outside during the community party.

Should you have any questions, please do not hesitate to call me. Thank you in advance for your help regarding this case.

Very truly yours,



Harry P. Hart

HPH/eah

31 30 19 30

SUP 2000-0138
0068

August 23, 2000



AUG 24 2000

Mr. William Hurd, Chair
Alexandria Planning Commission
City Hall
301 King Street
P.O. Box 178
Alexandria, VA 22314

Dear Mr. Hurd and members of the Planning Commission,

The Arlandria / Chirilagua Housing Cooperative unequivocally opposes the application of Lilian's Restaurant (4000 block Mt. Vernon Ave.) to extend their hours and offer live entertainment. We are a 282-unit resident-owned housing cooperative. Our property is adjacent to their restaurant. Many of our apartments are within several 100 feet of the restaurant.

It took us almost 10 years to achieve resident ownership of our apartments. We continue to work tirelessly to improve our neighborhood. We have a regular "orange hat" safety patrol, after school tutoring and a free preschool all located on our property. We support local vendors and have encouraged the creation of resident businesses. We have done this all in an effort to improve life for us and all of our neighbors.

When they first planned to open their restaurant we explained our concerns to Lilian's owners and legal representatives. We explained that while we supported the creation of local businesses and welcomed a Salvadoran restaurant to our neighborhood, we did not and would never support a late night, alcohol-centered nightclub adjacent to our property. By closing at midnight many (though not all) of the worst excesses of a nightclub have been avoided. Adding live music and additional drinking hours can only worsen the situation.

Please help us in our efforts at neighborhood self-improvement. Please reject Lilian's Restaurant's request for extended hours and live entertainment.

Thank you for your consideration.

Sincerely,

Silvia Portillo
ACHC Board President

¡SOMOS DUEÑOS! • WE OWN IT!

VIRGINIA:

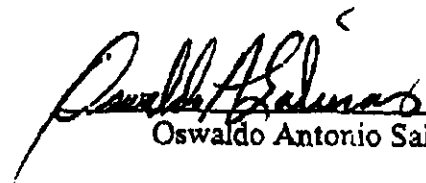
AFFIDAVIT

I, Oswaldo Antonio Salinas, owner and operator of Lillian's Restaurant, 3901 Mt. Vernon Avenue, Alexandria, Virginia, do hereby affirm that I have taken or caused to be taken the actions listed below in response to the Alexandria Police Department requests, in accordance with the June 6, 2000 meeting with Lt. Dickinson and subsequent comments of July 17, 2000:

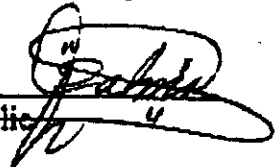
1. Hired the private security company of TEC Security Ltd That company's responsibilities are outlined in the attached agreement.
2. Trained staff to check ID's of every appropriate person, every time.
3. Trained staff to be alert for individuals who have reached their alcohol drinking limits and refuse further service to them. Also trained staff to screen customers for negative signs such as bloodshot eyes, unsteadiness, etc.
4. Advised staff to report to the vice squad any suspicious or detected activity that may involve drugs, especially checking the bathrooms.
5. Advised staff to serve individuals only one drink at last call, not more.
6. Asked the A.B.C. Board for training possibilities (202-442-4445).
7. Trained staff on handling emergencies such as calling the narcotics or vice squad when necessary
8. Have and will continue to try to make contact with Narcotics and the Community Support Section to meet and discuss all pertinent issues.

SUP 2000-0138

9. Decorated and changed the atmosphere of the restaurant to be more family oriented.


Oswaldo Antonio Salinas

SUBSCRIBED AND SWORN TO before me, this the 30th day of aug., 2000.


Notary Public

My Commission expires: 08-31-2003



SUP 2000-0138

TEC Security Ltd
P.O. Box 056
Exon Hill, MD 20746
(301) 839-6196



.7/8/00

I have read and understand the following terms and conditions of TEC Security Ltd executing the above listed private security on my behalf.

Jelions Restaurant Alexandria Va.

1. It is understood and agreed that any of the following actions by me (the client) shall constitute a breach of my obligations to TEC Security Ltd and/or its agent shall have the right to forthwith terminate the security contract.
 - a. If payment of \$ 65.00 Per Guard to TEC Security Ltd in cash is not payed upon/before security starts.
 - b. Fighting, shooting, rape, vandalism etc, on client behalf.
 - c. Drug/alcohol activities
 - d. Not following the agreement

I *[Signature]* understand and have read the agreement of the above terms by TEC Security Ltd and in any case of violation to this agreement TEC Security Ltd have the right to terminate the contract payment by client, non-refundable.

[Signature]
 Tony Clark
 TEC Security Ltd
 CEO

*Check or Cash will be
 Payed by the client every
 Sunday or every night
 of service*

SUP 2000-0138

TEC Security Ltd**2. Performance Requirements**

7/8/00

2.1 Scope of Services


The contractor shall provide Unarmed Security Guard services covering the following approximate work schedule, commencing on the date of the award.

2.1.1 Normal tours of duty will consist of ^{4 hour} ~~two~~ shifts, three days. (when needed)
Starting and ending times are subject to change by the superintendent/station commander or designee.

2.2 The guard personnel shall perform the following and other security related duties as agreed upon by the contractor and station commander prior to the start date.

2.3 Patrol areas as designated by the station commander or his designee. Frequency of patrol and tour schedules will be determined prior to contract start date. Patrols must cover all facility components to provide overall security of the facility.

2.4 Routinely check structure doors, parking areas, facility gates, entrances/exits and any other specified areas of interest.


Tony Clark
TEC Security Ltd
CEO

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26 25

9/7/00
SUP 2000-0138

LILLIAN'S RESTAURANT POST ORDERS

POST 1 (FRONT DOOR)

- MONITOR FRONT DOOR AREA OF RESTAURANT
- ENFORCE DRESS CODE
- MONITOR SUSPICIOUS ACTIVITIES – UNDER AGE DRINKING, ILLEGAL DRUG ACTIVITIES, NOISE CONTROL
- MONITOR OUTSIDE AREA FOR LOITERING AND DRUG ACTIVITIES
- DENY ACCES TO INTOXICATED PERSONS, KNOWN GANG MEMBERS, SUSPICIOUS PERSONS
- ALL SUCH ACTIVITIES WILL BE REPORTED TO MANAGEMENT AND TO SECURITY HEADQUARTERS

POST 2 (REAR OF RESTAURANT)

- MONITOR BAR AREA FOR ERRATIC BEHAVIOR
- UNDER AGE ALCOHOL CONSUMPTION, ILLEGAL DRUG ACTIVITY
- NOISE CONTROL
- CHECK ID'S FOR UNDER AGE DRINKING AND SECURITY INFORMATION
- CHECK REAR EXIT DOORS (FIRE EXITS)
- CHECK RESTROOMS FOR ILLEGAL DRUG ACTIVITIES, SEXUAL ACTIVITIES, GAMBLING
- CHECK BASEMENT AREA FOR UNAUTHORIZED PERSONNEL
- ALL SUCH ACTIVITIES WILL BE REPORTED TO MANAGEMENT AND TO SECURITY HEADQUARTERS

THESE POST ORDERS ARE IN ACCORDANCE WITH LILLIAN'S RESTAURANT OWNER MR. SALINA AND TEC SECURITY LTD OWNER MR. CLARK.

#22 SUP 2000-0138

HART & CALLEY

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELLORS AT LAW
307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

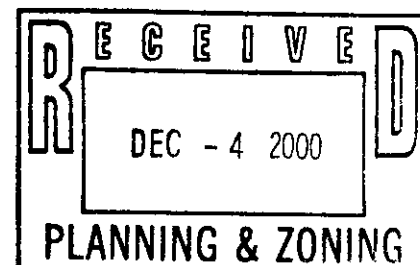
(703) 836-5757
FAX (703) 548-5443

HARRY P. HART
CYRIL D. CALLEY
MARY CATHERINE H. GIBBS

OF COUNSEL
ROBERT L. MURPHY
LUS CHINCHILLA

1201 CONNECTICUT AVENUE, N.W.
TWELFTH FLOOR
WASHINGTON, D.C. 20006

December 4, 2000



Ms. Kathleen Beeton
Urban Planner II
Planning & Zoning
City Hall, Room 2100
Alexandria, VA 22314

Re: Lillian's Restaurant - 3901 ML Vernon Ave.
SUP#2000-0138
Docket Item # 22

Dear Ms. Beeton:

The Applicant would like to defer their application for increased hours, live entertainment, an outdoor event and outdoor seating in the above referenced SUP until the January Planning Commission meeting. The applicant would like to submit additional drawings regarding the outdoor dining area for your review.

Should you have any questions, please do not hesitate to call me. Thank you again for your attention and assistance regarding this case.

Very truly yours,

Mary Catherine H. Gibbs

cc: Oswaldo Salinas



September 4, 2001

Mr. Eric Wagner, Chair
Alexandria Planning Commission
City Hall
301 King Street
P.O. Box 178
Alexandria, VA 22314

via fax

Dear Mr. Wagner,

On September 4th you will consider the application of Lilian's Restaurant to extend their hours, have live entertainment and have outdoor seating. This is at least the fourth time that Lilian's has begun the process of trying to expand their hours and offer live entertainment.

The Arlandria / Chirilagua Housing Cooperative unequivocally opposes the application of Lilian's Restaurant (4000 block Mt. Vernon Ave.) to extend their hours, offer live entertainment and to have outdoor seating. We are a 282-unit resident-owned housing cooperative. Our property is adjacent to their restaurant. Many of our apartments are within several 100 feet of the restaurant.

It took us almost 10 years to achieve resident ownership of our apartments. We continue to work tirelessly to improve our neighborhood. We have a regular "orange hat" safety patrol, we have established after-school tutoring and a free preschool on our property. We support local vendors and have encouraged the creation of resident businesses. We have done this all in an effort to improve life for us and all of our neighbors.

We met with Lilian's owners before they first opened their restaurant and thoroughly explained our concerns to Lilian's owners and legal representatives. We explained that while we supported the creation of local businesses and welcomed a Salvadoran restaurant to our neighborhood, we did not and would never support a late night, alcohol-centered nightclub adjacent to our property. By closing at midnight many (though not all) of the worst excesses of a nightclub have been avoided. Adding live music and additional drinking hours can only worsen the situation.

¡SOMOS DUEÑOS! • WE OWN IT!

38

Please help us in our efforts at neighborhood self-improvement. Please reject Lilian's Restaurant's request for extended hours, live entertainment and outdoor seating.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Cameron A. Barron".

Cameron Barron
ACHC Board President

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9-15-01 PH

September 13, 2001

Alexandria City Council
City Hall
301 King Street
Alexandria, VA 22314

Dear Mr. Mayor, Vice-Mayor and members of Council:

On September 15th you will consider the application of Lilian's Restaurant to extend their hours, have live entertainment and have outdoor seating. This is at least the fourth time that Lilian's has begun the process of trying to expand their hours and offer live entertainment.

When we initially met with Lilian's owners years ago, prior to them first opening their restaurant, we explained that while we supported the creation of local businesses, we did not and would never support a late night, alcohol-centered nightclub adjacent to our property. Their desire to transform their restaurant into a night club has been an incremental, yet persistent effort in re-writing and changing the understanding of their initial application.

After reading the recommendations of the planning committee, we reluctantly will agree to follow their recommendations with the following provisions:

- 1) We believe that 30 minutes after closing the restaurant should be cleared of patrons. A half an hour is plenty of time for patrons to finish whatever they have started and exit the restaurant. The one-hour time frame proposed by Lilian's is yet again another backdoor attempt to expand their hours of operation.
- 2) If music is now to be a part of their operations, we would prefer that they be restricted to a non-amplified music. Many residents of the Arlandria-Chirilagua Housing Co-operative live very close to this nightclub/restaurant and as always our interest lies with the interest of the community.

Thank you for your consideration.

Sincerely,

Cameron A. Barron
Cameron Barron
ACHC Board President

¡SOMOS DUEÑOS! • WE OWN IT!

SPECIAL USE PERMIT APPLICATION # 2000-0138

3901 Mt. Vernon Avenue
Property Location LILLIAN'S RESTAURANT

7.00-02-13
Tax Map Reference CL
Zone

OAVARS, Inc.
Applicant's Name Suthanthiran Krishnan
Property Owner's Name

3444 N. Fairfax Drive, Suite 102
P.O. Box 315

Arlington, VA 22201
Address Springfield, VA 22150-0315
Address

Request for an Amendment to a Special Use Permit to add outdoor seating to the existing Restaurant.

- Proposed Use
- ① ADD LIVE ENTERTAINMENT,
 - ② HOLD AN OUTDOOR COMMUNITY EVENT,
 - ③ INCREASE 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 notices 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.

Harry P. Hart
Print Name of Applicant or Agent

Harry P. Hart
Signature

HART & CALLEY, P.C.

(703) 836-5757
Telephone Number

307 N. Washington St., Alex. VA 22314
Mailing Address

October 17, 2000
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Filing: _____
date received \$100- fr. SA P00-068 fee paid _____ date paid _____

Legal Advertisement: _____ Property Placard: _____

Planning Commission Action: 9/4/01 RECOMMEND APPROVAL 6-1

City Council Action: 9/15/01PH--CC approved the Planning Commission recommendation.

SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

20
9-15-01

DOCKET ITEM NO. 20

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Harry P. Hart
2. ADDRESS: 307 N. Washington St
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Applicant
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: ✓ AGAINST: _____ OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL? YES ✓ NO _____

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.