

EXHIBIT NO. 1

4
11-15-08

Docket Item # 3
SPECIAL USE PERMIT #2008-0067

Planning Commission Meeting
November 6, 2008

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

APPLICANT: Culinary Concepts Corporation by Lawrence Ponzi

STAFF: Eileen Oviatt
eileen.oviatt@alexandriava.gov

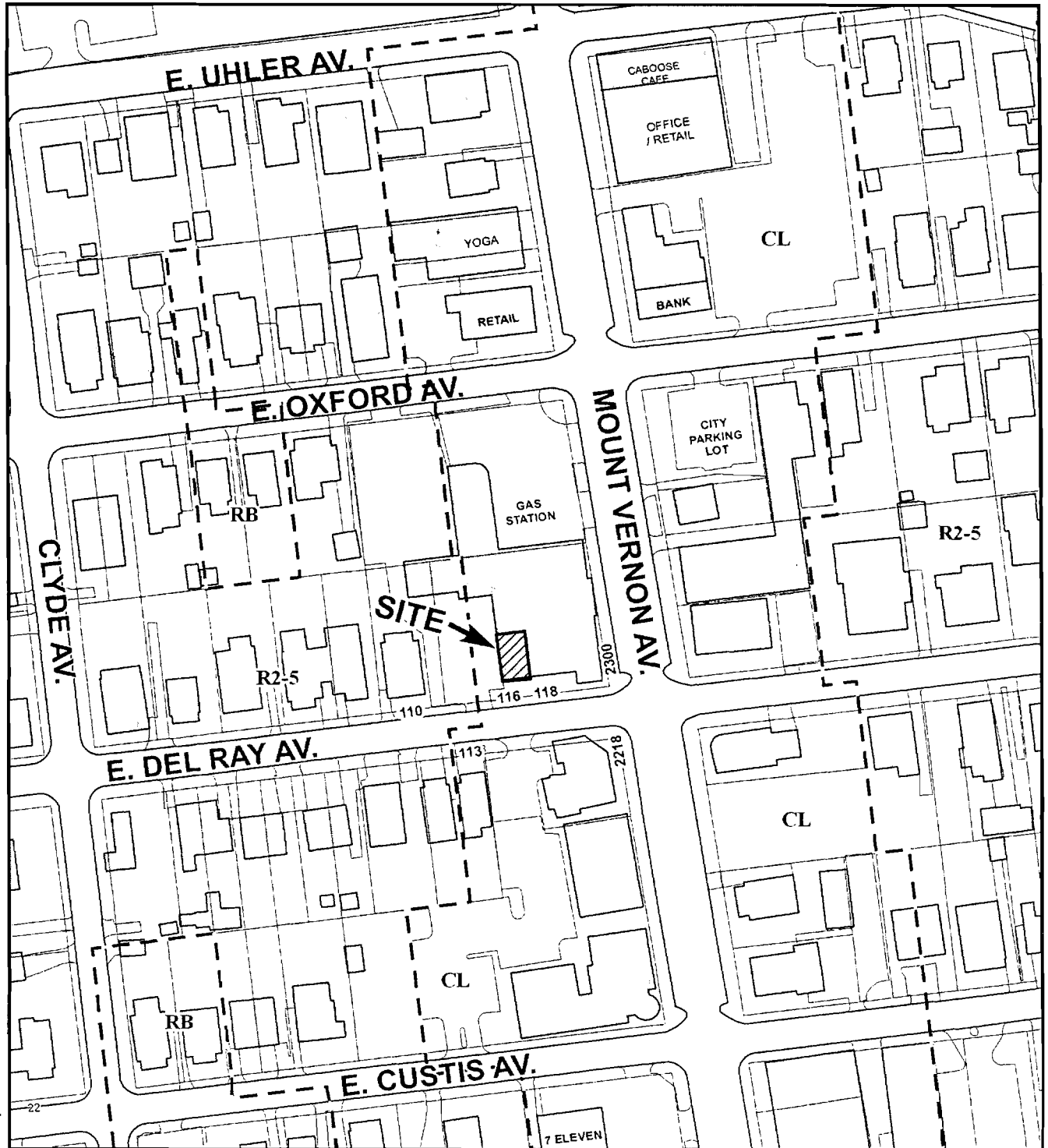
LOCATION: 116 East Delray Ave

ZONE: CL/Commercial Low

PLANNING COMMISSION ACTION, NOVEMBER 6, 2008: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2008-0067

11/06/08



I. DISCUSSION

REQUEST

The applicant, Culinary Concepts Corporation, requests special use permit approval for the operation of a restaurant located at 116 E. Del Ray Avenue.

SITE DESCRIPTION

The subject property is one lot of record with 115 feet of frontage along Mount Vernon Avenue, 103 feet of frontage along East Del Ray Avenue, and an area of 11,845 square feet. The property is developed with a two-story commercial building and a parking lot. Access to the subject property is from E. Del Ray Avenue.



The surrounding area is occupied by a mix of retail, office, and residential uses. Immediately to the north and to the south are office spaces. To the west is a single-family detached dwelling, and to the east is St. Elmo's Coffee Shop.

BACKGROUND

Prior to the current application, the subject unit was used for by-right office or retail uses. Most recently, Artfully Chocolate occupied the space prior to moving to another location on Mt. Vernon Avenue.

PROPOSAL

The present request is to operate a restaurant with up to four indoor seats and up to 6 outdoor seats. The restaurant will serve Italian foods for on-site or at-home consumption, and will sell ready to bake meals. Both carry-out and delivery service will be provided. The applicant proposes off- and on-premises alcohol sales. No live entertainment is proposed.

Hours: Monday through Sunday, 11:00 a.m. – 9:30 p.m.

Number of seats: 4 indoor seats
6 outdoor seats

Type of Service: Delivery, carry-out, and self-service seating

Noise: No additional noise impacts are expected

- Odors: Baking odors from pizza, fresh herbs, and garlic will surround the front door but is not expected to reach beyond the property line
- Trash/Litter: Unbleached paper bags and cups, corrugated boxes, recyclable plastic containers. Most trash is carried to patrons' homes since there is limited seating provided. Trash will be collected twice per week

The applicant has agreed to voluntarily operate as a tobacco smoke-free establishment.

PARKING

According to Section 8-200 (A)(8) of the Zoning Ordinance, a restaurant requires one (1) parking space for every four (4) seats. Section 6-604(B) further indicates that no parking is required for the first sixteen (16) seats of outdoor dining in the Mt. Vernon Avenue Urban Overlay District. A restaurant with four (4) indoor seats and six (6) outdoor seats will be required to provide one (1) off-street parking space.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL/Commercial Low Zone. Section 4-104(M) of the Zoning Ordinance allows a restaurant in the CL zone only with a special use permit.

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for low scale retail, office, and residential uses.

II. STAFF ANALYSIS

Staff has no objection to the proposed restaurant located at 116 E. Del Ray Avenue. This proposed restaurant would be a by-right use if delivery were not provided. While supportive of the new restaurant, staff is also sensitive to the concerns of area residents that a new use may have traffic and parking impacts on the area based on the carry-out focus of the business.

The restaurant is required to provide one (1) off-street parking space for its indoor seating, and no spaces for its outdoor seating. The applicant has provided a parking agreement for two (2) dedicated spaces, and seven (7) shared temporary parking spaces located in the lot across the street at 2216-2218 Mt. Vernon Avenue. Staff agrees that the number of parking spaces provided is appropriate for the use as described. It should be noted that the Del Ray Citizens Association has indicated their support of this application contingent upon the provision of these two (2) dedicated and seven (7) shared parking spaces.

Staff recommends approval of the special use permit subject to the following conditions.

III. RECOMMENDED CONDITIONS

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

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the restaurant shall be limited to between 11:00 a.m. and 9:30 p.m. Monday through Sunday. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The applicant shall post signs inside the restaurant, visible from outside the restaurant, informing patrons of the location and availability of parking spaces. (P&Z)
5. No food, beverages, or other material shall be stored outside. (P&Z)
6. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
7. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
8. That trash and garbage be collected daily when the business is open. (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 closed containers which do not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z)
10. 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)
11. No live entertainment shall be provided at the restaurant. (P&Z)

12. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
13. Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
14. The applicant shall require its employees who drive to work to use off-street parking and/or encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)(T&ES)
15. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
16. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
17. Applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES)
18. 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)(T&ES)
19. Existing landscaping on property shall be well maintained and be free of weeds, debris, and litter at all times. Replace dead or missing plants as needed. (Parks)
20. Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owner's front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1) (Parks)

21. The applicant shall contribute \$250.00 for one street tree to be planted in the nearby vicinity of the subject property. The monetary donation shall be submitted to the Department of Recreation, 1108 Jefferson St. within 60 days of City Council approval. (Parks)
22. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business. (Police)
23. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees. (Police)
24. On-site alcohol service is permitted. For off-premise sales, the following rules apply: 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 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (P&Z)(Police)
25. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
26. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions; or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Richard Josephson, Deputy Director, Department of Planning and Zoning;
Eileen Oviatt, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-4 Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am.
- R-5 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132.
- R-6 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.
- R-7 Applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval.
- R-8 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.

- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

- C-1 The current use is classified as M- Mercantile; the proposed use is B-Business. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 116.2) and compliance with USBC 116.1 including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-5 Toilet Rooms for Persons with Disabilities:
 - (a) Water closet heights must comply with USBC 1109.2.2
 - (b) Door hardware must comply with USBC 1109.13
- C-6 Toilet Facilities for Persons with Disabilities: Larger, detailed, dimensioned drawings are required to clarify space layout and mounting heights of affected accessories. Information on door hardware for the toilet stall is required (USBC 1109.2.2).

- C-7 Required exits, parking, and facilities shall be accessible for persons with disabilities.
- C-8 A seating/table layout (indoor and outdoor) complete with dimensions showing all aisle and passageway clearances will be required for review and approval prior to occupancy (USBC 1004.2).
- C-9 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-10 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-11 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
- (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.
- C-12 The proposed space for outdoor seating with tables occupies approximately 94.25 square feet. The USBC limits the occupant loading for this area to 15 square feet per person or a total of 6 persons.
- C-13 Any configuration of outdoor seating shall comply with the following conditions:
- (a) Fire Dept. Connections must remain accessible - not be blocked by tables or fixtures.
 - (b) Daily Sweeping/washing of outdoor dining area is recommended to control rodent activity.
 - (c) Fire Hydrants shall not be obstructed by tables, chairs or other fixtures.
 - (d) The configuration of any outdoor seating shall not obstruct or diminish the required egress from the structure or any adjacent structures.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 Permits must be obtained prior to operation.
- C-3 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 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Parks and Recreation:

- R-1 Existing landscaping on property shall be well maintained and be free of weeds, debris, and litter at all times. Replace dead or missing plants as needed.
- R-2 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owner's front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)
- R-3 The applicant shall contribute \$250.00 for one street tree to be planted in the nearby vicinity of the subject property. The monetary donation shall be submitted to the Department of Recreation, 1108 Jefferson St. within 60 days of City Council approval.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees.
- F-1 The Police Department has no objections to the outdoor dining.

- F-2 The applicant is seeking an “ABC On” and “ABC Off” license. The Police Department has no objections to either license subject to the following conditions for alcohol sold off premise:
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 ml 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.

NOV



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2008-0067

PROPERTY LOCATION: 116 E. Delray Avenue

TAX MAP REFERENCE: 034.02-08-09 ZONE: CL

APPLICANT:
Name: Culinary Concepts Corporation

Address: 411 W. Windsor Ave., Alexandria VA 22302

PROPOSED USE: Restaurant with take-out and
Delivery.

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

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Lawrence J. Ponzi
Print Name of Applicant or Agent

Lawrence J. Ponzi
Signature Date

411 W. Windsor Ave.
Mailing/Street Address

571-241-2006 703-894-2254
Telephone # Fax #

Alexandria VA 22302
City and State Zip Code

lponzi@gmail.com
Email address

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

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 116 East DelRay Avenue, I hereby
(Property Address)
grant the applicant authorization to apply for the Restaurant use as
(use)
described in this application.

Name: MARTIN R. YONMANS, MEMBER
Please Print 2300 MT. VERNON AVE LLC
Address: 2308 Mt. Vernon Ave. # 717
Alexandria, VA 22301
Signature: Marti Yonmans

Phone: (703) 371-4500
Email: Morty@IQZERO.NET
Date: 8/20/08

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

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. The applicant is the (check one):

- Owner
- Contract Purchaser
- Lessee or
- Other: _____ of the subject property.

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

(1) 50% Lawrence J. Ponzi, 4111 W. Windsor Ave., Alexandria,
Virginia 22302

(2) 50% Christine R. Ponzi, 4111 W. Windsor Ave., Alexandria,
Virginia, 22302

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? N/A

Yes. Provide proof of current City business license

No. The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Our intent is to add an additional amenity to the DelRay neighborhood by opening a new locally owned restaurant inspired by the charm and character established by current business owners on Mt. Vernon Avenue.

Our restaurant will cater to the DelRay area by providing fresh, natural and ~~food~~ ^{home}made Foods both ready for in-home consumption as well as prepared meals ready to bake. We will offer our handmade fresh dough pizza's as well as a variety of pasta, panini and antipasti for eat-in, take-out or delivery. We wish to have a small and quaint inside and outside seating area for people who would like to take advantage of a quick meal. We feel this will add to the curb appeal and fit the neighborhood goal for sidewalk activity. Having a full-time delivery driver will reduce parking needs for those customers who are too far away to walk. We expect most

(3) Narrative Description cont.

~~#~~

of our customers will walk to pick-up food from a 4 to 6 block radius.

In addition, we expect our peak business to be at opposite day parts of neighboring St. Elmos, reducing potential parking demand. This combined with the generous allowance by our parking landlord Lloyd Martin, we do not expect this operation to cause any further parking challenges.

We expect our restaurant will yet become an additional gem to further the appeal of DelRay consumers.

USE CHARACTERISTICS

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

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

5. Please describe the capacity of the proposed use:

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

On average we expect 6 patrons per hour during
day-time hours (11:00AM- 5:00PM) and 10 patrons per
hour from 5:00pm to 9:30 PM.

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

We will average 2 employees per shift
per day.

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

Day:

Hours:

Monday through Sunday

11:00AM - 9:30 PM

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

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

We do not expect any additional
noise impact.

B. How will the noise be controlled?

N/A

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

We will be cooking with fresh herbs and garlic. We also bake our pizza's fresh. Some of this aroma will surround the front door but will not reach beyond property line.

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

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Unbleached paper bags and cups, corrugated boxes, recyclable plastic containers.

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

Most trash is carried to patrons home since we will have limited seating both inside and outside of the restaurant.

C. How often will trash be collected?

2 x 's week (cardboard recycling, bottles and cans to be recycled)

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

Our employees will be responsible to pick up every 30 minutes - 1 hour. As well, we will post a trash can in front of store.

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

[] Yes.

No.

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

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

Yes. No.

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

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

We will meet and exceed all codes for safe
Food handling, driving, and fire safety
imposed by city, state and Federal authorities.

ALCOHOL SALES

- 13.

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

Yes No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

We intend to sell wine and beer on
and off premise. Specializing in
Italian wines and a special selection
of local and regional specialty beers.

PARKING AND ACCESS REQUIREMENTS

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

- 2 Standard spaces
- Compact spaces
- Handicapped accessible spaces.

 7 Other. - Available for our use and take-out customers. as needed / behind 2216-2218 Mt. Vernon Ave.

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

B. Where is required parking located? (check one)

- on-site
- off-site

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

Directly across the street behind 2216-2218 Mt. Vernon Ave.

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

C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

Parking reduction requested; see attached supplemental form

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

A. How many loading spaces are available for the use? 0

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

B. Where are off-street loading facilities located? N/A.

C. During what hours of the day do you expect loading/unloading operations to occur?
Between 9:00 AM and 11:00 AM

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Average 1 per day

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
Current access 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? _____ square feet.

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

819 sq. ft. (existing) + _____ sq. ft. (addition if any) = 819 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: Mixed retail with office units

End of Application

SUP # 2008-0067



APPLICATION

RESTAURANT

All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

1. How many seats are proposed?
Indoors: 4 Outdoors: 6 Total number proposed: 10

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

3. Please describe the type of food that will be served:
Pizza, pasta, panini and anti-pasti. In addition both cooked and uncooked prepared meals will be available for take out.

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

5. If delivery service is proposed, how many vehicles do you anticipate? 1
Will delivery drivers use their own vehicles? X Yes No

Where will delivery vehicles be parked when not in use?
Dedicated parking space ~~at~~ behind 2216-2218 Mt. Vernon Ave.

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

OLD TOWN RESTAURANT POLICY

Changes to Old Town Small Area Plan Chapter of the Master Plan Adopted by City Council on November 13, 1993

On November 13, 1993, the City Council adopted Resolution No. 1672, which outlines new policy and criteria used in applying the revised Old Town Restaurant Policy. Individuals who apply for a special use permit to operate a restaurant in Old Town must address in their entirety five criteria in order to be considered for a special use permit. An application will not be formally accepted for processing until this questionnaire is completed.

GOALS OF THE OLD TOWN RESTAURANT POLICY

1. To lessen the on-street parking impact of restaurants in Old Town and adjacent areas;
2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
3. To control the spread of litter in Old Town.

POLICIES TO ATTAIN THE GOALS OF THE OLD TOWN RESTAURANT POLICY

City Council shall not approve a request for special use permit for any new restaurant, carry-out or fast food establishment or an expansion of an existing restaurant, carry-out or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. City Council shall consider the cumulative impact of the proposal and the number of already established restaurants, carry-outs, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area. In the case of an expansion or other intensification, the entire operation of the establishment may be taken into account in determining its impact upon the nearby residential neighborhoods. In making that determination, City Council shall consider the following factors:

- The availability of off-street parking.
- The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- The extent to which the restaurant is open in the late night hours.
- The extent to which alcohol (such as spirits, mixed drinks, wine, and beer) consumption will predominate over food consumption, including consideration of the number of bar seats, if any, and the standing areas in the vicinity of bars.
- The predicted extent of litter generated in nearby neighborhoods.

CRITERIA TO BE USED TO EVALUATE NEW OR EXPANDED RESTAURANTS

Parking Management Plan. The applicant must submit a parking management plan (PMP), which specifically addresses the following issues:

- The parking demand generated by the proposed restaurant.
- The availability of off-street parking for patrons. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces within 500 feet from the entrance to the restaurant.
- How employees who drive will be accommodated off the street at least in the evenings and on weekends.
- The predicted impact of the restaurant on the parking supply at the evening, weekend, and daytime peaks.
- A proposal to reduce the impact of parking created by the restaurant on nearby areas. Acceptable alternatives for reducing parking impacts include, but are not limited to, the following: validated parking or valet parking for patrons, and off-street parking or transit subsidies for employees.

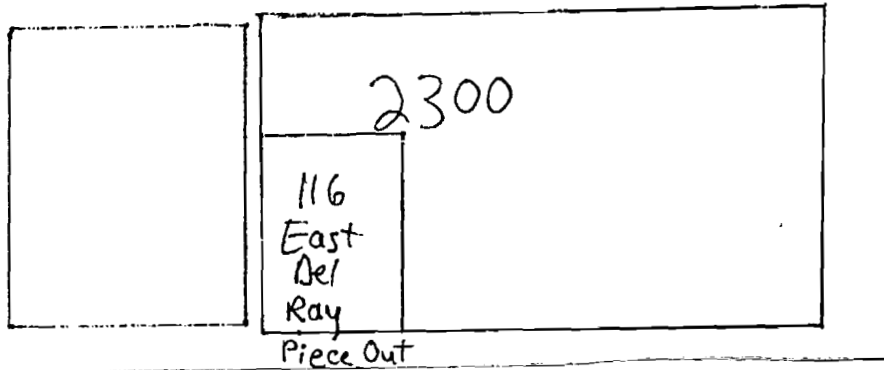
Parking impacts. Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
 100%
 75-99%
 50-74%
 1-49%
 No parking can be accommodated off-street
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
 All
 75-99%
 50-74%
 1-49%
 None
3. What is the estimated peak evening impact upon neighborhoods? (check one)
 No parking impact predicted
 Less than 20 additional cars in neighborhood
 20-40 additional cars
 More than 40 additional cars

Litter plan. The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

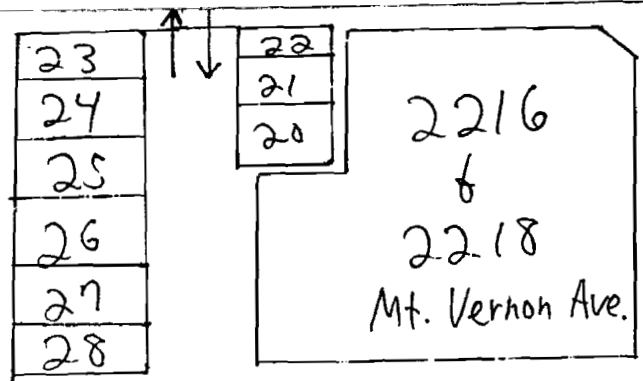
Alcohol Consumption and Late Night Hours. Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:
+ 10 Maximum number of patron dining seats
+ _____ Maximum number of patron bar seats
+ _____ Maximum number of standing patrons
= 10 Maximum number of patrons
2. 2 Maximum number of employees by hour at any one time
3. Hours of operation. Closing time means when the restaurant is empty of patrons.(check one)
 Closing by 8:00 PM
 Closing after 8:00 PM but by 10:00 PM
 Closing after 10:00 PM but by Midnight
 Closing after Midnight
4. Alcohol Consumption (check one)
 High ratio of alcohol to food
 Balance between alcohol and food
 Low ratio of alcohol to food



25

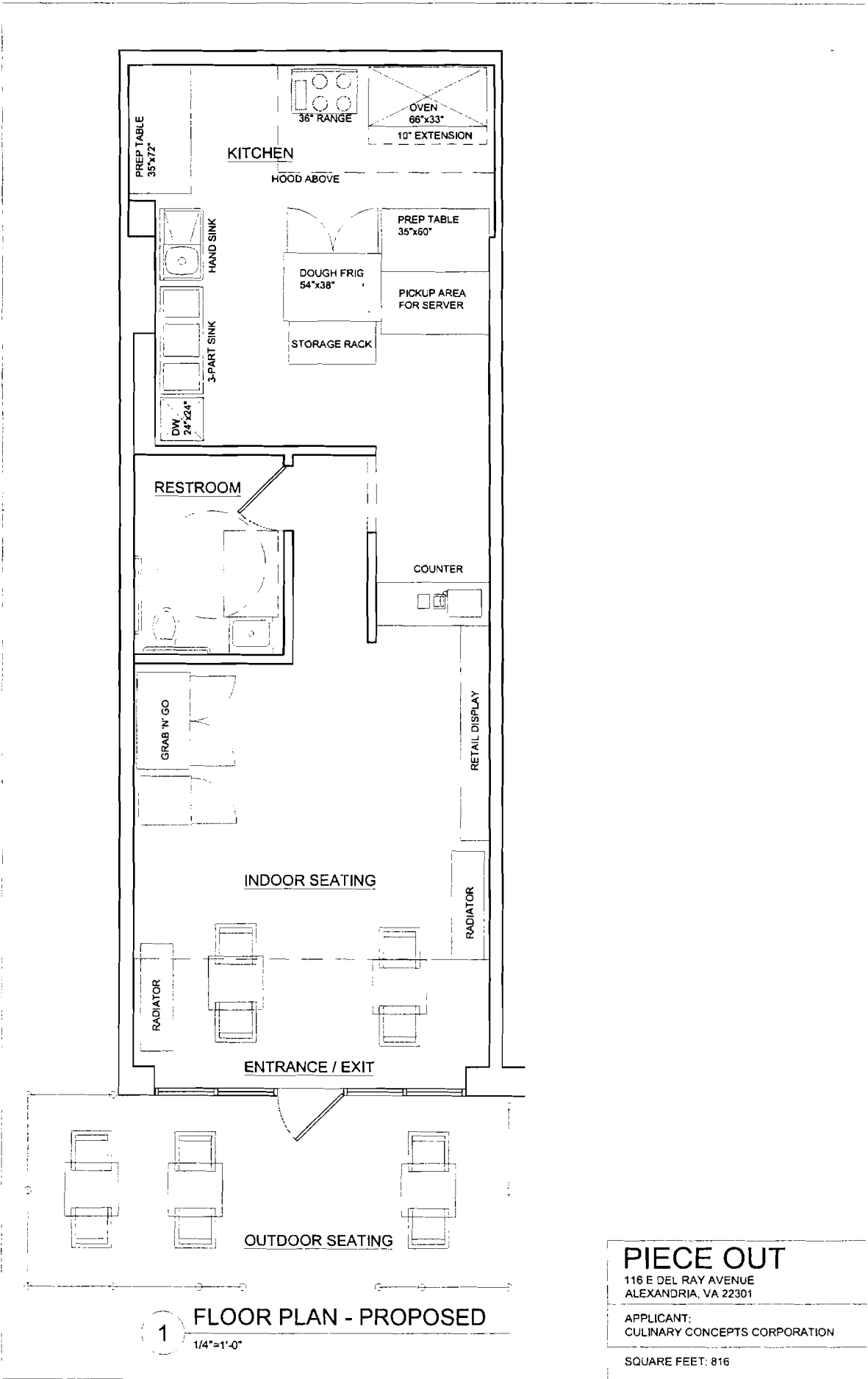
#20 & 21 = Long Term Parking
 #23-28 = Short Term Parking



All Parking Spaces are Standard

Sup 2008-0047

Applicant: Culinary Concepts Corporation
 116 E Delray Ave.



1 FLOOR PLAN - PROPOSED
1/4"=1'-0"

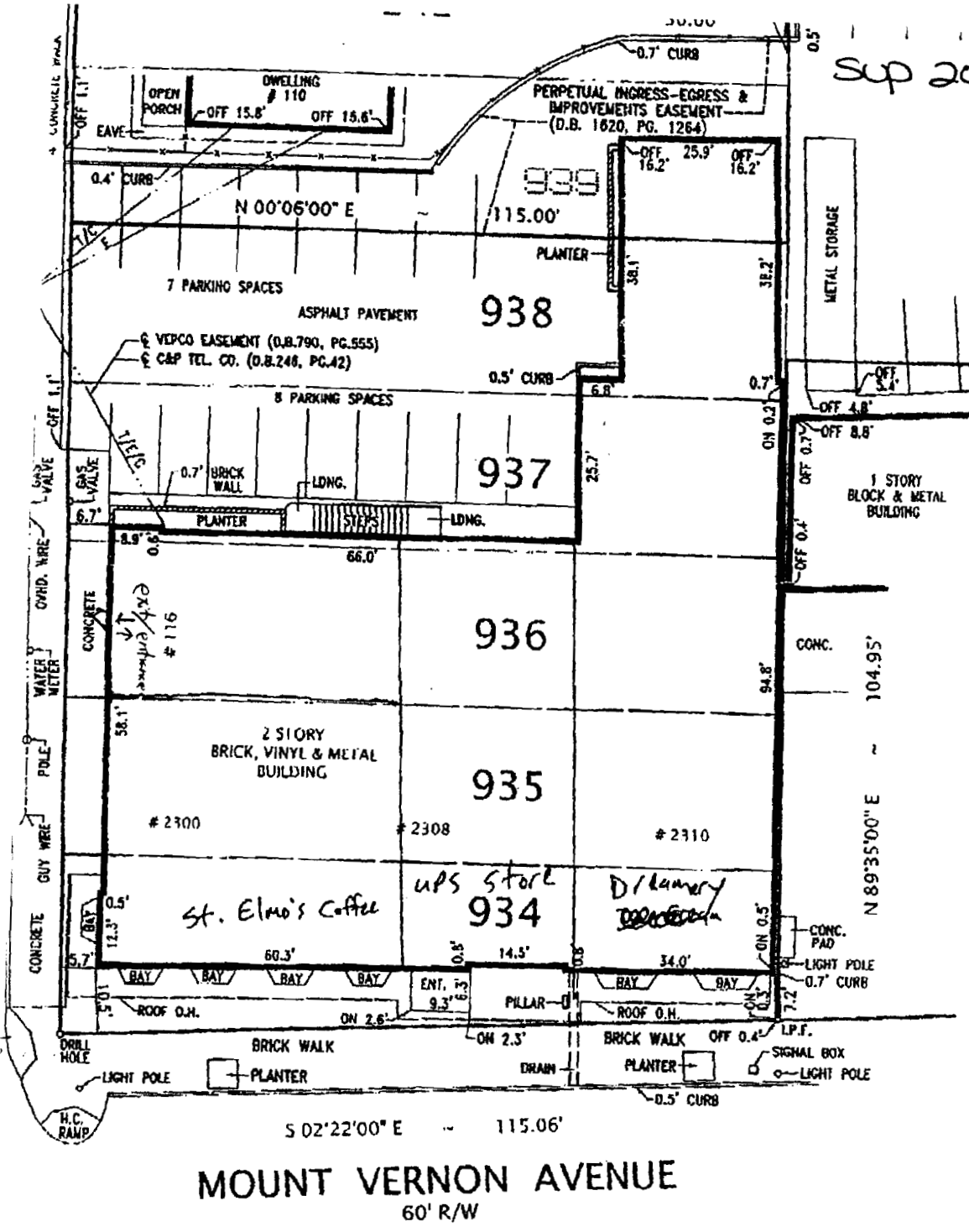
PIECE OUT

116 E DEL RAY AVENUE
ALEXANDRIA, VA 22301

APPLICANT:
CULINARY CONCEPTS CORPORATION

SQUARE FEET: 816

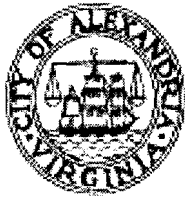
Sup 2008 0067



MOUNT VERNON AVENUE
60' R/W

Applicant: Culinary Concepts Corporation
116 E. Delray Ave.
812100 27

NOV 4



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2008-0067

PROPERTY LOCATION: 116 E. Delray Avenue

TAX MAP REFERENCE: 034.02-08-09 **ZONE:** CL

APPLICANT:

Name: Culinary Concepts Corporation

Address: 411 W. Windsor Ave., Alexandria VA 22302

PROPOSED USE: Restaurant with take-out and
Delivery.

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

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Lawrence J. Ponzi
Print Name of Applicant or Agent

Lawrence J. Ponzi
Signature

411 W. Windsor Ave.
Mailing/Street Address

571-241-2006 703-894-2254
Telephone # Fax #

Alexandria VA 22302
City and State Zip Code

lponzi@gmail.com
Email address

By unanimous Consent, recommended approval	11-6-08
ACTION-PLANNING COMMISSION:	DATE:
ACTION-CITY COUNCIL: CC approved PC recommendation	DATE: 11/15/08
6-0	