

Docket Item # 13
SPECIAL USE PERMIT #2001-0110

Planning Commission Meeting
December 4, 2001

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

APPLICANT: Ruby Tuesday Inc.
by M. Catharine Puskar, attorney

LOCATION: 210 Swamp Fox Road
Hoffman Town Center

ZONE: CDD-2/Coordinated Development District, Eisenhower Avenue

PLANNING COMMISSION ACTION, DECEMBER 4, 2001: On a motion by Ms. Fossum, seconded by Mr. Robinson, 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 #17. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

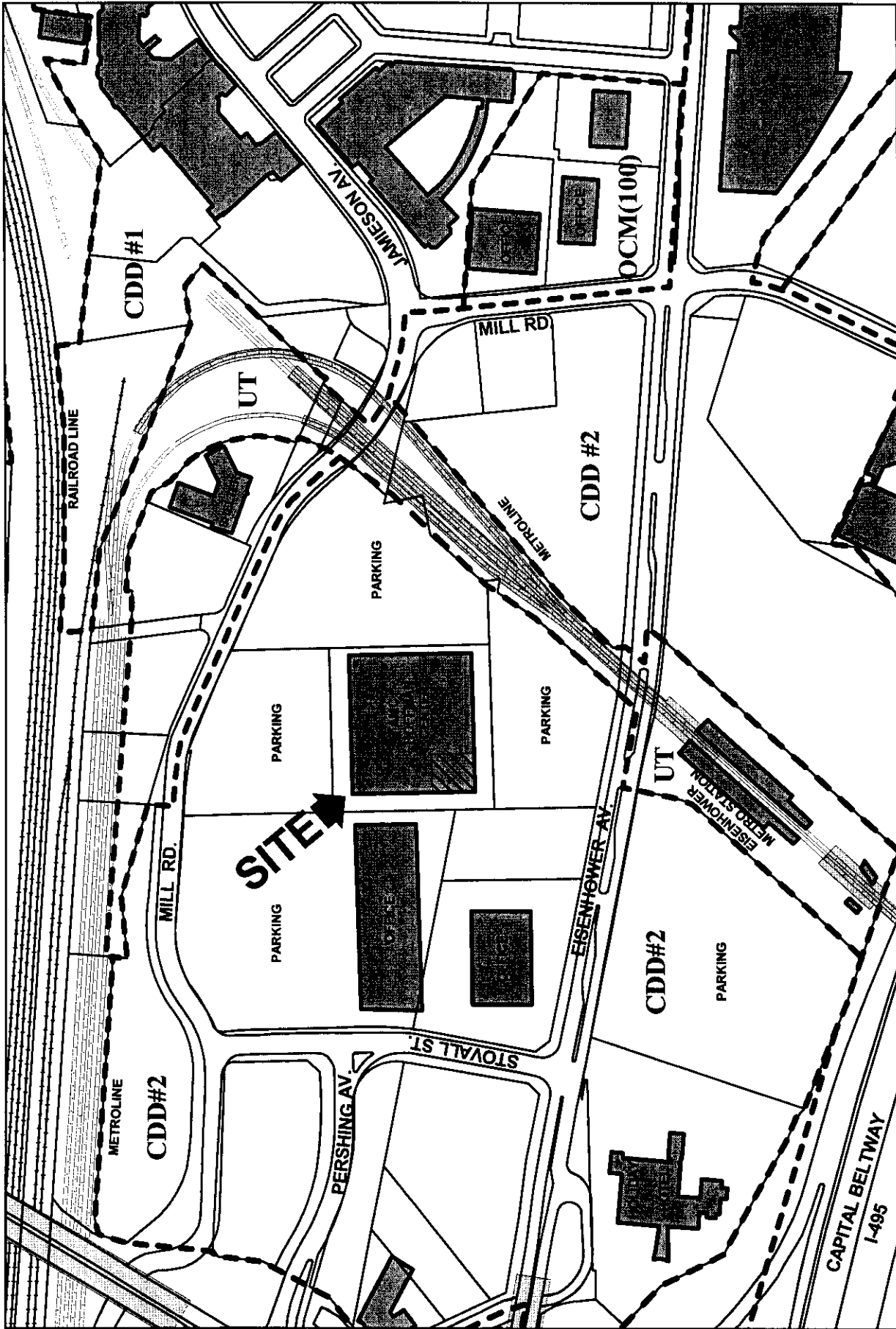
Speakers:

Catherine Puskar, attorney, represented the applicant.

Sharon Hodges, Executive Director, Eisenhower Partnership, spoke in support of the application for a restaurant but questioned the requirement that the applicant should have to plant the trees and shrubs recommended by staff.

Ellen Pickering, spoke in support of the application for a restaurant and believes that the special use permit process is appropriate for upgrading the appearance of sites as here with trees and shrubs recommended by staff.

Poul Hertel spoke in support of the application for a restaurant and the staff recommendation for landscaping.



12/04/01

SUP #2001-0110



STAFF RECOMMENDATION:

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

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. Seating shall be provided for no more than 253 patrons. (P&Z)
3. No live entertainment shall be provided at the restaurant. (P&Z)
4. The hours of operation shall be limited to 11:00 a.m. to 1:00 a.m. daily. (P&Z)
5. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
6. Alcoholic beverages shall be sold for on-premises consumption only. (P&Z)
7. No food, beverages, or other material shall be stored outside. (P&Z)
8. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z)
9. The applicant shall obtain, at their expense, one Model SD-42 Ironsides series trash container to be placed at the front of the restaurant near the intersection of Swamp Fox Road and Grist Mill Place. The applicant shall contact T&ES Solid Waste Division at 703-751-5130 (P&Z).
10. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)

11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
12. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
13. All loudspeakers or musicians shall be prohibited outside the restaurant. No amplified sound shall be audible at the property line. (T&ES) (P&Z)
14. No material shall be disposed of by venting into the atmosphere. (T&ES)
15. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and a robbery awareness program for all employees prior to operation. (Police)
16. 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)
17. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall provide additional landscaping generally consistent with the attached staff plan and all to the satisfaction of the Director of Planning and Zoning, which shall be maintained in perpetuity, and includes the following at a minimum:
 - (a) two planters in the area devoted to outdoor seating to contain flowering plants;
 - (b) shrubbery along the southeastern side of the building, to match the trees and shrubbery planted along Grist Mill Road opposite the subject building; and
 - (c) ~~five~~ ~~eight~~ additional street trees, to match the existing ones, in the front parking lot on Eisenhower Avenue; the trees shown in the plan and along Swamp Fox Road are not required. (P&Z) (PC)

18. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review 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)

Staff Notes:

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

Prior to the commencement of operation the applicant must obtain a business license from the Business Tax Branch.

DISCUSSION:

1. The applicant, Ruby Tuesday Inc., represented by M. Catharine Puskar, attorney, requests special use permit approval for the operation of a full service restaurant located at 210 Swamp Fox Road.
2. The subject property is known as the Hoffman Town Center, and is one lot of record with 333 feet of frontage on Swamp Fox Road, 342 feet of depth and a total lot area of 113,886 square feet. The site is developed with a multi-story masonry building containing a movie theater flanked by two restaurant spaces at the main theater entrance. The proposed Ruby Tuesday restaurant space stands to the right of the main theater entrance and is approximately 5,574 square feet.

The surrounding land uses include the Hoffman office buildings to the west, a Metro station to the southwest, and the Carlyle development to the east. The site is bordered to the south by Eisenhower Avenue and to the north by Mill Road. The theater and restaurant building is part of a larger development project, which includes a pedestrian plaza area and retail uses at the base of the existing Hoffman office buildings, and one additional freestanding retail/restaurant space. Parking structures, a hotel, and an office building are also proposed for construction in later phases of this same development project.

3. On June 13, 1998, City Council granted Special Use Permit #98-0042, with site plan, to construct a theater with retail and restaurant uses. Condition #2 of that special use permit states that each restaurant is required to obtain a separate special use permit for operation.
4. Pursuant to Section 8-200 of the zoning ordinance, the proposed restaurant is required to provide 64 spaces; one space for four seats. Parking requirements for the subject restaurant space were analyzed and met under the special use permit approved in 1998 for the theater building (SUP#98-0042).

The parking requirement for the theater, retail and restaurant uses is 1,741 parking spaces. The office buildings (Hoffman I and II) require 1,523 parking spaces. The total parking requirement is 3,761 parking spaces. There are currently 2,724 spaces, 540 fewer than required. This reduced number of parking spaces should, however, suffice since the theater and office uses have different peak usage times and can share parking. When the second phase of the project is completed, a 3,000 space parking garage will replace most of the surface spaces.

5. The proposed restaurant will be open daily between 11:00 a.m. and 1:00 a.m., will have approximately 30 employees for each lunch shift and each dinner shift, and expects approximately 300 patrons for lunch and 500 patrons for dinner daily.
6. There will be a total of 253 seats with 231 indoors and 22 outdoors. The indoor seating includes 14 bar stools and the outdoor seating is located at the front of the restaurant along Swamp Fox Road under a portico space.
7. The restaurant will be a full service restaurant that serves hot and cold foods, and alcoholic beverages, on the premises only, at tables.
8. The trash will be collected six days a week and stored in screened dumpsters at the rear of the lot. The restaurant will generate approximately nine cubic yards of trash each day.
9. Loading and unloading activities will occur on the south side of the building between 8:00 a.m. and 11:00 a.m. six days a week. A space exists expressly for this purpose and is identified with yellow stripes on the pavement and a sign.
10. The restaurant will provide televisions and recorded background music over a built-in sound system. No live entertainment is proposed in the subject special use permit application.
11. The applicant is also proposing interior and exterior alterations (see attached plans). The exterior alterations include (a) addition of a stone veneer at the base of the front and side elevations, (b) changing the awnings to include the company logo, (c) painting portions of the exterior wall a new color and (d) adding a wall sign.
12. Zoning: The subject property is located in the CDD-2/Coordinated Development District, Eisenhower Avenue zone. Section 5-600 of the zoning ordinance states that the OC (Office Commercial) zoning regulations apply with exceptions in the CDD-2 zone. Section 4-800 of the zoning ordinance states that a restaurant is allowed only in the OC zone with a special use permit.
13. Master Plan: The proposed use is consistent with the King Street/Eisenhower Avenue Small Area Plan chapter of the Master Plan which designates the property for CDD-2/Coordinated Development District, Eisenhower Avenue zone.

STAFF ANALYSIS:

Staff has no objection to the proposed restaurant located at 210 Swamp Fox Road. Restaurant uses were part of the original development concept approved in 1998 and are supported today by staff. The proposed restaurant is compatible with the adjacent theater and office uses. It will also attract more people to the area during the evening, creating a more lively, active environment than the day time office use that has historically occupied this location. Use of the site in the evenings also maximizes the use of existing resources such as the Metro and parking lots. The proposed restaurant is consistent with the King Street/Eisenhower Metro Station Small Area Plan as it is part of a mixed use development that is convenient to Metro service.

Although staff strongly endorses the proposed use, it recommends, as with all SUPs, several landscaping enhancements to make the site more attractive and minimally comply with general landscaping standards. Especially with regard to the Eisenhower Avenue frontage and the front parking lot, there is an opportunity to make a sterile environment with minimal landscaping look significantly better. When the site plan for the parking lot and theater building was approved three years ago, the standard landscaping requirements, which include a significant buffer for street trees and shrubbery as well as additional trees within the parking lot itself, were not imposed because it was argued that this lot is only an interim use, to be eventually replaced with an office building. However, it is unclear how long the existing parking lot will remain.

In addition, there is a desire to have this site be consistent with the landscaping and design concept for the future of Eisenhower Avenue, as envisioned as part of the Eisenhower East planning study, and already being imposed at Carlyle as well as on all new projects in this portion of the Eisenhower Valley. Both Carlyle and the Eisenhower plan are calling for a double row of street trees to create a uniform green wall along the street to soften the roadway and parking lot asphalt that the pedestrian and driving public otherwise experience. If the interim parking lot becomes a five, 10 or 15 year use, then it is not fair to not require the same treatment here as elsewhere on Eisenhower Avenue. The goal for all property in the Eisenhower Valley is to create an attractive, pedestrian friendly environment, tying the properties together and emphasizing the pedestrian Metro experience.

To achieve these goals and enhance this particular site, staff is recommending the following additional landscaping, as shown in the attached staff plan:

- planters for flowering plants in the outdoor seating area;
- shrubbery similar to what is now seen along Grist Mill Road to be added along the southeastern side of the building beyond the dumpster area to help buffer the view of the dumpster and the parking lot behind the theater;

- the addition of eight street trees along Eisenhower Avenue and Swamp Fox Road to match the existing ones, with asphalt to be removed and islands created for the new trees.

Staff balanced the amount of parking required for the restaurant, 64 spaces under the zoning ordinance, against the total number of parking spaces (215) in the front parking lot and believes the requirement is proportional to the use of the lot that is anticipated by the restaurant. The proposed landscaping will necessitate the removal of parking spaces from the front parking lot, however the number of spaces lost can be reclaimed through restriping some spaces to compact space size.

Finally, staff has included the standard restaurant conditions and a condition requiring a review of the restaurant after one year so if there are any problems with its operation, additional conditions may be imposed. Staff thus recommends approval of the special use permit subject to the recommended conditions.

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

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 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.
- R-1 No material shall be disposed of by venting into the atmosphere.
- R-2 All loudspeakers or musicians shall be prohibited outside the restaurant.
- R-3 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-4 The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Four sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing and mechanical layouts and schematics.

- C-4 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-5 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC [313.0.
- C-6 Required exits, parking and accessibility for persons with disabilities must be provided to the building.
- C-7 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-8 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 pick-up schedule.
 - (b) How food stuffs will be stored on-site.
 - (c) Rodent baiting plan.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Five sets of plans are to be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.

- C-3 Permits must be obtained prior to operation.
- C-4 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-5 Certified Food Managers must be on duty during all hours of operation.
- C-6 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.
- C-7 Outside dining requires that the food must be protected to the point of service.

Police Department:

- R-1 Security survey for the business.
- R-2 Robbery awareness program for all employees.
- R-3 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 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.

APPLICATION for SPECIAL USE PERMIT # 2001-0110

[must use black ink or type]

PROPERTY LOCATION: 2400 ~~Eisenhower Avenue~~ ^{Mill Rd} (210 Swamp Fox Road)

TAX MAP REFERENCE: ~~78-00-01-01~~ 72.00-03-19 ZONE: CDD-2

APPLICANT Name: Ruby Tuesday, Inc.

Address: 150 W. Church Street, Maryville, TN 37801

PROPERTY OWNER Name: Hoffman Family LLC

Address: 2461 Eisenhower Ave., Alexandria, VA 22331

PROPOSED USE: Restaurant with outdoor seating (Ruby Tuesday)

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

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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

M. Catharine Puskar
Print Name of Applicant or Agent
Walsh, Colucci, Stackhouse, Emrich & Lubeley
2200 Clarendon Blvd., 13th Floor
Mailing/Street Address
Arlington, VA 22201
City and State Zip Code

M Catharine Puskar
Signature
703/528-4700 703/525-3197
Telephone # Fax #
September 25, 2001
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

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

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

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

Ruby Tuesday, Inc. is publicly traded on the New York Stock Exchange

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

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

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

NARRATIVE DESCRIPTION

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

The Applicant proposes to operate a full service restaurant known as The Ruby Tuesday Classic Grill. The Ruby Tuesday Classic Grill specializes in casual American cuisine with a menu that includes and expands upon those items served at its well-known Ruby Tuesday restaurant. The Ruby Tuesday Classic Grill will also provide upgraded interior and exterior finishes. A sample lunch menu has been attached for your review.

The proposed hours of operation are 11:00 a.m. to 1:00 a.m. daily. There will be up to 30 employees on-site for the lunch and dinner shifts, where it is anticipated that approximately 800 patrons will be served per day. Background music will be provided over a built-in sound system and standard televisions will be located in the restaurant for patron viewing.

The proposed restaurant contains 231 indoor seats (including 14 bar stools) and 22 outdoor seats, for a total of 253 seats. Per §8-200A of the Zoning Ordinance, 64 parking spaces are required for the proposed restaurant (1 space per 4 seats). Pursuant to Special Use Permit 98-0042, approved by City Council on June 13, 1998, the proposed restaurant will share on-site parking with the other uses located in the Hoffman Center.

USE CHARACTERISTICS

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

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

5. Please describe the capacity of the proposed use:

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

300 patrons for lunch

500 patrons for dinner

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

30 employees for each shift (lunch & dinner)

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

Day:

Hours:

7 days a week

11:00 a.m. to 1:00 a.m.

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

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

Noise levels will comply with City of Alexandria Noise Ordinance

B. How will the noise from patrons be controlled?

Noise will not be excessive

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

Normal odors for restaurant use

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

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

Normal trash for restaurant use

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

Nine (9) cubic yards per day

C. How often will trash be collected?

Six (6) days a week

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

Employees will monitor the site for trash and debris

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

Yes. No.

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

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

Yes. No.

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

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

The adjacent movie theater has security personnel who monitor

the property.

ALCOHOL SALES

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

Yes. No.

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

On premises beer, wine and mixed drinks

PARKING AND ACCESS REQUIREMENTS

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

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

64 (one space per 4 seats)

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

 Standard spaces

 Compact spaces

 Handicapped accessible spaces.

 X Other. The restaurant will share on-site parking with other uses in the Hoffman Center.

*Please see approved parking plan for the Hoffman Center for details.

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

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

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

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

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

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

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

- C. Where are off-street loading facilities located? On the south side of the building.

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

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

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

6 days a week

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

street 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?

5,574 sq. ft. (existing) + _____ sq. ft. (addition if any) = 5,574 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: Hoffman Center

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: 239 * At a bar: 14 Total number proposed: 253
* 217 indoor/22 outdoor

2. Will the restaurant offer any of the following?

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

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

See attached sample lunch menu

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

table service bar carry-out delivery

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

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

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

If yes, please describe: Standard televisions and background music provided
over a built-in sound system.

LUNCH

APPETIZERS AND SNACKS

Super Sampler: Fried Chicken Tenders, Loaded Potato Skins and Mozzarella Cheese Sticks with an assortment of dipping sauces. \$8.49

Bruschetta: Garlic toast topped with roasted red pepper spread, garnished with diced Roma tomatoes, garlic and basil, sprinkled with parmesan cheese. \$6.49

Pot Stickers: Chinese dumplings, filled with chicken and pan sauteed. Served with our Asian sesame dipping sauce and cool, Oriental noodle salad. \$7.49

Pan Seared Crab Cakes: Topped with Roma tomatoes, garlic and basil, drizzled with remoulade sauce. \$8.49

Baked Lobster Dip: Dusted with parmesan cheese and served with toasted crostini. \$8.49

Spicy Buffalo Wings: Tossed in our Buffalo (medium) or "Kick 'Em Up" (hot) sauce, served with Bleu cheese dressing. 10 piece \$5.99 or 20 piece \$8.99

Barbecue Chicken Quesadilla: Flour tortilla filled with spicy chicken, barbecue sauce, cheese, tomatoes and red onions, grilled and garnished with seasoned Roma tomatoes. \$6.99

Chicken Quesadilla: Flour tortilla filled with spicy chicken, cheese, tomatoes and jalapenos, grilled and garnished with seasoned Roma tomatoes. \$6.99

Spinach Con Queso: Spicy blend of creamy cheese, spinach and sundried tomatoes served with unlimited tortilla chips. \$6.49

Mozzarella Cheese Sticks: Breaded and fried mozzarella served with our special sauce. \$5.99

Loaded Potato Skins: Topped with melted Jack 'n cheddar cheese, bacon and sour cream. \$6.49

SALAD BAR EXTRAVAGANZA

Create your own garden-fresh salad with crisp, fresh greens and vegetables, seasonal fruits, cheeses, a variety of salad toppings, prepared salads and a wide selection of delicious dressings. \$5.99 With Your Entree \$1.99

HOUSE SPECIALTIES

Crab Catch: A broiled white fish fillet coated with a spicy New Orleans seasoning. Served with fresh steamed broccoli and bruschetta-cheese rice. \$9.99

Sonora Chicken Pasta: Penne pasta tossed in Southwestern cheese sauce, topped with sliced chicken, spicy black bean salsa and tomatoes. \$10.99

Tomato Basil Linguini: Tossed in garlic herb butter with Roma tomatoes, basil and parmesan cheese. \$8.99

Classic Shrimp Platter: A generous portion of our lightly breaded and fried shrimp with cocktail and remoulade sauces for dipping. Served with fries, onion straws and cole slaw. \$10.99

Chicken Tenders: A half-pound of our fried chicken tenders, fries, crispy onion straws and cole slaw, served with sauces for dipping. Or, if you like them hot, have them tossed in our Buffalo (medium) or "Kick 'Em Up" (hot) sauce. \$8.99

Ruby's Slow-Roasted Ribs: Baby back ribs, dry rubbed with special seasonings and perfectly slow-roasted, then basted with tangy barbecue sauce. Served with fries, onion straws and cole slaw. Half Rack \$11.99 or Full Rack \$16.99

Smoky Mountain Chicken®: A lunch-sized portion of our seared chicken breast, topped with bacon, barbecue sauce, tomatoes and cheeses. Served with fries and cole slaw. \$7.99

Church Street Chicken™: A lunch-sized portion of our seared chicken breast smothered with garlic-sauteed mushrooms, bacon and Swiss cheese. Served with fries and cole slaw. \$8.99

Peppercorn Mushroom Sirloin: A 7 oz. top sirloin, encrusted with peppercorns and topped with sauteed garlic mushrooms in a parmesan cream sauce. Served with fries and fresh steamed broccoli. \$9.99

Ask to see our dinner menu. Served after 4pm daily and all day Sunday.

Payment Policy: We accept American Express, MasterCard, VISA, Discover, Diners Club and Carte Blanche credit cards and cash. No checks please. For your convenience, a gratuity of 15% is automatically added to your check for parties of 4 or more. If this is unacceptable, please let us know.

LUNCH

SUP 2001-0110

SALADS & COMBOS

Chicken Caesar Salad: Crisp romaine in a creamy Caesar dressing, topped with seasoned tomatoes, red onions, parmesan cheese and crowned with peppercorn chicken. \$7.99

Carolina Chicken Salad: Garden-fresh greens in honey-mustard dressing with cheese, seasoned tomatoes and pecans. Topped with diced fried chicken. \$7.99

Salad Bar & Soup of the Day: Our garden-fresh Salad Bar Extravaganza and your choice of one of our delicious Soups of the day. \$6.99

Loaded Potato & Salad Bar or Soup: A loaded baked potato, topped with butter, sour cream, Jack 'n cheddar cheese and bacon served with either our Salad Bar Extravaganza or your choice of soup. \$6.99

Turkey BLT & Salad Bar or Soup: Half of our Turkey BLT sandwich and fries. Served with either our Salad Bar Extravaganza or your choice of soup. \$6.99

SANDWICHES

Served with fries. Add crispy onion straws and cole slaw for \$1.19

Crispy Chicken Club: Fried chicken breast with Swiss cheese, bacon, lettuce, tomato, onion, pickles and mayonnaise. \$6.99

Key West Fish: Seasoned, broiled tilapia, garnished with remoulade sauce on a toasted garlic roll with lettuce, tomato, pickles and onions. \$7.99

Buffalo & Bleu: Fried chicken breast basted in our spicy Buffalo sauce, with lettuce, tomato, onion, pickles, mayonnaise, Monterey Jack cheese and a side of Bleu cheese dressing. \$6.99

Hickory Chicken: A seasoned chicken breast topped with barbecue sauce, Monterey Jack cheese, Jack 'n cheddar, bacon, lettuce, tomato, pickles, onion and served with mayonnaise. \$6.99

Turkey BLT: Sliced turkey, bacon, melted Monterey Jack cheese with lettuce, tomato, pickles, onion and mayonnaise, served on a toasted garlic roll. \$6.99

Roasted Veggies: Fresh vegetables marinated and roasted, served on a toasted garlic roll. Topped with Swiss cheese and Ranch dressing. \$6.49

BURGERS

Our thick, juicy half-pound burgers are garnished with lettuce, tomato, onion, pickles, mayonnaise and mustard. Served with fries. Add crispy onion straws and cole slaw for \$1.19

Bacon Cheeseburger: With American cheese and sliced bacon. \$6.99

Smokehouse Burger: Barbecue sauce, bacon, American and Jack 'n cheddar cheeses. \$6.99

Three-Cheese Bacon Burger: Bacon and melted Swiss, Monterey Jack and American cheeses. \$6.99

Colossal Burger: Our "One Pound" Colossus has two half-pound burgers stacked tall on a triple-decker bun with American and Monterey Jack cheeses. \$8.99

Classic Cheeseburger: With American cheese. \$6.49

All-American Burger: \$5.99

Turkey Burger: Topped with bacon and Monterey Jack cheese. \$5.99

Vegetarian Burger: All-vegetable patty topped with Monterey Jack and cheddar cheeses. \$6.99

DESSERTS

Chocolate Oreo TALLCAKE®: Layered chocolate cake and chocolate mousse made with OREO cookies, drenched with caramel and fudge sauce, topped with vanilla ice cream and mounds of whipped cream. \$5.49

Strawberry TALLCAKE®: Three layers of light and airy sponge cake and strawberry mousse, drenched in strawberry sauce, topped with vanilla ice cream, fresh strawberries and whipped cream. \$5.49

Biggest, Best Cheesecake: Creamy cheesecake with a graham cracker crust, topped with strawberry sauce. \$5.99

Blondie with Ice Cream and Caramel Sauce: A warm, nutty, melt-in-your-mouth, chocolate-chip blondie drenched in caramel with vanilla ice cream. \$4.99

WINES

Wines are listed from light and sweet to dry and full-bodied.

Blush

Sutter Home White Zinfandel	\$ 3.95	\$ 11.95
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White

	Glass	Bottle
Ecco Domani Pinot Grigio	\$ 4.95	\$ 14.85
Copperidge	\$ 3.95	\$ 11.95
Woodbridge by Robert Mondavi	\$ 4.95	\$ 14.85
Meridian	\$ 5.95	\$ 17.85
Kendall Jackson	\$ 6.95	\$ 20.85

Red

Copperidge Merlot	\$ 3.95	\$ 11.95
Meridian Merlot	\$ 5.95	\$ 17.85
Black Opal Shiraz	\$ 6.95	\$ 20.85
Clos Du Bois Merlot	\$ 7.95	\$ 23.25
Coastal Cabernet Sauvignon by Robert Mondavi	\$ 6.95	\$ 20.85

Champagne

Moet White Star	-	\$ 49.95
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MARTINIS

The Classic: Bombay Sapphire Gin, a hint of Dry Vermouth with giant stuffed olives.

Plush: Vox Vodka, Dry Vermouth with stuffed olives.

Blue Star: Skyy Vodka, Blue Curacao, chilled and served with a twist.

Coanopolitan: Skyy Citrus Vodka, Cointreau and a splash of cranberry juice.

Absolute Orange: Absolut Mandrin, Cointreau, garnished with an orange wedge.

MARGARITAS

Blue Lagoon MEGARITA™: A "32 ounce" tropical combination of Cuervo tequila, blue curacao and sweet & sour. Frozen or on-the-rocks. *Limit one per guest.*

Traditional MEGARITA™: Our "32 ounce" traditional favorite, with Cuervo tequila, triple sec and sweet & sour. Frozen or on-the-rocks. *Limit one per guest.*

Classic Margarita: A traditional blend of Cuervo tequila, triple sec and sweet & sour. Frozen or on-the-rocks.

Strawberry Margarita: A frozen blend of juicy strawberries, Cuervo tequila, triple sec and sweet & sour, complemented with a sugar rim.

Golden Margarita: Our Top-Shelf Margarita made with Cuervo Tequila, Cointreau, sweet & sour, and a float of Grand Marnier. Frozen or on-the-rocks.

BEER

Draft

Coors Light	Bud Light	Heineken
Killians Red	Budweiser	

Ask about our great selection of bottled beers.

SUP 2001-0110



October 22, 2001

Chairman and Members of the
Alexandria Planning Commission
City Hall
301 King Street
Alexandria, VA 22314

Re: Ruby Tuesday (Docket 2001-0110)

Dear Mr. Chairman and Members:

The Planning and Transportation Committee of the Eisenhower Partnership was pleased to hear a presentation on Ruby Tuesday Classic Grill which is proposed for the Hoffman Town Center on Eisenhower Avenue. We were pleased to learn that outside seating will be available and that parking will not be a problem as shared parking has been arranged with the Hoffman Center.

It is a goal of the Eisenhower Partnership to help bring retail to the Eisenhower Valley. Presently there are 1,832 completed residential units in the Valley with another 1,000 under construction and more residential units are proposed. Also the corridor supports nearly 25,000 workers. There are few amenities, such as shopping and dining, to support these residents and employees. A Ruby Tuesday Classic Grill is a welcomed start to correcting this lack of amenities.

Therefore, the Eisenhower Partnership strongly supports the approval of Ruby Tuesday Classic Grill's proposed plan for coming to the Eisenhower Valley.

Sincerely,

Sharon B. Hodges
Executive Director
On Behalf of the Board of Directors

cc: Cathy Puskar, Esq.
Ruby Tuesday Classic Grill

AMC THEATER

GRIST MILL LANE

EVERGREEN SHRUB PLANTINGS
SHOULD MIRROR THOSE
ACROSS THE STREET.

SWAMP FOX ROAD

(3) RED MAPLE TO
MATCH EXISTING

(5) WILLOW OAKS TO
MATCH EXISTING

EISENHOWER

NOTE:

ASPHALT SHALL BE
REMOVED AND (8) EIGHT
LANDSCAPE ISLANDS
WITH CURBS SHALL BE
PROVIDED. LANDSCAPE
ISLANDS SHALL HAVE
TOPSOIL AND BE
MULCHED.


STAFF'S PROPOSED
RUBY TUESDAY
LANDSCAPE PLAN

SCALE: NTS

SUP 2001-0110

City of Alexandria, Virginia

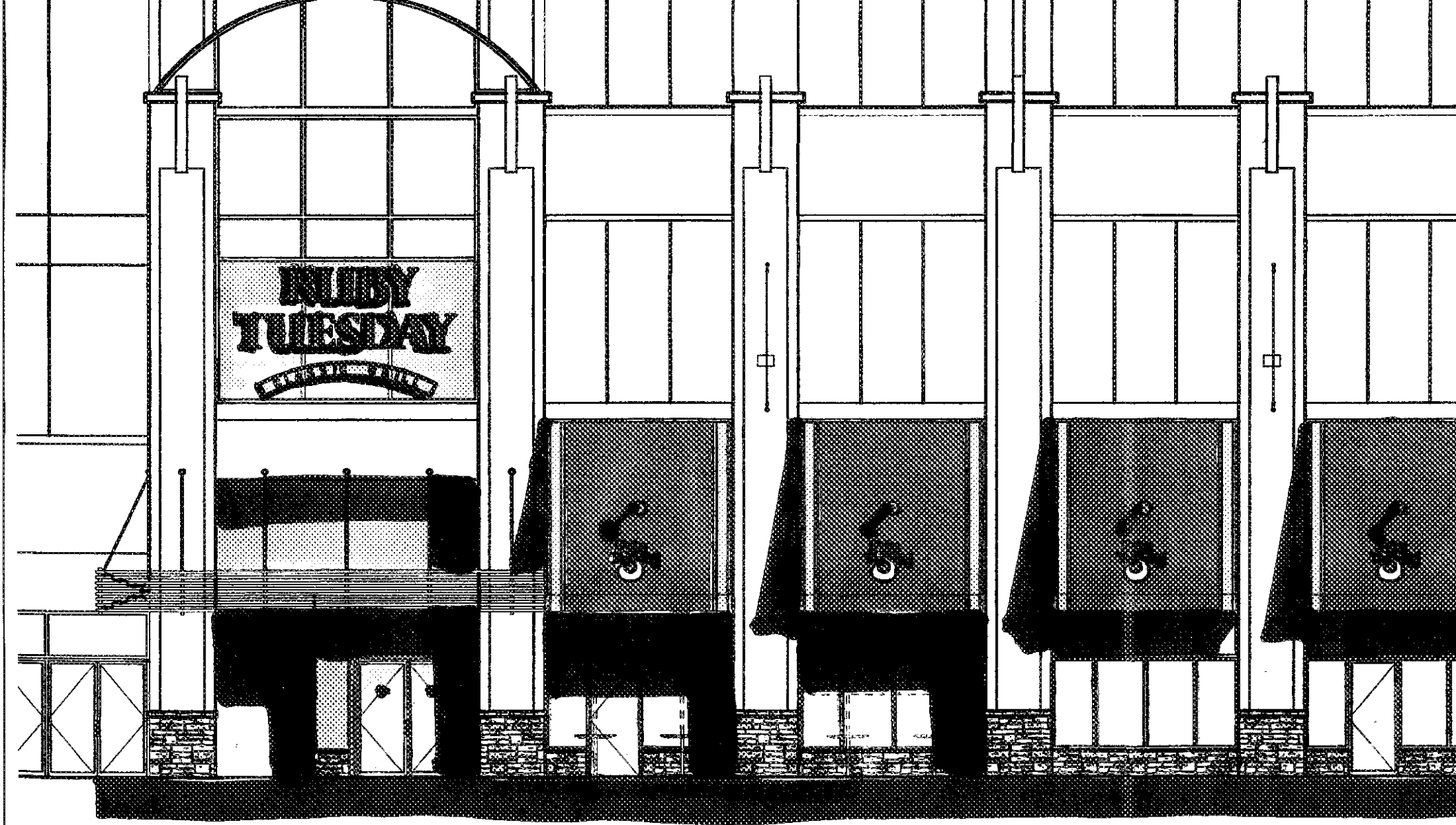
MEMORANDUM

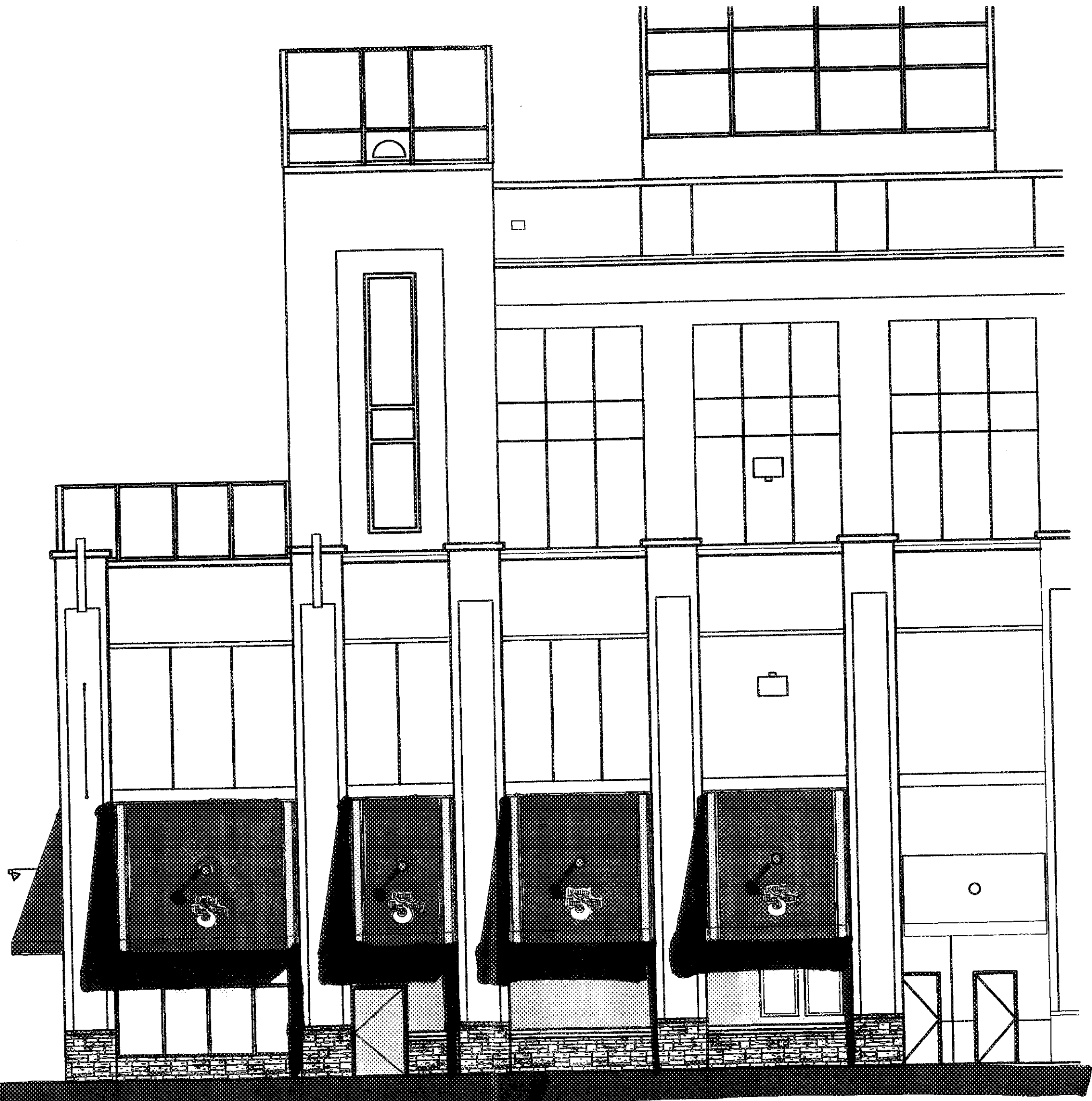
DATE: DECEMBER 4, 2001
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION
FROM: EILEEN FOGARTY, DIRECTOR, PLANNING AND ZONING 
SUBJECT: RUBY TUESDAY LANDSCAPING
SUP #2001-0110
DOCKET #13

The applicant and staff have discussed the issue of additional landscaping for the parking lot in front of the new Ruby Tuesday restaurant proposed for the Hoffman Town Center property, and agree to the following change to the language of Condition #17:

17. The applicant shall provide additional landscaping generally consistent with the attached staff plan and all to the satisfaction of the Director of Planning and Zoning, which shall be maintained in perpetuity, and includes the following at a minimum:
- (a) two planters in the area devoted to outdoor seating to contain flowering plants;
 - (b) shrubbery along the southeastern side of the building, to match the trees and shrubbery planted along Grist Mill Road opposite the subject building; and
 - (c) ~~five~~ eight additional street trees, to match the existing ones, in the front parking lot on Eisenhower Avenue; the trees shown in the plan and along Swamp Fox Road are not required. (P&Z)

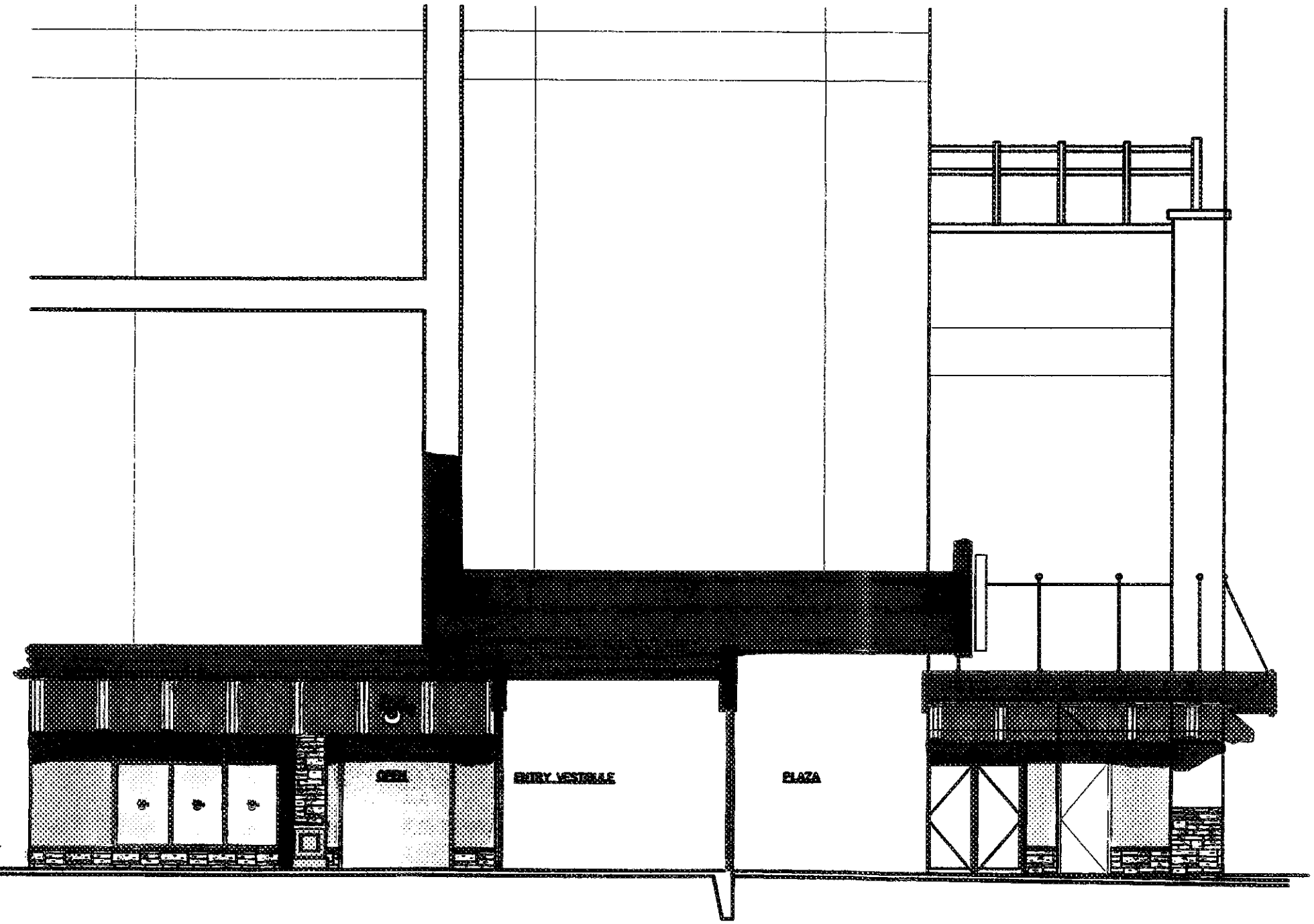
**RUBY
TUESDAY**
EXCLUSIVE STORE





9
12-15-01

1 LOBBY ELEVATION
EL2 SCALE: 1/8" = 1'-0"



2 LOBBY ELEVATION
EL2 SCALE: 1/8" = 1'-0"

9
12-15-01

SPEAKER'S FORM

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

DOCKET ITEM NO. 9

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

- 1. NAME: Cathy Puskar
- 2. ADDRESS: 3422 Old Dominion Blvd
TELEPHONE NO. 703-528-4700 E-MAIL ADDRESS: mcpw@arl.wcset.com
- 3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Ruby Tues, Inc
- 4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: X AGAINST: _____ OTHER: _____
- 5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
- 6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL? YES X 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.

APPLICATION for SPECIAL USE PERMIT # 2001-0110

[must use black ink or type]

PROPERTY LOCATION: 2400 ~~Eisenhower~~ Avenue (210 Swamp Fox Road) Mill Rd

TAX MAP REFERENCE: ~~78-00-01-01~~ 72.00-03-19 ZONE: CDD-2

APPLICANT Name: Ruby Tuesday, Inc.

Address: 150 W. Church Street, Maryville, TN 37801

PROPERTY OWNER Name: Hoffman Family LLC

Address: 2461 Eisenhower Ave., Alexandria, VA 22331

PROPOSED USE: Restaurant with outdoor seating (RUBY TUESDAY)

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

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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

M. Catharine Puskar
Print Name of Applicant or Agent
Walsh, Colucci, Stackhouse, Emrich & Lubeley
2200 Clarendon Blvd., 13th Floor
Mailing/Street Address
Arlington, VA 22201
City and State Zip Code

M Catharine Puskar
Signature
703/528-4700 703/525-3197
Telephone # Fax #
September 25, 2001
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: 12/4/01 Recommend Approval 7-0

ACTION - CITY COUNCIL: 12/15/01PH--See attached. (Separate Motion)

4. Councilman Speck identified that Condition #17 has some new language, "and shall direct them to use the 17 on-site garage spaces dedicated for retail uses when available." which goes beyond the standard language of employees who drive to work are required to use off-street parking. He related his concern that if employees are directed to use the retail parking space, doesn't that mean that the retail spaces are being used by employees rather than by shoppers.

Planning and Zoning Deputy Director Ross responded to questions from Councilman Speck and Councilwoman Woodson, and they participated in the discussion.

City Council approved the Planning Commission recommendation. **(Separate Motion)**

5. Councilman Speck requested that the standard language about violations be added to Condition #10.

City Council approved the Planning Commission recommendation. **(Separate Motion)**

6. City Council approved the Planning Commission recommendation.

7. City Council approved the Planning Commission recommendation.

8. City Council approved the Planning Commission recommendation.

9. Councilman Speck requested that the standard condition which we impose that employees who drive to work must use off-street parking be added.

For the record, Cathy Puskar, 3422 Old Dominion Boulevard, attorney for the applicant, stated that the amendment to Condition #17 was a matter of some debate, but we did come to an agreement and were satisfied with the agreement.

City Council approved the Planning Commission recommendation. **(Separate Motion)**

Council Action: _____

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

10. Public Hearing on and Consideration of Report on the Closing of a Public Way Consisting of South Royal and South Streets, from Jones Point Drive to South Washington Street. (#14 12/11/01)

Transportation and Environmental Services Director Baier gave a brief overview and participated in the discussion on this item.

In response to Councilwoman Eberwein's question about delaying the formal vacation until such time as we can see the final effects, City Attorney Pessoa responded that Council has ample discretion to defer or deny the request for a vacation.