

EXHIBIT NO. 1

8  
11-13-04

Docket Item #10  
SPECIAL USE PERMIT #2004-0088

Planning Commission Meeting  
November 4, 2004

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

**APPLICANT:** Mejia Brothers, Inc.  
by Mariela Vado

**LOCATION:** 2615 Mt. Vernon Avenue

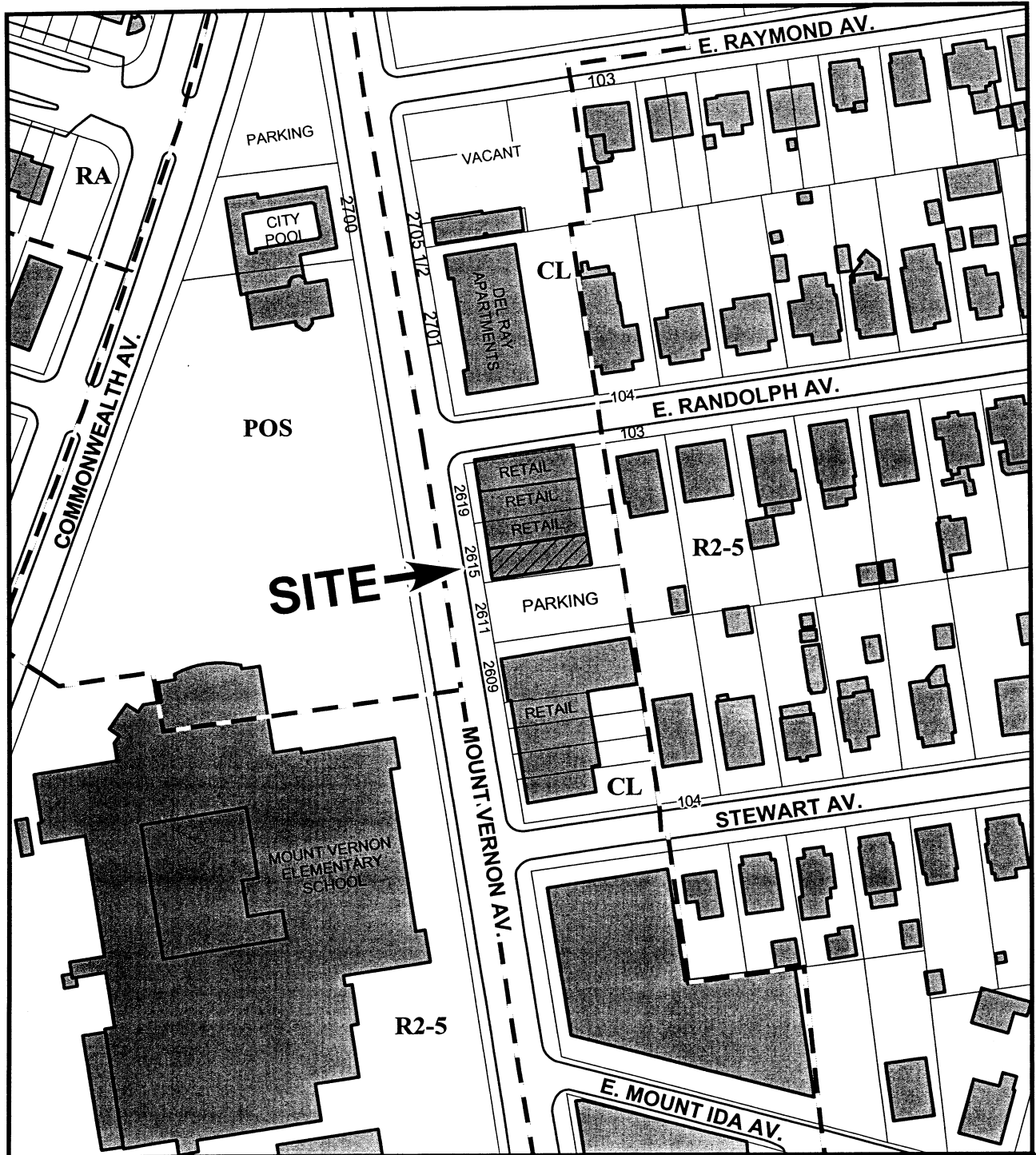
**ZONE:** CL/Commercial Low

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**PLANNING COMMISSION ACTION, NOVEMBER 4, 2004:** 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 permit conditions found in Section III of this report.



**SUP #2004-0088**

**11/04/04**



## **I. DISCUSSION**

### REQUEST

The applicant, Mejia Brothers, Inc., by Mariela Vado, requests special use permit approval for the expansion of a restaurant at 2615 Mount Vernon Avenue.

### SITE DESCRIPTION

The subject property is one lot of record with 50 feet of frontage on Mount Vernon Avenue, 113.6 feet of depth and a total lot area of 5,680 square feet. The site is developed with a single story commercial building which spans two properties and is occupied by four commercial tenants. A parking lot abuts the south side of the building. The parking lot serves the building located at 2609 Mt. Vernon Avenue, most recently occupied by the offices of Sonitrol Security Company, where there is a pending application for a fitness studio. The surrounding land uses include commercial to the north and south along Mount Vernon Avenue, residential immediately to the east and the Mount Vernon Elementary School and Recreation Center to the west.

### BACKGROUND

On January 23, 1982, City Council granted Special Use Permit #1447 for the operation of a restaurant, specifically a 24 seat ice cream shop. Since that time, the ownership of the restaurant has changed several times and the operation changed to a pizza restaurant. Most recently, the applicant was approved as the new owner of the restaurant, and has been operating as "Los Tios," offering Mexican and Salvadorean cuisine (SUP#2004-0060).

### PROPOSAL

The applicant proposes to expand the restaurant to allow up to 48 seats inside, and 12 seats outside, and to allow on-premise alcohol. The outdoor seating is proposed at the front of the restaurant along Mt. Vernon Avenue on private property, which extends eight feet from the building wall. No other changes are proposed.

### PARKING

Pursuant to Section 8-200 of the zoning ordinance, the restaurant is required to provide one parking space for every four seats, or 15 parking spaces. In the past, the restaurant has had an arrangement to use up to six spaces in the Sonitrol lot next door. However, with a proposal for a fitness studio in that building, it is likely that parking will not be available in the lot, and there are no parking spaces on the subject property. To comply with the parking requirement, the applicant secured a parking arrangement with the SunTrust Bank, less than a block to the south at 2809 Mount Vernon Avenue, for up to 16 spaces at all times. The applicant obtained a written agreement from the bank (see attached letter). Section 8-200 (C)(3) of the zoning ordinance allows parking for commercial uses to be located on commercial properties within 500 feet of the use. Therefore, the expanded restaurant meets its parking requirement. There is also on-street parking along Mt. Vernon Avenue in front of the restaurant that is more available than other areas of Mt. Vernon that have more intense commercial activity.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL/Commercial Low zone. Section 4-100 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 commercial use.

DEL RAY LAND USE COMMITTEE

The applicant appeared at the Del Ray Land Use Committee meeting, where the committee supported the proposal with conditions, and added its support for non-amplified, acoustic, live music on the premises.

**II. STAFF ANALYSIS**

Staff supports the proposal for additional seats, including outdoor seats, and does not object to on-premise alcohol sales. The applicant was able to secure an off-street parking arrangement at a nearby parking lot for all of its required spaces. In addition, the outdoor seating will provide a much needed vibrancy to the streetscape. While this block of Mt. Vernon Avenue is not considered the “core” commercial area as discussed in the Mt. Vernon Avenue planning process, it is an area with some commercial activity that should be encouraged to improve by creating more viable businesses.

Staff recommends a few conditions to reduce the potential for impacts on the surrounding area, including that employees park off the street and be encouraged to use public transit, that the location of the parking lot be posted in the front window of the restaurant, that promotional materials include information about parking and transit options, and that the applicant maintain an off-street parking arrangement for the required number of spaces.

Regarding the addition of live entertainment as proposed by the Del Ray Land Use Committee, staff is supportive of this proposal as it is consistent with a recent approval of live entertainment at Fireflies in Del Ray, and finds that impacts from this activity can be controlled through a condition. Therefore, staff recommends that live entertainment be permitted, but with limitations similar to those approved at Fireflies restaurant, including that no amplified sound be heard at the property line.

Staff has included a condition that approval of the requested number of seats be contingent upon the applicant’s compliance with Code Enforcement requirements.

With these conditions, staff recommends approval of the special use permit.

### 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 issued to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #1751-A)
2. **CONDITION AMENDED BY STAFF:** The seating capacity shall be limited to a maximum of ~~24~~ 48 seats indoors, and 12 seats outdoors, as requested by the applicant. (P&Z) (SUP #1447)
3. **CONDITION AMENDED BY STAFF:** ~~The hours of operation shall be restricted to those as requested by the applicant, 6:00 a.m. to closing hour shall be no later than 10:00 p.m. daily, seven days per week.~~ Deliveries made to the business from the rear alley shall occur only between ~~9:00~~ 8:00 a.m. and 6:00 p.m. daily. (P&Z)
4. 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) (SUP #2002-0046)
5. **CONDITION DELETED BY STAFF:** ~~Trash and garbage shall be collected every day that service is available.~~ (P&Z) (SUP #1751-A)
6. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #1751-A)
7. **CONDITION AMENDED BY STAFF:** Loudspeakers shall be prohibited from the exterior of the building, and N no amplified sound shall be audible at the property line. (P&Z) (SUP #1751-A) T&ES
8. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #1751-A)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#1751)
10. Condition deleted by staff. (P&Z) (SUP #2003-0003)
11. The applicant shall obtain, at his expense, one Model SD-42 Ironsides series trash container to be placed on the adjacent public right-of-way. The applicant shall

12. Litter on the site and on public rights-of-way spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #1751)
13. No delivery service is permitted. (P&Z) (SUP #2003-0003)
14. Any improvements to the exterior of the building shall comply with the Mount Vernon Avenue Design Guidelines. (P&Z) (SUP #2003-0003)
15. Condition deleted by staff. (P&Z) (SUP #2003-0003)
16. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey and robbery awareness program for the business. The number is 703-838-4520. (Police) (SUP #2003-0003)
17. **CONDITION AMENDED BY STAFF: Indoor live entertainment shall be permitted to the extent that no amplified sound is audible outside the restaurant. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. No live entertainment shall be provided at the restaurant.** (P&Z) (SUP #2002-0046) (P&Z)
18. **CONDITION AMENDED BY STAFF: On site alcohol service is permitted; no off-premise alcohol sales are permitted.** (P&Z) ~~No alcohol service shall be permitted.~~ (P&Z) (SUP #2002-0046)
19. The applicant shall require its employees who drive to work to use off-street parking. (P&Z) (SUP #2002-0046)
20. The applicant shall control cooking odors and smoke from the property to prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP#2003-0003)
21. **CONDITION AMENDED BY STAFF: The applicant shall remove or obtain permits for all illegal exterior signs. New Business signs shall be consistent with the Mount Vernon Avenue Design Guidelines, as determined by the Director of Planning and Zoning. The lighting of any business sign shall also be limited to either internal or external illumination and will not include both forms of lighting.** (P&Z) (SUP#2003-0003) (P&Z)

22. **CONDITION AMENDED BY STAFF:** The applicant shall provide post signs at the front of the building directing patrons to the location of off-street parking, and on the southern side of the building that indicate that restaurant patrons may use the adjacent parking lot. ~~(P&Z) (SUP#2003-0003) (P&Z)~~
23. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval 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 a 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)
24. **CONDITION AMENDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements, and to provide instruction preventing underage sales of alcohol. ~~(PC) (SUP#2003-0003) (P&Z)~~
25. **CONDITION DELETED BY STAFF:** ~~The applicant shall remove the existing exterior pay phone. (PC) (SUP#2003-0003)~~
26. **CONDITION AMENDED BY STAFF:** The applicant shall maintain the dumpster screening in good condition, screen the dumpster to the satisfaction of the Director of Planning and Zoning, and the screening shall be maintained in good condition. ~~(PC) (SUP#2003-0003) (P&Z)~~
27. No dumpster service is permitted before 8:00 a.m. (PC) (SUP#2003-0003)
28. **CONDITION ADDED BY STAFF:** The applicant shall 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)
29. **CONDITION ADDED BY STAFF:** The applicant shall maintain an off-street parking arrangement with the SunTrust Bank, or a reasonably equivalent arrangement to the satisfaction of the Director of Planning and Zoning, for the number of spaces as required by the zoning ordinance for the use. (P&Z)

30. CONDITION ADDED BY STAFF: Advertising and promotional material for the restaurant shall include information about parking and public transit options. (P&Z)
31. CONDITION ADDED BY STAFF: Outside dining facilities are permitted in front of the restaurant along Mount Vernon Avenue, and shall not encroach upon the public right-of-way. (P&Z)
32. CONDITION ADDED BY STAFF: The outdoor dining area shall be cleared and washed at the close of each business day that it is in use. (P&Z)
33. CONDITION ADDED BY STAFF: Any enclosure of the outdoor seating area shall be reviewed and approved by the Director of Planning and Zoning prior to installation. (P&Z)
34. CONDITION ADDED BY STAFF: Approval of the requested number of seats is contingent upon the applicant's compliance with all Code requirements. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;  
Valerie Peterson, Urban Planner.

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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.(T&ES)
- 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.(T&ES)
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
- R-4 No amplified sounds shall be audible at the property line.(T&ES)
- 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.

##### Code Enforcement:

- F-1 Based upon the materials submitted, the applicant cannot increase the number of patrons to 60 persons. The total square footage available to customers and the number of exits cannot support the request for 48 customers inside. The request for outdoor seating for 12 patrons is acceptable provided that the approval is for exterior use only and cannot transfer inside due to inclement weather. In addition, the exterior seating shall not obstruct the approved means of egress from the structure or any other adjacent structure at any time. A seating plan for the exterior proposal must be provided for review by Code Enforcement.
- F-2 There are insufficient exits to support the combined increase of staff and 48 patrons within the interior of the structure. The combined occupant load will exceed 50 persons and will require a second approved means of egress from the structure.

- F-3 The applicant should submit a set of signed and sealed plans by a design professional to the Code Enforcement Bureau for a courtesy review which shows how the egress issues and square footage issues will be resolved. The plans should address specific occupant loads within the structure based on use of each area. This should be resolved proper to proceeding with this Special Use Permit.

Health Department:

- F-1 This facility is currently opening as Los Tios Restaurant under an Alexandria health permit issued to Mejia Brothers, Inc.
- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Food must be protected to the point of service.
- C-3 If changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-4 Permits or approval must be obtained prior to use of the new area(s).
- C-5 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions both indoors and at the outside dining areas.
- C-6 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 The applicant is to contact the Crime Prevention 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 Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a 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 # 2004-0088

[must use black ink or type]

PROPERTY LOCATION: 2615 MT. VERNON AVENUE, ALEXANDRIA, VA 22301

TAX MAP REFERENCE: 24.04-04-49 ZONE: C/L COMMERCIAL

APPLICANT Name: MEJIA BROTHERS, INC.

Address: 2615 MT. VERNON AVENUE, ALEXANDRIA, VA 22301

PROPERTY OWNER Name: POTOMAC WEST REALTY/RAFAT L. SHAAIST MAHMOOD

Address: 700 N. WASHINGTON, ST., ALEXANDRIA, VA 22314 (703) 836-5100

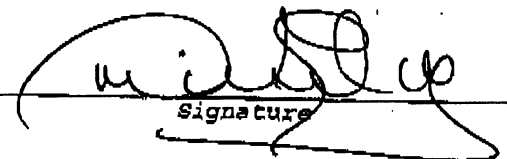
PROPOSED USE: FULL SERVICE RESTAURANT

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.

MARIELA VADO  
Print Name of Applicant or Agent

  
Signature

2118 14TH STREET-NW  
Mailing/Street Address

(202) 667-9473 (202) 667-9740  
Telephone # Fax #

WASHINGTON, DC 20009  
City and State Zip Code

08/24/2004  
Date

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

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

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

Special Use Permit # 2004-0088

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.

GERMAN MEJIA 50% OWNERSHIP

ARMANDO MEJIA 50% OWNERSHIP

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

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

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

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**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)

FULL SERVICE RESTAURANT. LOS TIOS GRILL CUISINE IS MEXICAN AND

SALVADORIAN. THERE IS NOT DELIVERY SERVICE PROVIDED AND THERE IS

CARRY OUT SERVICE. THE RESTAURANT HOURS OF OPERATIONS ARE FROM

10:00 AM TO 10:00PM. THE NUMBERS OF EMPLOYEES ARE 2.

WE PROPOSED TO CHANGE THE SEATING CAPACITY. THE CURRENT CAPACITY

IS 24 SEATS, WE WOULD LIKE TO INCREASE IT TO 60 SEATS. (48 inside) <sup>12</sup> outside

AT THE SAME TIME WE WOULD LIKE TO INCREASE THE NUMBER OF EMPLOYEES

TO 5, AND WE ALSO WANT TO SELL ALCOHOL ON THE PREMISES.

THE HOURS OF OPERATION WILL REMAIN THE SAME FROM 06:AM TO 10:00PM.

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**USE CHARACTERISTICS**

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

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- 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).

WE PROPOSE TO CHANGE THE SEATING CAPACITY TO 60 SEATS. OUR EXPECTED CLIENTS PER DAY WILL BE BETWEEN 30 AND 48.

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

WE EXPECT TO HAVE 5 EMPLOYEES

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

Day:

Hours:

MONDAY TO SUNDAY

06:00 AM TO 10:00 PM

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

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

OUR EQUIPMENT DO NOT MAKE ANY KING OF NOISE. WE DO NOT ANTICIPATED NOISE AT ALL.

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B. How will the noise from patrons be controlled?

WE DO NOT EXPECT NOISE FROM OUR PATRONS, BUT IN CASE THAT HAPPEN  
WE WILL HIRE A SECURITY GUARD.

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

N/A

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?

REGULAR RESTAURANT TRASH SUCH AS FOOD, PAPERS, EMPTY BOTTLE, ETC.

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

DEPEND OF DAY ACTIVITIVY, BUT NORMALLY THE PREMISES GENERATED  
AN ESTIMATE OF 5 FULL TRASH BAGS.

C. How often will trash be collected?

THREE TIMES A WEEK

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

OUTTING BAGS IN THE TRASH CONTEINERS. CHECKING EVENTUALLY  
OUR TASH CONTEINERS.



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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:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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:

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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.

WE PROPOSED TO SALE ALCOHOL SUCH AS BEERS AND MIXED BEVERAGE.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**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?

16 PARKING SPACES (off-site)

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

16 Standard spaces

           Compact spaces

           Handicapped accessible spaces.

           Other.

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

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

2809 MITCHELL VERNON AVENUE

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

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

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

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

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

C. Where are off-street loading facilities located? FRONT OF THE PROMISES

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

9:00 AM TO 11:00 PM

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

Depend. Most of the weeks are 3 to 4 times per 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?

N/A

**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? N/A square feet.

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

78'x28' sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 78'x 28' 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: \_\_\_\_\_

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**RESTAURANT SUPPLEMENTAL APPLICATION**

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

Please provide the following information:

1. How many seats are proposed?

At tables: 60 At a bar:            Total number proposed: 60

48 IN Side 12 out - side

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:

MEXICAN AND SALVADORIAN SUCH AS TACOS, QUESADILLAS, PUPUSAS,  
FAJITAS, CARNE ASADA, MOLE. TAMALES ECT.

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: N/A

SUP 2004-0088

Parking Management Plan

Los Tios Grill Restaurant

Brief Description

Los Tios Grill Restaurant is a family business, the restaurant cuisine is Mexican and Salvadorian

Administration

Administrators of the Restaurant include:

German Mejia: President

Armando Mejia: Vice-President

Goals

To increase the seating capacity for the restaurant

Philosophy

The Restaurant Management Program is founded on the premise that understanding the needs of people in their environments is the basis for successful food and lodging service. The Restaurant Management curriculum combines in-dept courses in foods, foodservice systems, hotel operations and human resource management.

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At the present time the restaurant only counts with 4 parking spaces on-site. Our effort to provide better services to our clients made our management team to seek for parking reductions. The levels of parking proposed by the applicant, is 1 parking space for 4 seats.

Every effort is made to provide better service for our clients. Today's service-oriented

Mission

The mission of the Restaurant Management Parking Program is to ensure that our clients will have enough parking spaces available to freely enjoy their meals.

As of now the restaurant has an agreement with Suntrust Bank located at 2809 Mt. Vernon Avenue, Alexandria, Virginia 22301. The Bank counts with a total of 56 parking spaces, which total amount is not full use in a daily basis. Enclosed Find Letter from Suntrust Bank to support our agreement with them.

Due to the agreement with Suntrust Bank the restaurant do not have the necessarily to use public parking. There will be not negative impact for the neighborhood. Suntrust Bank is a commercial Building not a public parking for the area residents.

Conclusion

The management team will do all their best to maintaining the agreement with Suntrust Bank and provide parking for all the proposal seats.

See attached map. The Bank is only half block form the Restaurant.

SUP2004-0088

**SUNTRUST**

**Dean Sosa**  
Branch Manager  
Mt. Vernon Avenue

August 27<sup>th</sup>, 2004

Los Tios Restaurant  
2615 Mt. Vernon Ave.  
Alexandria, Va. 22301

**SUNTRUST**

**SunTrust Bank,  
Greater Washington**  
Mail Code ALX 6003  
2809 Mt. Vernon Avenue  
Alexandria, VA 22301  
Tel ~~703.838.3270~~ 299-6481  
Fax ~~703.838.2077~~ 299-6483  
Toll Free 866.786.8787  
dean.sosa@suntrust.com

To Whom It May Concern:

This letter is to inform you that you may use sixteen parking spaces in our parking lot. You may also be aware that any incidents or fender-bender that your patrons may cause, Los Tios Restaurant fully takes responsibility in coverage.

Should you need more information or clarification on how your patrons may make use the parking spaces, please do not hesitate to contact us at (703) 299-6481.

Sincerely,



Dean Sosa  
Branch Manager  
Mt. Vernon Ave. Office  
2909 Mt. Vernon Ave.  
Alexandria, Va. 22301

28

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SUP2004-0088

August 4, 2004

(Exempted 8/4 to Mr. Garbacz)

Mr. Bob Garbacz  
T & ES  
City of Alexandria Transportation

Dear Mr. Garbacz:

I'd like T & ES to look into the parking at the section of Mt. Vernon Avenue from Uhler to the corner of Commonwealth/Hume/Mt. Vernon Avenue. This is an area on Mt. Vernon Avenue that I feel is under-utilized. More public parking could be made available along this section of Mt. Vernon Avenue - and it would probably lend itself to help traffic calming. New businesses are opening in this area and could use more public parking. The signs are extremely confusing (see listing of signs below in this small area). There is a need for more parking in this area.

I've listed all the parking signs that appear in this section of Mt. Vernon Avenue.....starting with the first sign going South from the intersection of Mt. Vernon Avenue and Commonwealth Avenue and Hume Avenue. They are very confusing. Some of the signs speak to the school buses unloading in the area but they also do not allow parking after they complete unloading. It seems to me that if this were allowed more public parking spaces could be made available. (It appears most of the signs are anywhere from 12' to 30' from each other.)

- One Sign: No Parking, 8 AM to 2 PM, Except Sunday
- Two Signs: (By the bus stop)  
No Parking, 8 AM to 2 PM, Except Sunday  
No Parking, 7 AM to 9 AM, M-f
- One Sign: (In front of the Del Ray Artisans)  
No Parking, 7 AM to 9 AM, M-F
- Two Signs: (At north part of intersection of Randolph Street and Mt. Vernon Avenue)  
No Parking Between Signs (with arrow pointing south)  
No Parking, 7 AM to 9 AM, M-F
- Two Signs: (At South part of intersection of Randolph Street & Mt. Vernon Avenue)  
No Parking between signs (with arrow pointing north)  
2 Hour parking, 9 AM to 5 PM, M-Saturday, Except Holidays
- One Sign: (Across from Los Tios)  
2 Hour parking, 9 AM to 5 PM, M-Saturday, Except Holidays
- Two Signs: (Across the street from Sonitrol, on lamp post)  
No Parking except 30 minutes, 7 AM to 6 PM, M-F with arrow pointing south  
2 Hour parking 9 AM to 5 PM, M-Saturday, except holidays  
(with arrow pointing north)
- Two Signs: (Across from Hair Salon)

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SUP2004-0088

No Parking, 7 AM to 9 AM, M-F, with arrow pointing South  
No Parking, except 30 minutes, 7 AM to 6 PM, M-F

One Sign: (At intersection outside of the school)  
No Parking, 7 AM to 9 AM, M-F

Two Signs: (At other side of intersection outside of the school)  
No Parking, 8:30 AM to 9 AM M-F (except buses)  
No Parking 2:30 PM to 3 PM M-F (except buses)

Two Signs: (Directly across from Human Resources)  
No Parking except 30 minutes, 7 AM to 6 PM, M-F  
No Parking 8:30 AM to 9 AM & 2:30 PM to 3 PM, M-F, except buses

I will be contacting persons/businesses affected by this for their input, including the Alexandria School system. A very preliminary talk with the Del Ray Citizens Association and the Potomac West Business Association was very positive.

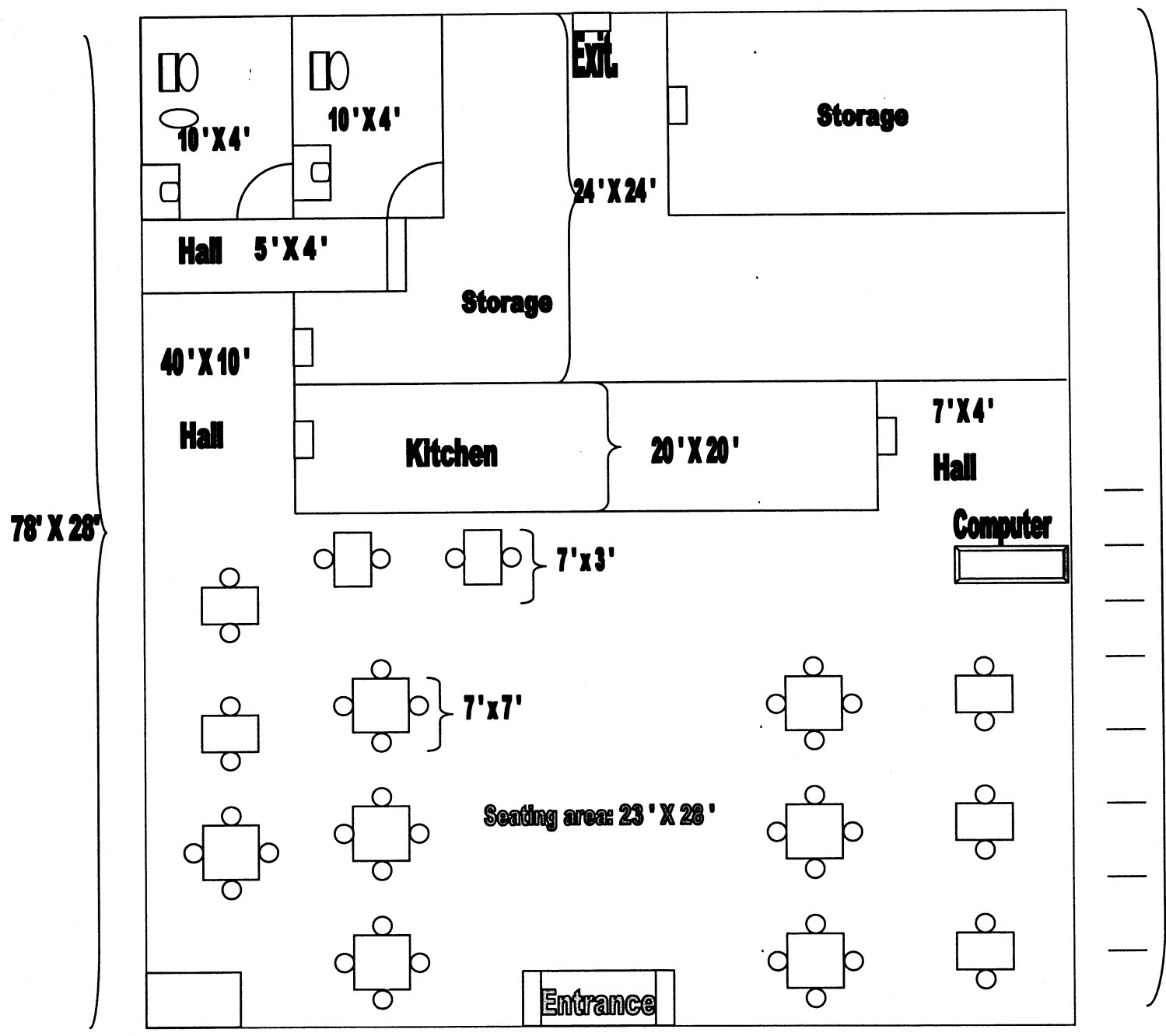
Your attention to this matter will be greatly appreciated. Thank you for your time and consideration.

Sincerely,  


Pat Miller  
1806 North Cliff Street  
Alexandria, VA 22301

25

**Men Women**



**Remarks**

Total restaurant area: 78' X 28'  
 Total seating area: 23' X 28'  
 Space for table of 4: 7' X 7'  
 Space for table of 2: 7' X 3'

**Floor Plan in scale**  
**Los Tios Restaurant**  
 2615 Mt. Vernon Ave  
 Alexandria, VA 22301

# Del Ray Citizens Association

PO Box 2233

Alexandria VA 22301

Established 1954

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

From: Amy Slack, Land Use Committee Co-Chair  
Sarah Haut, Land Use Committee Co-Chair  
Justin Wilson, President

Date: November 2, 2004

Subject: SUP#2004-0088; Los Tios Restaurant at 2615 Mt. Vernon Avenue.  
Consideration of a request for a special use permit for an expansion of a restaurant by Mejia Brothers, Inc. Zoned CL/Commercial Low

*PC Docket Item #70  
SUP#2004-0088*

The applicant, German Mejia, attended the Land Use committee meeting on September 12, 2004 to present the proposal. We distributed flyers and the item was announced in the Association newsletter. Several persons in support contacted a LUC co-chair prior to the meeting.

The restaurant at 2615 Mt. Vernon Avenue has undergone a quick series of ownership changes over the past three years. Mr. Mejia is the most recent owner. His request to intensify the business includes doubling the indoor seating to 48, provide outdoor tables and 12 seats in front of the building, provide alcohol for on-premise consumption, and live entertainment. The hours of operation would remain the same, 6AM to 10PM, daily. The proposed restaurant will offer Mexican & Salvadorian items for breakfast, lunch and dinner in a family oriented atmosphere.

Street parking is available adjacent to the site; there isn't room for parking on the site. Instead the applicant has procured a letter of agreement from the Sun Trust Bank at 2805 Mt. Vernon Avenue for use of 18 spaces and is working with community leaders to have parking restrictions on the west side of Mt. Vernon Avenue reassessed by T&ES.

In the short time he has owned the restaurant, Mr. Mejia has made improvements to the interior that will accommodate the additional seating. He also has demonstrated commitment to the community through contribution to or participation in local events.

The discussion touched on several topics.

The committee expressed concern for several of the existing SUP conditions that needed amendment or clarification to the benefit of the applicant so he would not be found in violation in the future. Those conditions were: # 3 - deliveries, #5 - frequency of refuse removal, and #22 - signs designating off-site parking.

The committee recommended support for the application with the following conditions in addition to these normally recommended by staff.

- The applicant provides the required 16 off street parking spaces in the lot at 2809 as proffered.
- Signs directing patrons to off site parking shall be prominently displayed at the entrance of the restaurant.
- The applicant shall require employees who drive to park off-street and will encourage their use of carpools or public transit.
- Advertising and promotional materials shall include information about parking and public transit options.
- Exterior elements of mechanical equipment (HVAC, exhaust hoods) shall be located on the roof, screened for noise and in an attractive manner.
- No dumpster service shall occur before 8:00 AM year round.
- No vendor deliveries shall occur before 8:00 AM.
- ABC sale is for on-premise consumption only; a bar or ABC off-premise sale is not allowed
- Outdoor seating shall close at 9 PM, cleared of patrons by 9:30 PM and washed down by 10 PM.
- A separate alcohol service bar shall not be allowed.
- Applicant shall adhere to the Mt. Vernon Ave. Design Guidelines with respect to lighting, signage and landscaping.
- Applicant shall provide a regulation trashcan on the sidewalk.
- Non-amplified, acoustic live music shall be allowed.
- Noise is to be confined to the property line.

At their September 30, 2004 meeting, the Executive Board supported the Land Use committee recommendation.

The DRCA membership voted to support the application as announced in the newsletter at their October 11, 2004 meeting.

In closing, the staff report reflects a majority of these conditions or an equivalent.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060 and President Justin Wilson at 703-299-1576.

4, 6, 7, 8, 11  
11-13-04

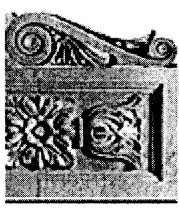


Michele Evans/Alex  
11/12/2004 06:57 PM

To alexvamayor@aol.com, delpepper@aol.com,  
council@joycewoodson.net, ahmacdonald@his.com,  
rob@krupicka.com, PaulCSmedberg@aol.com,  
cc Phil Sunderland/Alex@Alex, Ignacio Pessoa/Alex@Alex, Jackie  
Henderson/Alex@Alex, Eileen Fogarty/Alex@Alex  
bcc  
Subject Responses to Questions About Items on the Saturday, November  
13 Public Hearing Docket

Below for your information are responses from the Planning and Zoning Department to questions from Councilman Krupicka about November 13 docket items.

Michele  
----- Forwarded by Michele Evans/Alex on 11/12/2004 06:48 PM -----



Hal Phipps/Alex  
11/12/2004 04:38 PM

To Rob@Krupicka.com  
cc Eileen Fogarty/Alex@Alex  
Subject Restaurant Closing Hours and 7-11 Issues

This is the response that I promised to send you on restaurant closing hours for the four restaurant SUPs and the 7-11 issues. If there are any questions, please let me know.

**Response to concerns on Docket Item #4, restaurant at 4551 Duke (Foxchase Center):**

The applicant requested a closing hour of 12:00 midnight Monday through Saturday, and 10:00 p.m. on Sunday. Closing hours of restaurants within the Foxchase Shopping Center range from 10:00 p.m. to 12:00 midnight, depending on the night of the week. Staff recommends a closing hour of 12:00 midnight daily for two reason: (1) to address Council's direction of providing more flexibility to applicants, and (2) because it does not anticipate any problems associated with late closing hours. The center is located on a busy and loud thoroughfare, has a variety of active uses with varying operating hours, and will be redeveloped with uses that most likely remain open and active during late night hours. Therefore staff finds that the 12:00 midnight closing hour is appropriate and compatible with the surrounding uses.

**Response to concerns on Docket Item #6, restaurant at 820 S. Pickett:**

The applicant requested a closing hour of 6:30 p.m. Monday through Friday, and 5:00 p.m. Saturday and Sunday. There are no restaurants in the immediate area to compare hours with, and because it is an industrial area, there would be few patrons during the evening hours that would

necessitate a late closing hour at this location. Staff recommended a closing hour of 9:00 p.m. daily to provide some flexibility in the event that the applicant may later choose to serve carryout patrons on their way home from work, and to be more consistent with the hours previously approved for a restaurant at this location.

**Response to concerns on Docket Item #7, restaurant at 105 S. Union Street:**

The applicant proposes extending the hours of operation to 11:00 p.m., which means that patrons may linger until 12:00 midnight, but not order more food and drink after 11:00 p.m. In the analysis section of the staff report, staff states that the requested hours are earlier than many of the restaurants in the area, many of which are 2:00 a.m. The Irish Restaurant was recently approved for a 1:00 a.m. closing hour. Staff found that the 11:00 p.m. closing hour provided enough flexibility to the applicant without causing negative impacts on the surrounding area.

**Response to concerns on Docket Item #8, Los Tios restaurant at 2615 Mt. Vernon Ave:**

In comparison to other restaurants in the area, staff found that the applicant's request for 10:00 p.m. closing hour was reasonable. Closing hours of restaurants in Del Ray generally range from 10:00 p.m. to 12:00 midnight, or earlier depending on the night of the week. In recent years, more restaurants have been approved for later closing hours, including Fireflies (12:00 midnight daily for indoor, 10:00 p.m. daily for outdoor) and Evening Star (11:00 p.m. Sunday through Thursday, 12:00 midnight Friday and Saturday, and 10:00 p.m. daily for the outdoor seating). Next month, you will see an application to extend the closing hours of the Caboose Bakery from 10:00 p.m. Monday through Saturday and 7:00 p.m. on Sunday, to 12:00 midnight daily.

At this point Los Tios is also requesting to double the number of indoor seats to 48 and to add 12 outdoor seats.

**Response to concerns on Docket Item #11, the 7-Eleven:**

***Community Liaison***

A condition requiring a neighborhood liaison has been required for other SUPs, and could be added. The applicant has agreed to such a condition. A condition has been written in other cases as follows:

“The applicant shall establish a community liaison and shall post at the entrance contact information for the liaison, and provide updated information as needed, so that neighbors can contact those individuals responsible for the facility to express concerns regarding facility operations.”

OR

“The applicant shall establish a community liaison to work with nearby neighbors on issues

related to the operation of the business.”

### ***Litter, Public Urination, and Nuisance Activities***

There are a number of conditions already in the SUP to control litter.

Condition #2 states: “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.”

Condition #6 states: “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 permitted to accumulate on site outside of those containers. Trash collection shall occur between 7:00 a.m. and 8:00 p.m.”

Condition #11 states: “The applicant shall provide the City \$1,678.00 for two Model SD-42 Bethesda Series litter receptacles, one of which shall replace the existing can, for installation on the adjacent public rights-of-ways Custis and Mt. Vernon Avenues. Contact T&ES Solid Waste Division (703)751-5130 for information.”

While the Kirkpatricks discussed concerns about litter and squirrels carrying litter to their property, another adjacent neighbor said that he did not experience this problem. He said that it would be very difficult to conclude that trash carried to the residence was from the 7-Eleven, when it could be from other residences or businesses in the area.

Regarding public urination and nuisance activities, these are issues that would be difficult to enforce through an SUP condition. However, the SUP requires compliance with “all applicable codes and ordinances,” and nuisance activities can be monitored through complaints to Police and Code Enforcement. Any complaints to these agencies are also considered during the one year review.

### ***Use of the Back Alley***

The use of the back alley for nuisance activities has been an issue for the Kirkpatricks in the past. There is a gate at the entrance to the alley to limit trespassing. The Kirkpatricks have stated that the gate is not always kept closed, and 7-Eleven responded by discussing with the adjacent neighbors that use the alley to keep the gate closed. Recently, 7-Eleven adjusted employee shift assignments so staff can verify that the gate is closed. A condition requiring that it be kept closed can be added, and may be written in the following way:

“ The gate at the entrance of the alley behind the 7-Eleven building shall be closed at night.”

### ***Finally***

Word from the applicant is that Mr. Donovan and Mr. Martz of 7-Eleven, Inc. will be meeting with Justin Wilson, Thomas Welsh, and Mary Ann Kirkpatrick on Tuesday November 16th to discuss how various concerns will be handled through the SUP and how any concerns not addressed by the SUP can be mitigated.

Hal Phipps  
Division Chief, Zoning & Land Use Services  
Department of Planning & Zoning  
City of Alexandria, VA  
703-838-3866 x367



APPLICATION for SPECIAL USE PERMIT # 2004-0088

[must use black ink or type]

PROPERTY LOCATION: 2615 MT VERNON AVENUE, ALEXANDRIA, VA 22301

TAX MAP REFERENCE: 24.04-04-49 ZONE: C/L COMMERCIAL

APPLICANT Name: MEJIA BROTHERS, INC.

Address: 2615 MT. VERNON AVENUE, ALEXANDRIA, VA 22301

PROPERTY OWNER Name: POTOMAC WEST REALTY/RAFAT L. SHAAIST MAHMOOD

Address: 700 N. WASHINGTON, ST., ALEXANDRIA, VA 22314 (703) 836-5100

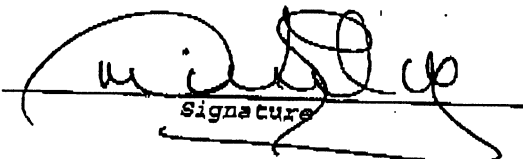
PROPOSED USE: FULL SERVICE RESTAURANT

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.

MARIELA VADO  
Print Name of Applicant or Agent

  
Signature

2118 14TH STREET NW  
Mailing/Street Address

(202) 667-9473 (202) 667-9740  
Telephone # Fax #

WASHINGTON, DC 20009  
City and State Zip Code

08/24/2004  
Date

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

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

ACTION - PLANNING COMMISSION: 11/04/2004 RECOMMENDED APPROVAL UC

ACTION - CITY COUNCIL: 11/13/04 CC approved Planning Commission recommendation 6-0  
(see attached)

CURVES FOR WOMEN

Public Hearing and Consideration of a request for a special use permit to operate a fitness studio; zoned CL/Commercial Low. Applicant: Curves for Women by Jim Gasson.

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 7-0

11. SPECIAL USE PERMIT #2004-0057  
2108 MOUNT VERNON AVENUE  
7-ELEVEN, INC.

Public Hearing and Consideration of a request for a special use permit to operate a nonconforming convenience store use; zoned CL/Commercial Low. Applicant: 7-Eleven, Inc. by Maynard Sipe, attorney.

PLANNING COMMISSION ACTION: RECOMMEND APPROVAL 7-0

**END OF ACTION CONSENT CALENDAR**

City Council approved the action consent calendar, with the removal of items #3, #5, #8 and # 11, which were considered under separate motions:

3. City Council approved the Planning Commission recommendation. **(separate motion)**
4. City Council approved the Planning Commission recommendation.
5. 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 with the amendment to the hours during which the restaurant is open to the public shall be restricted to between 7:00 a.m. and 11:00 p.m., Sunday through Thursday, and between 7:00 a.m. and 12:00 Midnight on Friday and Saturday. Hours of operation for the outdoor dining area shall be limited to between 8:00 a.m. to 10:00 p.m., daily. The outdoor dining area shall be cleared of all diners by 10:00 p.m. and the area cleaned and washed by 10:30 p.m. The hours during which the retail business is open to the public shall be restricted to between 9:00 a.m. and 11:00 p.m., Monday through Saturday, and between 9:00 a.m. and 10:00 p.m. on Sunday. **(separate motion)**
9. City Council approved the Planning Commission recommendation.
10. City Council approved the Planning Commission recommendation.
11. City Council approved the Planning Commission recommendation with the addition of two conditions: (1) establish a community liaison to work with community and (2) the monitoring of a gate behind the building to prevent unwanted activity in the alley. **(separate motion)**

Council Action: \_\_\_\_\_

**REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER**

12. Public Hearing To Consider the City's Legislative Package for the 2005 General Assembly Session. (#15, 10/26/04)

City Council held the public hearing to consider the City's Legislative Package for the 2005 General Assembly Session.

Council Action: \_\_\_\_\_