

Docket Item #2
SPECIAL USE PERMIT #2004-0092

Planning Commission Meeting
December 7, 2004

ISSUE: Consideration of a request for a special use permit amendment to allow the sale of beer and wine on-premises and to extend the hours of operation at a restaurant.

APPLICANT: Caboose Bakery, LLC
by Lonnie Rich

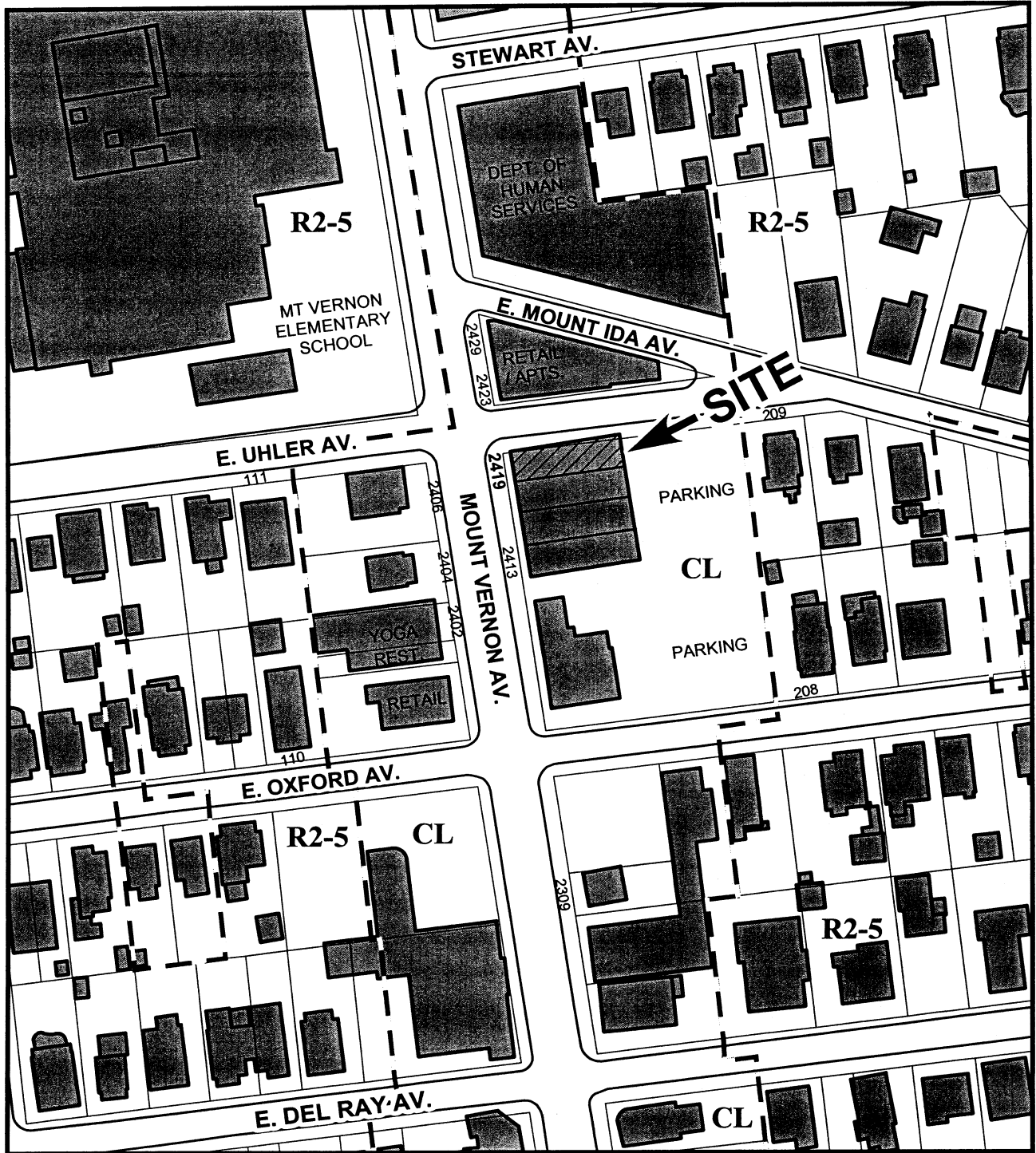
LOCATION: 2419 Mt. Vernon Avenue

ZONE: CL/Commercial Low

PLANNING COMMISSION ACTION, DECEMBER 7, 2004: On a motion by Mr. Komoroske, 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 #5 and add Condition #21. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis, but amended the recommended hours of operation, and added a condition that there be no bar with alcohol service in the establishment.

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 #2004-0092

12/07/04



2

I. DISCUSSION

REQUEST

The applicant, Caboose Bakery, LLC, requests special use permit approval to extend the hours of operation and allow on-premise beer and wine at a restaurant located at 2419 Mt. Vernon Avenue.

SITE DESCRIPTION

The subject property is part of one lot of record with 230 feet of frontage on Mt. Vernon Avenue, 190 feet of frontage on East Oxford Avenue, 200 feet of frontage on East Uhler Avenue and a lot area of 44,943 square feet. The property is developed with a two story commercial building, a surface parking lot with approximately 65 spaces and an underground parking garage. Surrounding uses are a mix of commercial, office, and residential.

BACKGROUND

On September 13, 1997, City Council approved a restaurant of 16 seats called Anne Meme's at the subject location. Since that time, City Council approved amendments to increase the seating, add outdoor seating, and provide live entertainment. The ownership has also changed several times. The most recent change of ownership was approved in the summer of 2004, and the restaurant is now known as Caboose Bakery (SUP#2004-0054). Staff is not aware of any complaints at this restaurant. On November 17, 2004, staff inspected the restaurant and found that the applicant did not have parking information posted on the premises as required, which was corrected.

PROPOSAL

The applicant requests an extension of the hours of operation to 12:00 midnight daily. The applicant does not propose a change in the closing hours of the outdoor seating area, which is 10:00 p.m. The applicant is requesting the change not because of current plans to be open later, but to give flexibility for special events or the possibility of a permanent future extension of the hours. The applicant is also requesting SUP approval for on-premise beer and wine service.

PARKING

A parking reduction of twelve spaces was granted by City Council for the number of seats at the restaurant, which is not proposed to change (SUP#98-0015, SUP#97-0082). There are 12 spaces in the lot behind the restaurant which are allocated by the landlord for use on a first come, first serve basis by all the commercial tenants of the building.

ZONING/MASTER PLAN DESIGNATION

The subject property is zoned CL/Commercial Low. Section 4-103(M) of the zoning ordinance permits restaurants 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.

II. STAFF ANALYSIS

Staff does not object to the applicant's request for extended hours and on-premise beer and wine service. The request is consistent with other restaurants on Mt. Vernon Avenue including Evening Star, Fireflies, and Los Tios. A parking reduction was previously granted for the bakery, and staff is not aware of parking issues associated with the use. Although the applicant is not requesting to extend the hours of the outdoor dining area, staff updated the hours to be consistent with those of Evening Star.

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 granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #97-0082)
2. Seating shall be provided for no more than 32 patrons indoors. (P&Z) (SUP #98-0015)
3. Seating shall be provided for no more than 16 patrons outdoors. (P&Z) (SUP #98-0015)
4. Live entertainment shall be limited to acoustic, non-amplified music. Microphones shall not be used. Advertising that features entertainment as a destination is prohibited. No admission or cover fee shall be charged. Live entertainment shall be limited to inside the restaurant only, and shall not be permitted in the outdoor seating area. (P&Z) (SUP #98-0015)
5. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~The hours of operation shall be limited to 6:00 a.m. to 10:00 p.m., Monday through Friday, 7:00 a.m. to 10:00 p.m. Saturday, and 8:00 a.m. to 7:00 p.m. Sunday closing hour shall be no later than 12:00 midnight, daily. The hours of operation for outdoor seating shall be limited to between 6:00 a.m. to 9:00 p.m. Monday through Friday, between 7:00 a.m. to 10:00 p.m. Saturday, and 8:00 a.m. to 7:00 p.m. Sunday. Outdoor seating shall be cleared of patrons by 9:00 p.m. and the area shall be cleaned and washed before 10:00 p.m.~~ **The hours of operation shall be limited to 6:00 a.m. to 11:00 p.m. Sunday through Thursday, and 6:00 a.m. to 12:00 midnight on Friday and Saturday. The closing hours for the outdoor dining area shall be 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. (P&Z) (SUP #98-0015) (PC)

6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP 97-0082)
7. **CONDITION AMENDED BY STAFF: On-premise beer and wine sales are permitted. Off-premise sales are not permitted. Alcoholic beverages are not permitted. (SUP 97-0082) (P&Z)**
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP 97-0082)
9. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP 97-0082)
10. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP 97-0082)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP 97-0082)
12. **CONDITION AMENDED BY STAFF: Loudspeakers shall be prohibited from the exterior of the building, and no amplified sound shall be audible at the property line. (P&Z) (SUP 97-0082) (P&Z)**
13. The applicant shall assist and require its employees who drive to use off-street parking. (P&Z) (SUP 97-0082)
14. Any exterior renovations shall be consistent with the Mt. Vernon Avenue Design Guidelines. (P&Z) (SUP 97-0082)
15. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program. (Police) (SUP#2003-0010)

16. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental services. (T&ES) (SUP#2003-0010)
17. The applicant shall post signs directing customers to the locations of available nearby off-street parking. (P&Z) (SUP 97-0082)
18. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year from this 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 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, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP #98-0015) (Police)
19. **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)
20. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and to provide instruction preventing underage sales of alcohol. (P&Z)
21. **CONDITION ADDED BY PLANNING COMMISSION:** There shall be no bar with alcohol service. (PC)

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

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

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- 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 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-4 No amplified sounds shall be audible at the property line.

Code Enforcement:

- C-1 A new fire prevention permit is required due to the change in ownership.

Health Department:

- F-1 No comments.

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 # 2004-0092

AMENDMENT TO SPECIAL USE PERMIT # 2004-0054

[must use black ink or type]

PROPERTY LOCATION: 2419 Mt. Vernon Avenue, Alexandria, VA 22301

TAX MAP REFERENCE: 034.02-04-02 ZONE: CL

APPLICANT Name: Caboose Bakery, LLC

Address: 2419 Mt. Vernon Avenue, Alexandria, VA 22301

PROPERTY OWNER Name: Mt. Vernon Avenue, LLC

Address: 7705 Southdown Avenue, Alexandria, VA 22308

PROPOSED USE: Bakery and 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.

Lonnie C. Rich
Print Name of Applicant or Agent

Lonnie Rich
Signature

1317 King Street
Mailing/Street Address

703/836-7441 703/836-0265
Telephone # Fax #

Alexandria, VA 22314
City and State Zip Code

September, 2004
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

	Application Received: _____	Date & Fee Paid: <u>9/17/04</u> \$ <u>500.00</u>
	ACTION - PLANNING COMMISSION: _____	
	ACTION - CITY COUNCIL: _____	<u>9</u>

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.

Rhoda Worku - 50% Meskerem Kifle - 50%
6210 Apache Street 7704 Ousley Place
Springfield, VA 22150 Alexandria, VA 22315

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.

This application is only to amend the existing SUP # 2004-0054 to permit the sale of beer and wine and extend the authorized hours of operation. We request a waiver of the requirement for floor plans and parking layout.

RICH GREENBERG ROSENTHAL & COSTLE, LLP

ATTORNEYS & COUNSELLORS AT LAW

1317 KING STREET

ALEXANDRIA, VIRGINIA 22314-2928

TELEPHONE (703) 836-7441

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SUITE 201

FAIRFAX, VA 22030

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EDWARD S. ROSENTHAL*

LONNIE C. RICH**

CARY S. GREENBERG

CAROLINE E. COSTLE*

MARIE A. BUNTUA^Δ

RICHARD F. DZUBIN

* ALSO DISTRICT OF COLUMBIA BAR

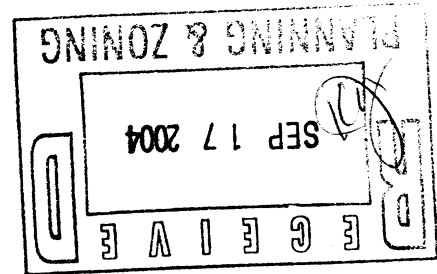
+ ALSO TENNESSEE BAR

^ΔALSO MARYLAND BAR

September 17, 2004

By Hand Delivery

Ms. Eileen Fogarty, Director
Department of Planning and Zoning
City Hall, Room 2100
301 King Street
Alexandria, Virginia 22314



Re: Caboose Bakery, LLC, 2419 Mt. Vernon Avenue
Application for Special Use Permit (Amendment to SUP 2004-0054)

Dear Ms. Fogarty:

Enclosed for filing is an application for a special use permit for amend the applicant's current SUP for a bakery/restaurant at 2419 Mt. Vernon Avenue. Also enclosed is a check for \$500.00 for the filing fee.

The amendments are as follows:

- 1) The applicant is Caboose Bakery, LLC, which is the entity owned by Rhoda Worku and Meskerem Kifle, in whose names the current SUP is held.
- 2) The applicant desires to be able to sell beer and wine on premises as a part of its restaurant operations.
- 3) The applicant desires to extend the "permitted" hours of operation. Currently the applicant closes at 10:00 p.m. on Monday through Saturday and at 7:00 p.m. on Sunday. The applicant would have to have a midnight closing time, not because of current plans for change, but to give flexibility for special events or the possibility of a permanent extension of the hours. The opening hours are requested to be a consistent 6:00 a.m., instead of the later required opening time of 7:00 a.m. on Saturday and 8:00 a.m. on Sunday. The closing time for outdoor seating would remain as it is now with patrons cleared by 9:00 p.m. and the area cleaned and washed by 10:00 p.m. In the context of seeking the other changes, the desire is to avoid having to come back for every little

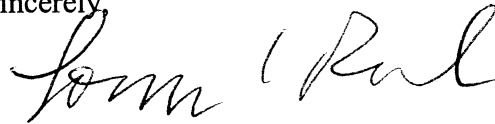
change they may desire to make in their business operation.

The application includes a requested waiver of the requirement for a floor plan and parking layout. Given the years that this site has been operated as a restaurant/bakery and given the nature of the requested amendments, a floor plan and parking layout seem unnecessary.

We hope to have this on the December docket for Planning Commission and Council. I do look forward to working with you and your staff on this application.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lonnie C. Rich".

Lonnie C. Rich

Enclosures (2)

c: Rhoda Worku, Caboose Bakery, LLC

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)

Property currently used as a bakery and restaurant serving
approximately 75-150 patrons per day. There are 4 or 5
employees at any one time with sufficient parking in the
rear lot for those employees.

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).
- 75-150 per day
- _____
- B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).
- 4-5 at any one time
- _____
6. Please describe the proposed hours and days of operation of the proposed use:
- Day: _____ Hours: _____
- Sunday through Saturday 6:00 am to Midnight
- (For outdoor seating, hours of operation shall be limited
to 6:00 am to 9:00 pm, with patrons cleared by 9:00 pm and
the area cleaned and washed before 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.
- None audible at the property line.
- _____

B. How will the noise from patrons be controlled?

Patrons are not expected to make noise beyond conversation level. If outside patrons are noisy, they will be asked to quiet down or leave.

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

Cooking odors will be properly vented from the kitchen hood. Trash and garbage will be placed in sealed containers.

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?

Waste paper, plastic and card board from packaged food; excess or uneaten food.

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

Approximately 4 bags a day.

C. How often will trash be collected?

Three times a week or more often if needed.

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

Trash receptacles will be available for patron and employees will police the area and pick-up trash, periodically during the day and once at the end of the day.

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:

If bleach qualifies, about 1 gallon per month used for
cleaning. Disposed of in sink.

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

A certified food handler will be present at all times to
insure that rules and regulations are followed.

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.

Beer and wine on premises only. (Note: This is a change from
the current SUP)

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?

4 spaces

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

6 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:

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?

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

C. Where are off-street loading facilities located?

Loading will take place on Uhler Ave. at the side
of the building.

D. During what hours of the day do you expect loading/unloading operations to occur?
10:00 am to 5:00 pm on Monday through Friday

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

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
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?
Approx 3,000 sq. ft. (existing) + _____ sq. ft. (addition if any) = 3,000 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: Building with other commercial and residential tenants.

RESTAURANT SUPPLEMENTAL APPLICATION

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

Please provide the following information:

1. How many seats are proposed?

At tables: 32 indoors At a bar: _____ Total number proposed: 48
16 outdoors

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:

Soups, salads, sandwiches and variety of baked goods and pastries

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? _____

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: _____

Del Ray Citizens Association

PO BOX 2233

ALEXANDRIA VA 22301

ESTABLISHED 1954

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

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

Date: December 2, 2004

Subject: SUP#2004-0054; Caboose Cafe at 2419 Mt. Vernon Avenue. Amendment of an existing SUP to permit the sale of beer and wine and extend the authorized hours of operation. Zoned CL/Commercial Low

*PC Docket Item #2
SUP 2004-0092*

At our meeting on November 18, 2004, the Land Use committee discussed the amended SUP request with the applicant, Ms. Rhoda Worku and her attorney Mr. Lonnie Rich. The applicant wishes to sell beer and wine for on-premise consumption and to extend the hours of operation to 6:00 AM to Midnight daily. The applicant requests that the outdoor seating be available from 6:00 AM to 9:00 PM daily with patrons cleared by 9:00 PM and the area cleaned and washed before 10:00 PM.

The committee discussion focused primarily on the hours of operation in comparison to other restaurants along Mt. Vernon Avenue. We feel, given the proximity to the residential neighborhood, a midnight closing during the week would have an adverse impact. The committee has recommended a condition to close at 10:00 PM Sunday through Thursday, in keeping with the prevailing weeknight hours granted other Avenue restaurants.

We have no objection to the current owners request to sell beer and wine ancillary to onsite dining. This is comparable to other restaurants on the Avenue. Although the applicant agreed that she didn't plan to install a bar, or bar service area, the committee is concerned that the restaurant may be change venue if the business is sold again. We request a condition to protect the family oriented nature of the operation.

The committee voted unanimously to support the request with conditions, in addition to those normally requested by staff, as follows:

- Hours of operation: Sunday through Thursday 6:00 AM to 10:00 PM, all patrons must leave by 11:00 pm, and employees by midnight. Friday and Saturday, 6:00 AM to 11:00 PM, all patrons must leave by midnight, and employees by 1:00 AM
- No bar will be installed and no bar service area will be provided.

The Executive Board, at their November 24, 2004 meeting, supported the committee recommendation.

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

APPLICATION for SPECIAL USE PERMIT # 2004-0093

AMENDMENT TO SPECIAL USE PERMIT # 2004-0054
[must use black ink or type]

PROPERTY LOCATION: 2419 Mt. Vernon Avenue, Alexandria, VA 22301

TAX MAP REFERENCE: 034.02-04-02 ZONE: CL

APPLICANT Name: Caboose Bakery, LLC

Address: 2419 Mt. Vernon Avenue, Alexandria, VA 22301

PROPERTY OWNER Name: Mt. Vernon Avenue, LLC

Address: 7705 Southdown Avenue, Alexandria, VA 22308

PROPOSED USE: Bakery and 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.

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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.

Lonnie C. Rich
Print Name of Applicant or Agent

Lonnie Rich
Signature

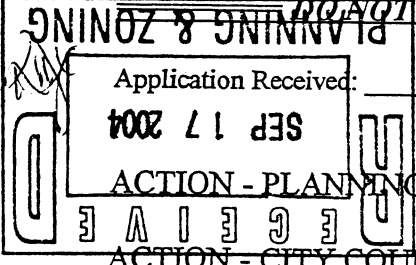
1317 King Street
Mailing/Street Address

703/836-7441 703/836-0265
Telephone # Fax #

Alexandria, VA 22314
City and State Zip Code

September, 2004
Date

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	Application Received: <u>SEP 17 2004</u>	Date & Fee Paid: <u>9/17/04</u> \$ <u>500.00</u>
	ACTION - PLANNING COMMISSION: <u>12/7/2004</u>	RECOMMEND APPROVAL <u>7-0</u>
	ACTION - CITY COUNCIL: <u>12/18/04</u>	City Council approve <u>7-0</u>

Del Ray Citizens Association

5
12-18-04

PO Box 2233

Alexandria VA 22301

Established 1954

To: Honorable Members of City Council
Eileen Fogarty, Director, Office of Planning and Zoning

From: Justin Wilson, President
Amy Slack, Land Use committee Co-chair
Sarah Haut, Land Use committee Co-chair

Date: December 14, 2004

Subject: SUP#2004-0054; Caboose Cafe at 2419 Mt. Vernon Avenue.
Amendment of an existing SUP to permit the sale of beer and wine and
extend the authorized hours of operation. Zoned CL/Commercial Low

At the regular membership meeting of December 13, 2004, we voted to support the SUP request and conditions as amended by the Planning Commission at the public hearing on December 7, 2004.

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