

EXHIBIT NO. 1

9  
6-16-07

Docket Item #7  
Text Amendment #2007-0004

KING STREET OUTDOOR DINING  
PROGRAM

Planning Commission Meeting  
June 5, 2007

ISSUE: Consideration of a text amendment to Section 6-800 of the Zoning Ordinance, the King Street Outdoor Dining Overlay Zone.

STAFF: Department of Planning and Zoning

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**PLANNING COMMISSION RECOMMENDATION, JUNE 5, 2007:** On a motion by Ms. Lyman, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the Text Amendment, with amendments. The motion carried on a vote of 5 to 0.

Reason: The Planning Commission agreed with the staff analysis but amended staff's proposal to include a prohibition of smoking in outdoor dining areas located on public space, and to limit outdoor dining to operate between April 1 and November 15.

Speakers:

Van Van Fleet, president of Old Town Civic Association, spoke in general support of the proposed changes, and expressed concerns about maintaining a five foot pedestrian path clear of obstructions, outdoor storage, waitstaff cutting across the pedestrian path to serve curbside dining, weekend enforcement and the unhealthy atmosphere created by motorcycles that back into parking spaces along King Street.

Julie Crenshaw Van Fleet spoke in support of the proposed changes, but had concerns about waitstaff crossing the sidewalk to serve curbside dining, the need for grates to protect trees, restaurant doors propped open into the five foot pedestrian path, and whether the \$100 fee was adequate.

Poul Hertel discussed his support for efforts to improve the program, but was concerned about past enforcement, chairs occupying a large portion of the sidewalk, and questioned whether five feet in width is an appropriate pedestrian path on a busy street such as King Street.

**STAFF RECOMMENDATION:** Staff recommends approval of the following clarification of regulations and procedural changes:

- Maintain the required five (5) foot pedestrian pathway adjacent to the outdoor dining area, and require that it is continuous and parallel to the building face for the entire length of the

dining area and does not weave around sidewalk obstructions such as trees, and allow the Director to require additional pedestrian pathway width where warranted.

- Maintain prohibition of outdoor storage of tables, chairs and barriers during winter months, which shall be defined as days between January 2 and March 31 (Section 6-805 (O)(5)).
- Require an annual renewal of the permit beginning in 2008, with an annual application fee of \$100 plus \$1 per square foot over 100 square feet of outdoor dining area. The renewal process will provide the opportunity on an annual basis to review the regulations for existing restaurant management and staff and to communicate requirements to any new staff at the restaurants.
- Amend the minimum umbrella height in the zoning ordinance and King Street Outdoor Dining Design Guidelines from seven (7) feet to six (6) feet eight (8) inches, consistent with the Code requirement for the lowest edge of an overhang on a post or pylon.

**I. ISSUE**

The Outdoor Dining Program has been operating as a permanent program for over a year following a pilot program that lasted a year and a half. This report provides an overview of how well the program has been operating, how issues are being addressed, and recommends some changes to existing procedures and regulations.

**II. BACKGROUND**

In September 2004, City Council passed an ordinance establishing a pilot program for sidewalk cafe dining along Old Town's King Street corridor. This pilot program remained in effect, with an extension through the end of 2005. The pilot program was designed to identify potential issues and solicit input from the public on the desirability of outdoor dining.

Based on considerable input from citizens and business owners, a permanent outdoor dining program was established by Council ordinance in July 2005. The permanent program began on January 1, 2006 and included a requirement that outdoor dining furniture and enclosures comply with design guidelines approved in January 2006 by the Old and Historic Alexandria Board of Architectural Review.

**III. COMMUNITY AND BUSINESS COMMENTS**

Both citizens and business owners generally support the outdoor dining program. In April 2007, staff attended the Old Town Civic Association Board meeting and the Upper King Street Neighborhood Association meeting. Both associations expressed support for the program, and were generally supportive of the proposed changes to the regulations. There are concerns about ensuring that the minimum five (5) foot pedestrian pathway be maintained and enforced.

Responses from the business community are generally very positive. In April 2007, staff attended the Old Town Business and Professional Association meeting where they expressed general support of the program. Restaurant owners are also concerned about keeping the five (5) foot pedestrian walkway clear, and found they need to monitor customers who often push the barriers back to have more room for dining. There was an issue in the early stages of the program of retail businesses concerned about the dining areas blocking views to their store. In response to this concern, the zoning ordinance and Design Guidelines include a provision that the director may require that a dining area be set back two (2) feet from an adjacent retail space in order to maintain visibility to the retail business.

The Alexandria Commission on Persons with Disabilities (ACPD) is supportive of the outdoor dining program, but is concerned about the five (5) foot pedestrian pathway and the need to maintain it completely unobstructed. They recognize that sometimes the problem is with the restaurant staff and sometimes with the customer, but voice concern that a better education campaign and diligent city enforcement is needed. ACPD's letter is attached.

#### IV. DISCUSSION

The outdoor dining program has been very successful. Over 36 restaurants are enthusiastically participating in the program and report enjoying increased business as a result. Citizens and visitors seem to enjoy the festive atmosphere that prevails along King Street with outdoor dining. The April 2007 Washingtonian magazine identified the outdoor dining program as a "welcome change" to the area, noting that the "sidewalks along King Street and near the waterfront come to life in warm weather."

The changes in the permanent program that were made as a result of testing the program during the pilot phase have worked well and have helped solve some of the issues raised earlier. A few issues have come to staff's attention as needing correction. Following is a discussion of the issues that have been raised about the program.

- **Five (5) foot pedestrian walkway.** Under the permanent program, Section 6-805(F)(1) requires that at least five (5) feet of unobstructed sidewalk space must be maintained past the outside dining area for sidewalk pedestrian traffic to ensure a clear pedestrian passageway along the sidewalk. According to the design guidelines, the five (5) feet of pedestrian space must be clear of obstructions caused by trees, tree wells, posts, hydrants, or any other infrastructure. In addition, the design guidelines require that the outdoor dining enclosure must permit the movement of patrons and waitstaff inside the enclosure. Waitstaff may not serve patrons from beyond the perimeter enclosure of the outdoor dining area.

Under the pilot program, in certain circumstances, the pedestrian walkway could be reduced to four (4) feet for short distances. This caused the pedestrian walkway to be too narrow and restricted free movement of pedestrians along the sidewalk. Because the four (4) foot rule did not work, the permanent program eliminated the four (4) foot option. The current standard of a minimum of five (5) feet generally works well, although better in some locations than others, depending on the existing sidewalk conditions, and the concentration of outdoor dining and pedestrians in a given block.

There were some issues with compliance with approved plans during the pilot phases. As a result, P&Z staff began to mark the perimeter of the dining area (with a nail and washer between the bricks) so that the restaurant and the enforcement staff know the boundaries of the approved outdoor dining area. This practice has proven very effective.

Despite the sidewalk markings, enforcement efforts by city staff, and more rigid enclosure barriers, customers or waitstaff occasionally push the barriers into the pedestrian walkway. The few complaints that P&Z staff have received about outdoor dining have principally focused on a violation of the five (5) foot pedestrian walkway. Although P&Z responds to any complaints, the ultimate answer to this problem requires the cooperation of outdoor dining restaurant owners, managers, waitstaff, and their customers.

There are a couple of approved outdoor dining plans that have had unintended consequences. One is a situation where, in order to maintain the five (5) foot clearance for pedestrians, the walkway meanders around obstructions such as a tree well, creating a zigzagging pedestrian pathway along the length of the outdoor seating area. In another instance, the outdoor dining area was spread out to occupy a significant portion of a wider sidewalk, leaving only the required five (5) foot public pathway against the street curb. While five (5) feet is a reasonable minimum, it does not have to be the maximum. In both instances, the outdoor dining area was more obtrusive than pleasant, and negatively impacted pedestrian movement.

Staff recommends that for all renewed and new applications, to provide flexibility to businesses while maintaining a high-quality public space, that the zoning ordinance be amended to require that a continuous unobstructed pathway be provided that is parallel to both the curb and building face. In addition, staff proposes that the director have the discretion to require additional measures as necessary to ensure a continuous pedestrian pathway, and provide a quality public environment for the numerous pedestrians utilizing the sidewalks. Finally, staff recommends that in areas where there are larger sidewalks, an increased pedestrian path may be required. The regulation intends to provide adequate dining area for individual businesses to continue to benefit from the program, while ensuring that the benefit of the wider sidewalks can be experienced by the general public.

There are a few restaurants that will be impacted by these new limitations, and staff has been working with them on ways to reconfigure the space to comply with the proposed regulation with the least impact to existing seating arrangements.

- **Curbside Dining.** The current regulations permit the outdoor dining area to be adjacent to the building or at the curbside. The curbside option was included to allow flexibility to restaurants with limited space or obstructions near their building. If the outdoor dining

area is located near the sidewalk curb, there must be two feet of unobstructed space between the outdoor dining area and the curb. The rationale for the two foot space was to allow passengers in cars parked on the adjacent curb to disembark. Regardless of whether the restaurant wants to have its outdoor dining area adjacent to the building or at the curbside, the application and site plan must meet all of the other requirements and be approved by P&Z and Code Enforcement.

There have been some complaints about allowing curbside dining because it interferes with those who want to park on the adjacent curb. Code Enforcement staff had a concern that with outdoor dining areas both adjacent to the building and curbside sometimes results in a zigzag pedestrian walkway. P&Z staff feels that restaurants should have the flexibility to locate their outdoor dining area near the curb if that is their only reasonable location. For example, O'Connell's Restaurant and Warehouse Bar and Grill do not have enough space next to their buildings for outdoor dining. In the final analysis, P&Z and Code Enforcement will not approve outdoor dining permits if all the requirements are not met and applicants do not comply with the Design Guidelines. In addition, curbside dining in some locations is preferable because it can be situated among other streetscape elements, and the remaining sidewalk toward the building face remains completely open and unobstructed.

- **Removal of Furniture and Enclosures During Winter Months.** Section 6-805(O)(5) of the zoning ordinance states: Furniture and enclosures must be removed and may not be stored on the public right of way for extended periods, such as the winter months. This year there have been a few examples of restaurants that have stored some of their tables and chairs on the sidewalk and some have actually left their table and chairs up during cold winter weather.

The reason that the staff drafted the regulation and was not more specific about “the winter months” was that in the past couple years there have been very pleasant days in December and January where outdoor dining was possible. Unfortunately this flexibility makes it more difficult for City sidewalk and street cleaning during the winter months. In addition it creates an eyesore to have furniture and enclosures stored outside during the winter months. Staff observed a few restaurants over the winter that did not remove the dining area as required (the restaurants subsequently complied with the requirement at staff's request).

Staff believes it will be easier for everyone, restaurant owners as well as City enforcement staff, if there is a specific period of time that chairs, tables, and barriers are not permitted on the sidewalk. P&Z will notify all outdoor dining permit holders that furniture and enclosures must be removed and may not be stored on the public right of

way during the winter period January 2 to March 31 each year. The most extreme winter temperatures and weather are most often experienced during January and February, with March a month of transition. Ideally, commencement of the outdoor dining each year will follow the sidewalk power washing conducted by T&ES during the middle of March (weather dependent).

- **Education.** In anticipation of the beginning of the permanent outdoor dining program, City staff in July 2005 sent an invitation to all restaurant owners in the King Street area to attend an Outdoor Dining Education Program meeting to be briefed on the new permanent outdoor dining requirements. A manager or supervisor from each restaurant with an outdoor dining permit was required to attend one of the three scheduled meetings. City staff from the City Manager's Office, P&Z, and Code Enforcement described the new requirements and emphasized the need to keep five (5) feet of "unobstructed" sidewalk space for pedestrian use. At the meetings, Code Enforcement also stressed the need for restaurant owners to keep Fire Department Connections (FDCs) and egress doors/paths clear of encroachments or obstructions. As a follow-up to that meeting, and to discuss the proposed amendments to the outdoor dining policies and regulations discussed in this report, staff held two other educational meetings in April 2007. Existing regulations were reviewed and discussed at the meetings, as were the proposed regulation changes discussed in this report.
- **Annual Permit Renewal and Fee.** With new restaurants applying for outdoor dining permits as well as the normal turnover of staff in the existing restaurants, staff recommends that all restaurants apply annually for a renewal of the permit. In addition, the outdoor dining program has been extremely time-intensive for staff, which includes education and outreach about the program, working with applicants on submitting adequate plans, reviewing the plans, conducting site inspections for compliance, and conducting follow-up inspections for on-going enforcement. Because of the significant cost associated with the program, staff proposes assessing a fee of \$100 for each restaurant plus \$1 per square foot over 100 square feet of outdoor dining area, on an annual basis. In determining the fee, staff considered the fees of a number of jurisdictions, including Annapolis, Arlington and Washington, DC, which had a range of cost structures from a one-time \$500 fee, up to \$10 per square foot annually. The ordinance establishing the permanent outdoor dining program prohibited the charging of fees, so this will require a zoning ordinance change.

The sidewalk markers that will be placed in the sidewalk by staff will guide the placement of the boundaries year after year. To receive approval of the renewal, the applicant will only be required to review the outdoor dining regulations with staff and confirm the location of the seating as depicted on the original or revised plan as determined by staff. It is anticipated that this can be accomplished at the counter, in one

visit. Restaurant managers must also make sure that all of their present and new employees understand the importance of the outdoor dining requirements so that the program will continue to achieve community support. To ensure compliance, staff will inspect the outdoor dining area once it is set up for the season.

- **Outdoor Dining Design Guidelines.** The Outdoor Dining Design Guidelines were approved in January 2006 by the Old and Historic Alexandria District Board of Architectural Review. Prior to the Board's approval, a public hearing was held in December 2005 where restaurant owners indicated their agreement with the Guidelines.

The Design Guidelines have proven to be very helpful to restaurant owners and have resulted in high quality outdoor dining areas. A number of restaurants purchased black sectional metal fencing for their outdoor dining barriers – a welcome improvement over rope or chain barriers.

- **Cleanliness.** Existing regulations require that the outside dining area must be kept sanitary, neat and clean at all times. The area must be kept free from food, litter, snow, ice and other unsanitary matter, with no food preparation, and the restaurant must participate in an approved rodent control program. Staff is not aware of significant issues with compliance with these requirements, but reinforced the requirement at the educational meeting that was held in April 2007.
- **Umbrella height and projection.** There was an issue of umbrella height and projection into the sidewalk during the pilot program phases. Section 6-805(I) of the zoning ordinance, and the adopted design guidelines includes a requirement that umbrellas be contained entirely within the outdoor seating area, including the fabric and supporting ribs, and that the umbrella measure at least seven (7) feet above the dining area. In a recent comprehensive inspection of outdoor dining participants, staff found that most restaurant umbrellas were violating this condition. In talking with restaurateurs, it is difficult to find umbrellas seven (7) feet tall that can fit within the narrow dining areas on King Street. The seven (7) foot requirement was intended to ensure adequate headroom under the umbrellas, and was in part based on the required height for awnings above the public right of way, which allow for easy pedestrian passage underneath. However, the outdoor dining program requires that umbrellas be completely contained within the dining area, leaving the circulation underneath limited to seated diners and waitstaff. The Code required height for doorways and the lowest edge of an overhang on a post or pylon is 80 inches (six (6) feet eight (8) inches), and staff finds this to be a more than reasonable height for umbrellas within a dining area. To provide some relief to the restaurants, and to be consistent with an existing Code requirement, staff recommends that the lowest dimension of the umbrella maintain a vertical clearance of six (6) feet eight (8) inches instead of seven (7) feet.



- **Enforcement.** Staff frequently checks outdoor dining areas, both in response to complaints and as part of routine inspections. Violation of any of the outdoor dining regulations may result in ticketing and fines. Repeated violations may result in revocation of the permit. Staff has worked cooperatively with restaurants on compliance, and ticketing has thus far not been warranted.

Most recently, staff conducted a comprehensive inspection of each outdoor dining area, and notified managers of violations. All but a few restaurants had varying degrees of compliance issues. Staff has notified each restaurant of these issues, and is working with owners and managers on ways to remedy those issues.

Complaints about outdoor dining should be directed to the Department of Planning and Zoning, at 703-838-4666. For urgent issues during non-business hours, Code Enforcement staff can be called at 703-838-0041. Complaints are logged into a database and a City inspector investigates the complaint, resolves the issue, and follows up with the person who called in the complaint.

## V. **CONCLUSION**

The Outdoor Dining Program has been successful in adding vitality to the street. Both businesses and citizens generally support the program. Staff recommends the following clarification of regulations to address issues that have been raised over the past year:

- Maintain the required five (5) foot pedestrian pathway adjacent to the outdoor dining area, and require that it is continuous and parallel to the building face for the entire length of the dining area and does not weave around sidewalk obstructions such as trees, and allow the Director to require additional pedestrian pathway width where warranted.
- Maintain prohibition of outdoor storage of tables, chairs and barriers during winter months, which shall be defined as days between January 2 and March 31 (Section 6-805 (O)(5)).
- Require an annual renewal of the permit beginning in 2008, with an annual application fee of \$100 plus \$1 per square foot over 100 square feet of outdoor dining area. The renewal process will provide the opportunity on an annual basis to review the regulations for existing restaurant management and staff and to communicate requirements to any new staff at the restaurants.
- Amend the minimum umbrella height in the zoning ordinance and King Street Outdoor Dining Design Guidelines from seven (7) feet to six (6) feet eight (8) inches, consistent with the Code requirement for the lowest edge of an overhang on a post or pylon.

Continued vigilance by restaurant owners and city enforcement staff is necessary to make sure that the program continues to have the support of the larger community.

**ATTACHMENTS:**

Attachment 1: Section 6-800 of the Zoning Ordinance

Attachment 2: King Street Outdoor Dining Design Guidelines, January 2006

Attachment 3: Alexandria Commission on Persons with Disabilities letter, April 17, 2007

Attachment 4: Excerpt from April 2007 Washingtonian Magazine

**STAFF:**

Faroll Hamer, Director, Department of Planning and Zoning,

Richard Josephson, Deputy Director,

Stephen Milone, Division Chief, Zoning & Land Use Services

Kathleen Beeton, Division Chief, Neighborhood Planning and Community Development

Peter Leiberg, Zoning Manager

Valerie Peterson, Urban Planner

Jannine Pennell, Deputy Director, Code Enforcement

Tom Fairchild, Business Facilitator

Tom Culpepper, Deputy Director, Transportation

## PROPOSED REVISIONS TO OUTDOOR DINING OVERLAY ZONE

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### Sec. 6-800 King Street Outdoor Dining Overlay Zone

- 6-801 *Purpose.* The King Street Outdoor Dining Overlay Zone is intended to facilitate outdoor dining in Old Town in order to create an active streetscape, enhance the economic and social vitality of King Street, and promote pedestrian and retail friendly activity; to allow for the use of the public right of way for such outdoor dining; and to expedite the approval of such facilities while ensuring that the public's use of the sidewalks will not be significantly impaired by such dining, and that adjacent commercial and residential uses will be protected from any adverse impacts from such dining.
- 6-802 *Application of overlay zone.* The King Street Outdoor Dining Overlay Zone includes the King Street corridor, from the Potomac River to the intersection of King Street and Daingerfield Road, and along all streets intersecting therewith, north to Cameron Street and south to Prince Street, as shown on the map entitled, "King Street Outdoor Dining Overlay Zone," dated 6/21/05 (date of adoption).
- 6-803 *Administrative permit availability.* The requirements of obtaining approval of a special use permit under section 11-500 of this ordinance and of obtaining approval of an individual encroachment ordinance under section 5-2-29 of the city code otherwise applicable, shall not apply to outdoor dining facilities that meet the requirements of this section 6-800 and for which an administrative permit is approved pursuant to this section.
- 6-804 *Administrative permit process.*
- A. An applicant for an outdoor dining permit shall file an application with the director on such forms and subject to such procedures as the director may establish for the purpose.
  - B. The application shall include a plan with dimensions showing the layout for the outdoor dining area which accurately depicts the **existing sidewalk conditions including sidewalk width from building face to curb; location and dimensions of tree wells; locations of lampposts, traffic signs and signal poles, trash receptacles, benches, and other sidewalk obstructions; as well as** the design, location, size and space of the dining area, chairs, tables, barriers, umbrellas and other facilities to be located within the outdoor dining area, and such additional information as the director may reasonably require.

- C. The director shall review the application to determine if the proposed dining establishment, and any encroachment into the public right of way, will be reasonable, attractive, and promote pedestrian and retail friendly vitality in the King Street corridor, and that there is adequate space remaining within the public right of way to facilitate safe circulation of pedestrian traffic.
- D. The director may approve, approve with conditions, or deny the application. **The approved plan and permit shall be posted on the restaurant premises.**
- E. No material change to the approved plan shall be made without prior written approval by the director.
- F. **The outdoor dining permit shall be valid only between April 1 and January 1 NOVEMBER 15, and shall be renewed on an annual basis. A fee based on the gross square feet of outdoor dining area, plus a base processing fee, shall be assessed for each application. [PC]**

6-805 *Standards for outdoor dining.*

- A. The outside dining area is to be attractive, and promote pedestrian and retail friendly vitality in the King Street corridor.
- B. The outside dining area shall be located adjacent to the property of an existing and lawfully operating restaurant and shall be under the responsible direction and control of the restaurant. It may be located adjacent to the building or near the curb but shall be contained within the location delineated by the permit.
- C. If the outdoor dining area is in a location on the property that is not in the sidewalk area in front or on the side of the restaurant, it shall be reviewed to determine whether its location supports the purpose of the zone to create an active streetscape and to protect residential areas from adverse impacts.
- D. The total number of seats (both indoor and outdoors) shall not exceed the restaurant's previously approved maximum number of seats by more than 20 seats, and the number of seats permitted is dependent on the amount of space available and on building and fire code requirements. Any increase in number of seats for outdoor dining in the public sidewalk approved

under this section shall not be deemed by the director to constitute an intensification of use.

- E. The outdoor dining area may be open to patrons from 6:00 a.m. to 11:00 p.m. daily.
- F. In order to allow adequate pedestrian traffic areas and emergency access around outdoor dining areas, the following dimensional requirements must be observed:
  - (1) At least five feet, **or such additional space that the director deems necessary**, of unobstructed corridor space must be maintained past the outside dining area for sidewalk pedestrian traffic in order to ensure a clear pedestrian passageway along the sidewalk. **In locations where the sidewalk provides additional width or where there are fewer obstructions, the Director may require more than five feet. In order to achieve a continuous walkway, the pedestrian passageway shall remain in a straight line, parallel to the building face and curb for the entire length of the dining area. The director may require additional measures that contribute to achieving a straight and unobstructed pathway along the entire blockface.**
  - (2) A space at least 44 inches wide for unobstructed ingress/egress must be maintained between any restaurant doorway and the pedestrian traffic corridor.
  - (3) Outdoor dining areas located near the sidewalk curb must leave at least two feet of unobstructed sidewalk depth between the curb and the outer dimension of the outdoor dining area.
  - (4) An unobstructed clearance of five feet must be maintained between a fire hydrant and any furniture or fixtures related to outdoor dining.
- G. The outside dining area must be kept sanitary, neat and clean at all times. It shall be free from accumulation of food, litter, snow, ice, and other potentially dangerous or unsanitary matter. The restaurant must participate in an approved rodent control program.
- H. No food preparation is permitted in the outside dining area.

- I. Tents or awnings are not permitted without obtaining a separate building permit. Table umbrellas are permitted if they do not have signs or advertisements on them, if the umbrellas are completely contained within the outdoor dining area, even when fully extended, and if the lowest dimension of the umbrella maintains a minimum vertical clearance of ~~seven~~ six feet eight inches above the sidewalk to allow for patron and server circulation.
- J. No signs are permitted in the outside dining area except those signs that have a valid City permit.
- K. Loudspeakers outside are prohibited, and amplified sounds from inside the restaurant must not be audible in any outside dining area on the public right of way.
- L. Any door leading into a restaurant may not be positioned to remain open or otherwise supported in an open position.
- M. The restaurant must comply with all applicable city, state and federal laws and regulations.
- N. In order to serve alcoholic beverages, an application must be approved by the Virginia Department of Alcoholic Beverage Control (ABC), and it will require the following:
  - (1) The dining area must have a sturdy enclosure.
  - (2) There must be only one well defined entrance to the outdoor dining area and it must be located directly in front of the egress doors.
  - (3) Customers are not permitted to carry their own alcohol to the outdoor dining area.
  - (4) The dining area must have adequate illumination during evening hours.
- O. The design of the outdoor dining facilities which are visible from the public street or way, shall comply with the following:
  - (1) All improvements (furniture and fixtures) used in an outdoor dining area on the public right of way must be readily removable without damage to the surface of the right of way.

- (2) An outdoor dining area within the public right of way shall be contained by sturdy barriers in conformity with city standards.
- (3) There shall be no penetration of the public sidewalk surfaces, except that the city will, following issuance of the permit, mark the corners of the approved outdoor dining area with conspicuous markers.
- (4) The design of the area shall comply with any Board of Architectural Review approved design guidelines.
- (5) Furniture and enclosures ~~must be removed and~~ may not be stored on the public right of way for extended periods, **and must be removed such as during the winter months between January 2 NOVEMBER 16 and March 31. [PC]**

P. The director shall, on a case-by-case basis, require adjustments to the layout, dimensions, or distance from the property line of any outdoor dining area in order to ensure pedestrian visibility of the ground floor of buildings that adjoin those with outdoor dining areas.

Q. The applicant shall comply with such additional reasonable terms as the director may include in the permit.

**R. Smoking shall be prohibited in outdoor dining areas located on public property. [PC]**

6-806 *Additional encroachment requirements.* An outdoor dining area located within the public right of way shall also comply with the following specific requirements for encroachments:

A. Any such encroachment shall be subject to and conditioned upon the restaurant maintaining liability insurance, with commercially reasonable limits and coverages, including for its operation within the encroachment area, and permission to establish and maintain the encroachment shall not be construed to relieve the restaurant of liability for any negligence on the restaurant's part on account of or in connection with the encroachment.

B. By accepting the authorization granted by a permit authorized by this ordinance to establish and maintain the encroachment and by so establishing and/or maintaining the encroachment, the restaurant shall be deemed to have promised and agreed to save harmless the City of Alexandria from any and all liability (including attorneys' fees and

litigation expenses) arising by reason of the establishment, construction, placement, existence, use or maintenance of the encroachment.

- C. The authorization granted by a permit approved under this 6-800 to establish and maintain the encroachment is not intended to constitute, and shall not be deemed to be, a waiver of sovereign immunity by or on behalf of the City of Alexandria or any of its officers or employees.
- D. Neither the City of Alexandria nor any public utility company shall be responsible for damage to property encroaching into the public right of way during repair, maintenance or replacement of the public right of way or any public facilities or utilities in the area of encroachment.
- E. The authorization granted by a permit approved under this section to establish and maintain the encroachment shall be terminated whenever the City of Alexandria desires to use the affected public right of way for any purpose whatsoever and, by written notification, demands from the restaurant the removal of the encroachment. Said removal shall be completed by the date specified in the notice and shall be accomplished by the restaurant without cost to the City. If the restaurant shall fail or neglect to remove the encroachment within the time specified, the city shall have the right to remove the encroachment, at the expense of the restaurant, and shall not be liable to the restaurant for any loss or damage to the structure of the encroachment or personal property within the encroachment area, caused by the removal.
- F. ~~No fees or charges imposed pursuant to sections 3-2-81 through 3-2-85 of the city code shall be applicable to encroachments authorized by this section 6-800.~~



Design Guidelines

# Outdoor Dining

Design Guidelines

City of Alexandria

Approved by Board of Architectural Review

January 2006



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## Purpose

These Guidelines provide standards for the use of outdoor dining areas along King Street and adjoining streets in order to maintain a quality appearance in keeping with the Street's historic character.

The City of Alexandria permits outdoor dining along King Street and adjoining streets in Old Town through an administrative permitting process authorized by Section 6-800 of the City of Alexandria Zoning Ordinance. As per Section 6-805(O)(4), the design of each outdoor dining area must "comply with any Board of Architectural Review approved design guidelines." This document contains the guidelines of furniture and fixtures considered acceptable within the architectural and cultural framework of Old Town's main commercial corridor.

Central to the process of permitting outdoor dining along one of the nation's most historic streets is the necessity of ensuring that furniture and other items placed along the street will complement the overall character of the street and not detract from the district's architectural heritage. These Design Guidelines provide standards for the use of outdoor dining areas in order to enhance the historic character, visual quality and pedestrian safety of the area.

These guidelines apply to all outdoor dining areas that receive City approval through powers granted by Section 6-800 of the Zoning Ordinance. Failure to comply with these guidelines constitutes a violation of the City Zoning Ordinance.

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## Background

The City of Alexandria is pleased to offer restaurants along King Street the option of utilizing the public sidewalk as outdoor dining areas. Outdoor dining gives restaurant patrons an amenity that has become an increasingly popular feature within the Washington area.

While the City has encouraged the use of outdoor dining arrangements, restaurant operators must be mindful of two important considerations: the safety and flow of pedestrian traffic, and the visual appropriateness within Old Town's historic district.

These Design Guidelines are intended to ensure that restaurants use the public sidewalk for outdoor dining in a way that is safe for pedestrians and appropriate for the historic district.

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## Application Procedure

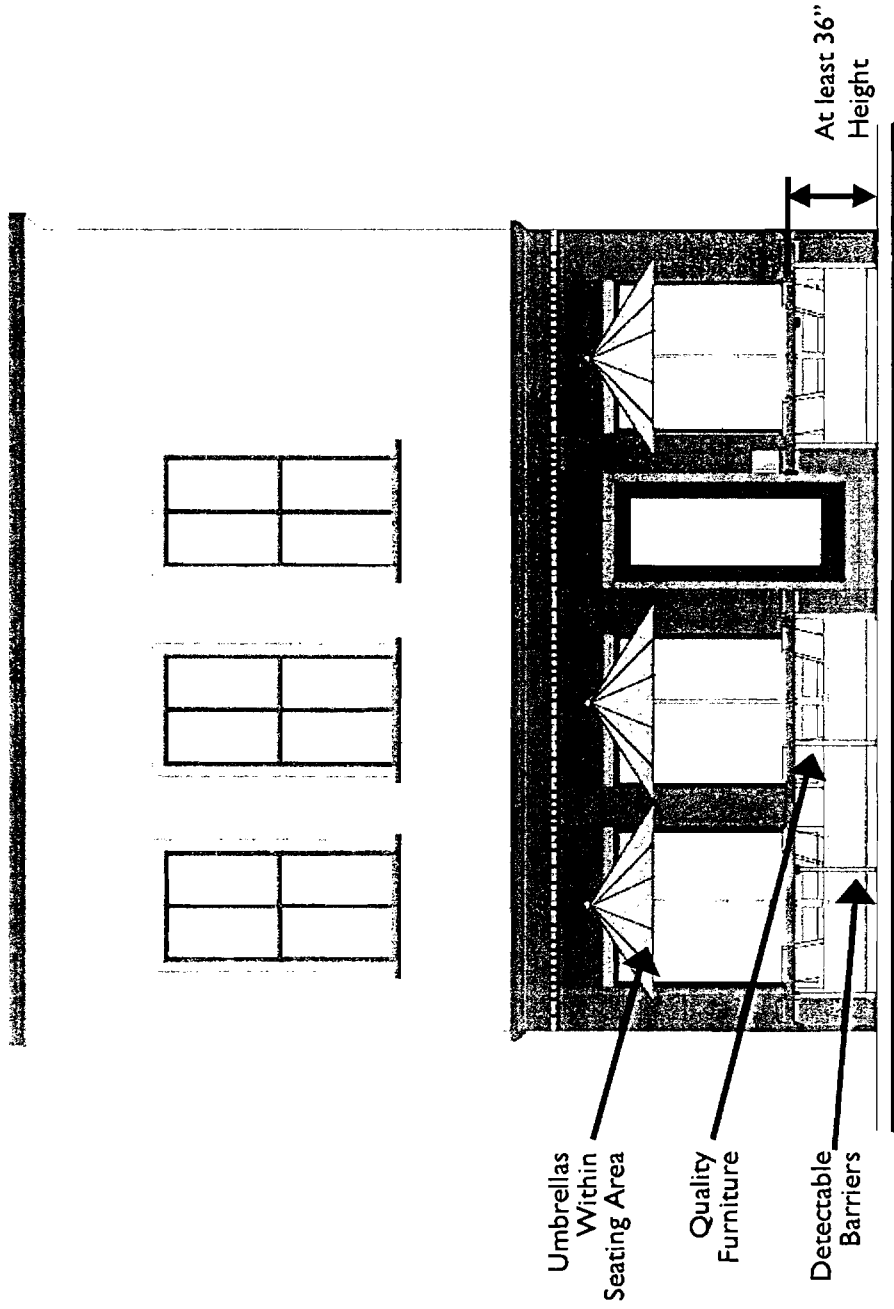
Outdoor dining is permitted along King Street and adjoining streets through an administrative approval process authorized by Section 6-800 of the City Zoning Ordinance. This administrative process saves time and expense by pre-establishing standards that must be followed for all outdoor dining set-ups.

To apply, a restaurant owner needs to complete the following.

- **Application Form:** A brief form with basic information about the restaurant and proposed number of seats
- **Site Plan:** A plan showing the proposed outdoor dining area with measurements (including a representation showing that at least 5 feet of unobstructed sidewalk space will remain for pedestrians).
- **Photos or Drawing of Furniture:** Photos or other graphic representation (including color and material) of furniture and umbrellas, needed for the City to verify that the proposed furniture conforms to these Design Guidelines.

For forms, information or questions, contact the Department of Planning and Zoning at 703.838.4666 or visit in person at City Hall, 301 King Street, Room 2100.

## Elements of a Quality Outdoor Seating Area



## Chapter 1: Barriers

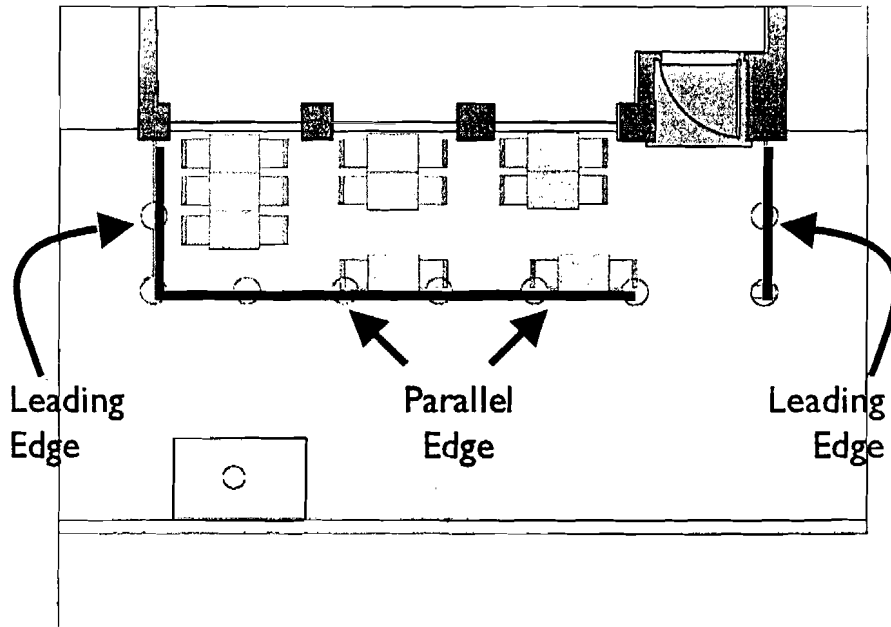
Dining area barriers (fences, gates, ropes etc.) are visually appealing and help to separate the dining area from the sidewalk. All barrier material must be maintained in good visual appearance, without visible fading, dents, tears, rust, corrosion, or chipped or peeling paint.

Barriers are required in the following instances:

- a) **Required for Leading Edge of All Dining Areas:** A detectable barrier is required for the leading edge of all outdoor dining areas to ensure that visually impaired pedestrians using canes can detect the dining area safely. The *leading edge*, illustrated at left, is defined as the section of a dining area that is at or near a perpendicular angle to the building wall and/or curb line.
- b) **Required for Full Perimeter of Some Dining Areas:** A detectable barrier is required for the full perimeter (with the exception of access openings) when the outdoor seating area extends more than 3 feet into the public right of way. The perimeter includes both the leading edge and parallel edge.

Restaurants which do not serve alcohol and whose outdoor seating area extends *less* than 3 feet into the public right-of-way are not required to enclose the full perimeter of the seating area, but may do so on an optional basis.

- c) **Required for Full Perimeter of All Outdoor Dining Areas Serving Alcohol:** State law requires that outdoor dining areas where alcohol is served or consumed must enclose the area, with only one opening to the sidewalk for access.



**FIGURE 1**  
*Illustration of leading edge and parallel edge of barrier*

## 1.1 Barrier Designs

A wide variety of styles and designs are permissible for outdoor dining area barriers:

**Sectional Fencing:** Sectional fencing (generally defined as rigid fence segments that can be placed together to create a unified fencing appearance) is a desirable solution for outdoor seating areas using barriers. Such fencing is portable, but cannot be easily shifted by patrons or pedestrians, as can less rigid forms of enclosures.

Sectional fencing must be of metal (aluminum, steel, iron, or similar) or of wood construction and must be of a dark color (either painted or stained).



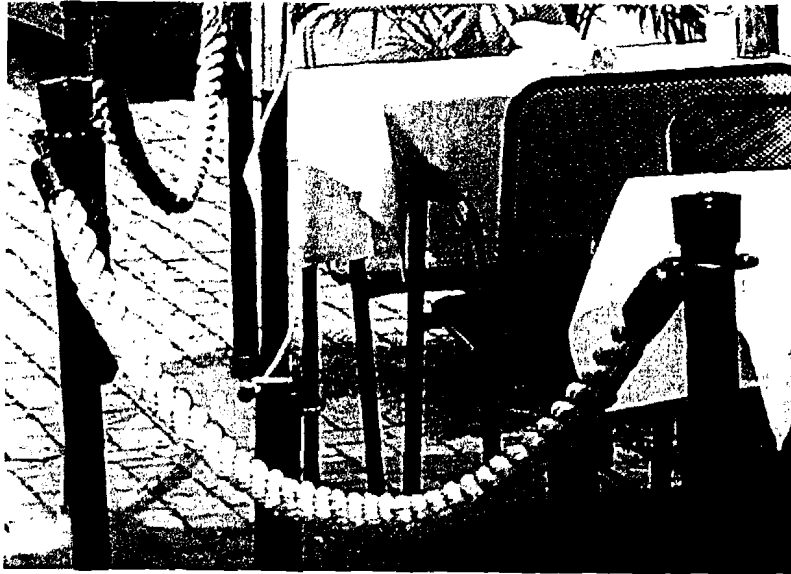
**FIGURE 2**

*Acceptable sectional fencing design*

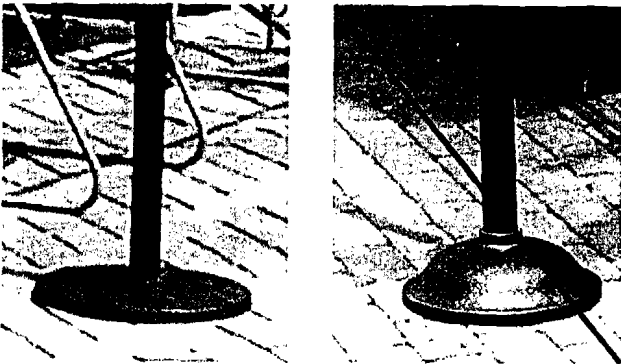
24



## 1.1 Barrier Designs



25  
**FIGURE 3**  
*Rope or chain barrier must have a minimum diameter of 1 inch*



**FIGURE 4**  
*Stanchion base must be flat and no more than 1/2" above sidewalk surface*

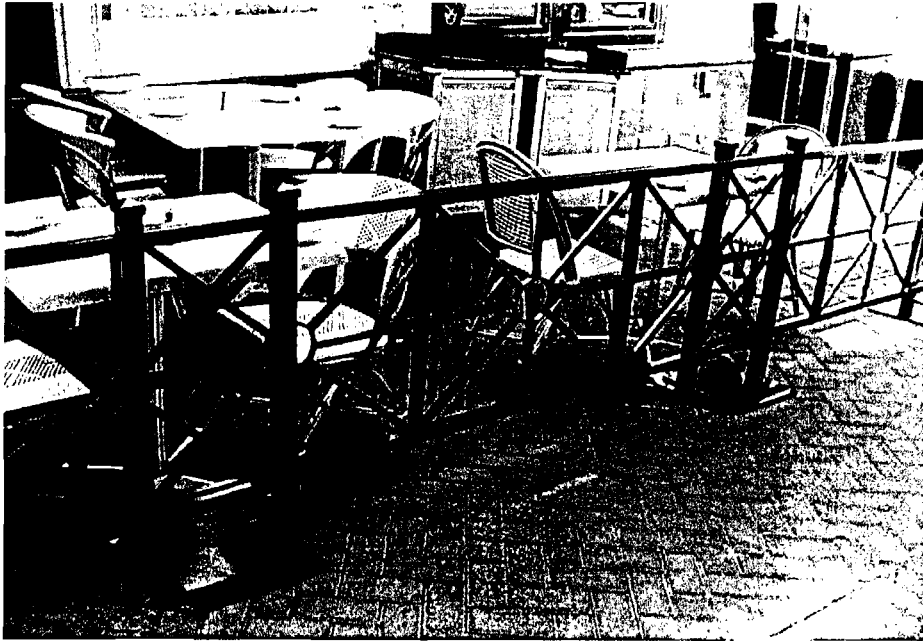
**FIGURE 5**  
*Domed stanchion bases are not permitted*

**Rope or Chain Rails:** Rope or chain-type barriers (generally defined as enclosures composed of a rope or chain suspended by vertical elements such as stanchions) are permitted if they meet the following guidelines:

- **Rope/Chain Diameter:** The rope or chain must have a minimum diameter of 1 inch, in order to maintain detectability by the visually impaired.
- **Posts:** Vertical support posts (stanchions, bollards, etc.) must be constructed of wood or metal (aluminum, steel, iron, or similar).
- **Stanchion Base Must Not Be A Tripping Hazard:** If a stanchion or other vertical supporting device is attached to a base, that base must be flat and must measure no more than one-half ( $\frac{1}{2}$ ) of an inch above the sidewalk surface. No domed stanchion bases are permitted.

## 1.1 Barrier Designs

**Freestanding:** Any barrier (whether sectional fencing or rail-type) must be freestanding, without any permanent or temporary attachments to buildings, sidewalks or other infrastructure.

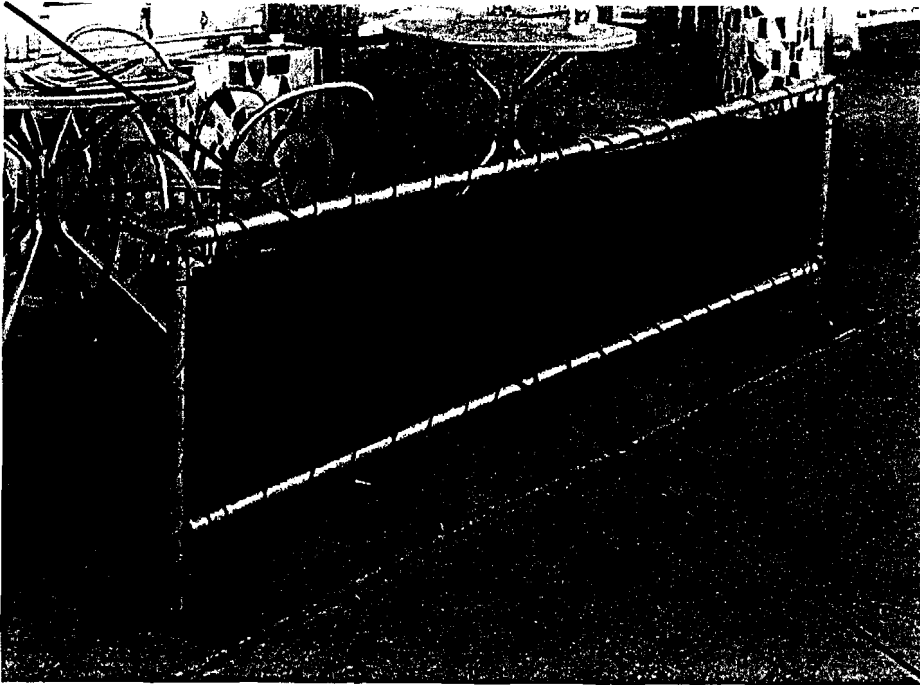


**FIGURE 6**  
*Acceptable sectional fencing design: freestanding*

## 1.1 Barrier Designs

### Prohibited Barrier Styles:

- **Fabric Inserts:** Fabric inserts (whether natural or synthetic fabric) of any size are not permitted to be used as part of a barrier.
- **Chain-link and Other Fencing:** The use of chain-link, cyclone fencing, chicken wire or similar appurtenances is prohibited. Materials not specifically manufactured for fencing or pedestrian control (including but not limited to buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc.) and not expressly permitted elsewhere in these Guidelines may not be used as components of a barrier.



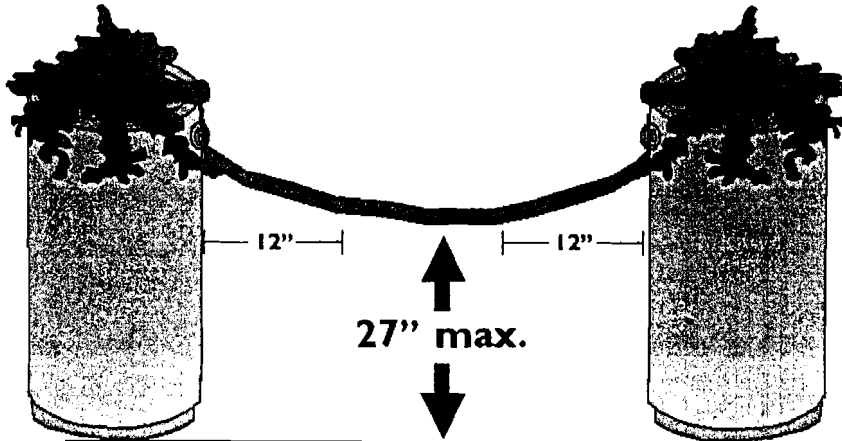
**FIGURE 7**

*Fabric inserts are not permitted to be used as part of a barrier*



**FIGURE 8**  
Sectional fencing barrier height must be at least 36"

28



**FIGURE 9**  
How to measure rope/chain distance from ground

## 1.2 Barrier Measurements

To ensure their effectiveness as pedestrian control devices and their detectability for persons with visual impairments, barriers must meet the following measurement guidelines:

**Height:** The highest point of a barrier (such as a stanchion) must measure at least 36 inches in height, with the exception of planters.

**“Open” Appearance:** Fences or other perimeter enclosures with a height of between 36” and 50” must be at least 50 percent open (see-through) in order to maintain visibility of street level activity. Any enclosure with a height over 50” must be at least 80 percent open (see-through).

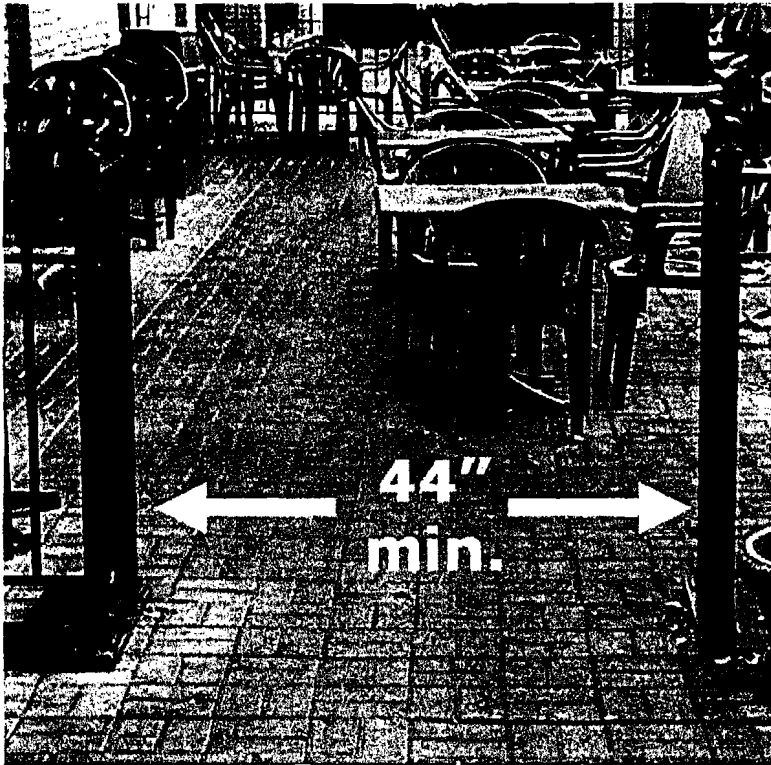
**Maximum Distance from Ground:** All barriers must be detectable to visually impaired pedestrians who employ a cane for guidance. Therefore the bottom of barriers must be no greater than 27 inches above the sidewalk surface.

- **How to Measure Rope/Chain Distance from Ground:** In the case of a rope or chain enclosure, the rope/chain must not exceed 27 inches in height when measured 12 inches or more away from a vertical post (stanchion, bollard or other such support).

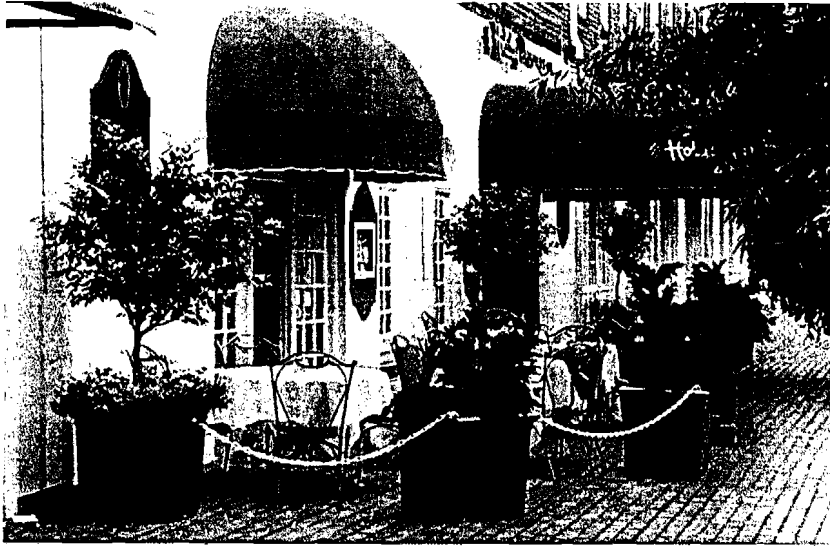
### 1.3 Access Openings

**Minimum Access Width:** Any access opening within the barrier must measure no less than 44 inches in width.

**Location:** Access openings should be placed in a location that will not create confusion for visually impaired pedestrians.



**FIGURE 10**  
*Minimum access width is 44 inches*



**FIGURE 11**  
*Acceptable planter design  
 and material*



**FIGURE 12**  
*Height of plants  
 may not exceed 8'*

## 1.4 Planters

Planters may be used in addition to or in place of other barrier designs. In addition, planters may be used in situations where no barrier is required (for example, where the outdoor dining area does not extend more than three feet into the sidewalk) in order to provide added visual interest and create a more attractive and welcoming atmosphere.

Planters and the plants contained within them must meet the following requirements:

**Maximum Height of Planters:** Planters may not exceed a height of 36 inches above the level of the sidewalk. (This pertains only to planters, not the plants contained therein.)

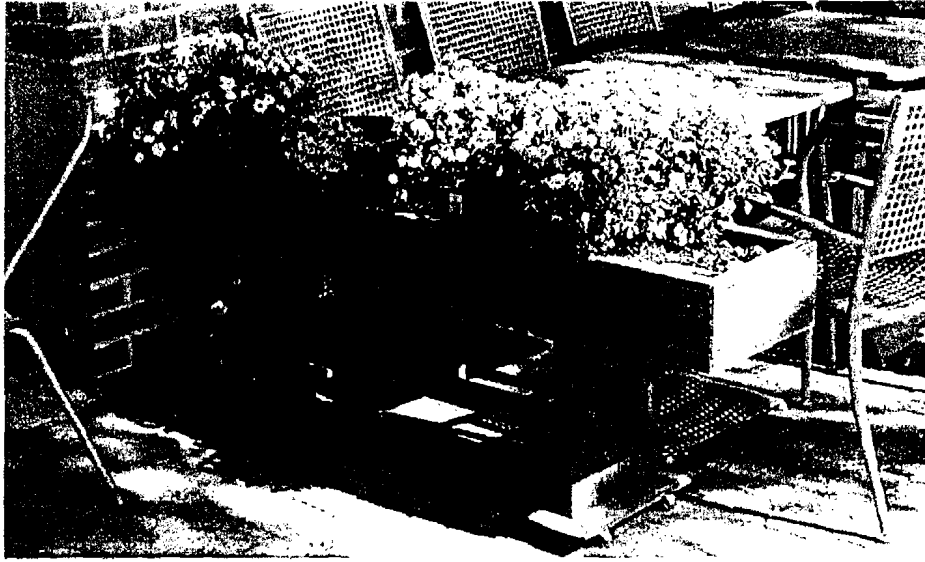
**Maximum Height of Plants:** Plants (whether live or artificial) may not exceed a height of 108 inches (8 feet) above the level of the sidewalk.

30

## 1.4 Planters

**Planted Material:** All planters must have plants contained within them. If the plants within a planter die, the plants must be replaced or the planter removed from the public right-of-way. Artificial plants; empty planters; or planters with only bare dirt, mulch, straw, woodchips or similar material are not permitted.

Seasonal, thematic planter displays are encouraged.



*FIGURES 13, 14 and 15  
Acceptable planter design and material*

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## Chapter 2: Furniture and Fixtures

King Street's retail liveliness depends on maintaining an attractive and high-quality atmosphere. As stated in the *King Street Retail Strategy*, "The quality of the streetscape is vitally important to King Street's retail ambiance...The streetscape and the defining adjacent buildings are the most significant overall elements in providing a dynamic visual environment."

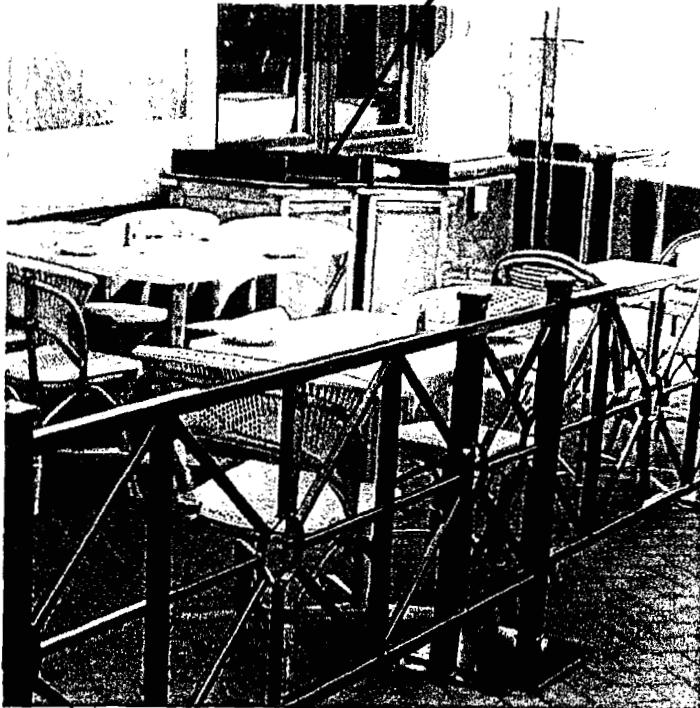
Outdoor dining furniture becomes a prominent part of the streetscape when used in the front of buildings, and such furniture needs to uphold the high standards applied to buildings and other improvements in Old Town.

A wide range of furniture styles, colors and materials are permitted. All furniture and fixtures must be maintained in good visual appearance, without visible fading, dents, tears, rust, corrosion, or chipped or peeling paint. All furniture and fixtures must be maintained in a clean condition at all times. All furniture and fixtures must be durable and of sufficiently sturdy construction as not to blow over with normal winds.

To ensure a quality visual appearance in keeping with the historic context of King Street's architecture, the conditions on the following pages apply to furniture (tables and chairs).



Other furniture or equipment  
not permitted



33

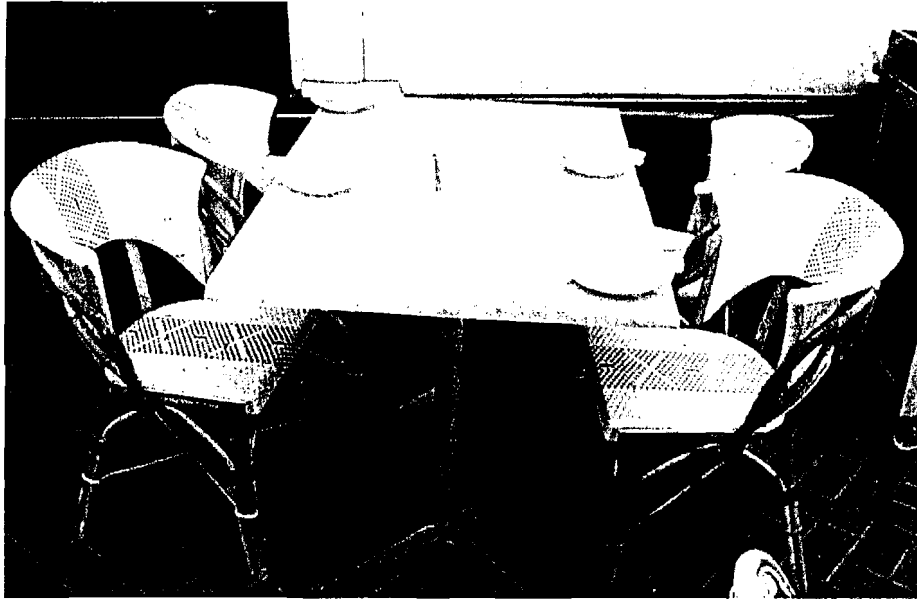
## 2.1 Types of Furniture

**Prohibited Furniture:** All furniture other than tables, chairs and umbrellas is prohibited. This includes but is not limited to serving stations, bar counters, shelves, racks, sofas, televisions, trash receptacles, heaters and torches.

**Freestanding:** Furniture and fixtures must not be secured to trees, lampposts, street signs, hydrants, or any other street infrastructure by means of ropes, chains or any other such devices, whether during restaurant operating hours or at times when the restaurant is closed.

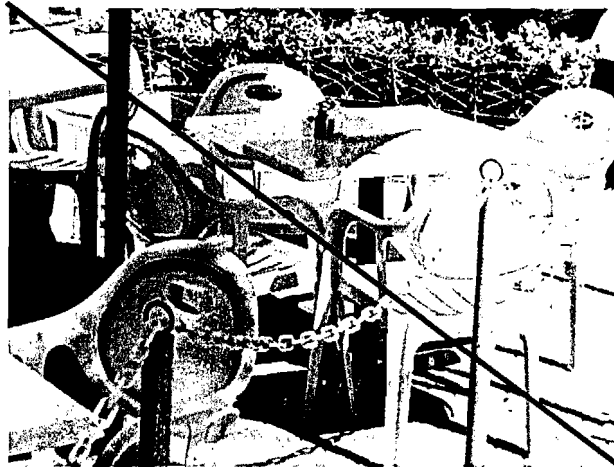
**FIGURE 16**

*Furniture other than tables, chairs and umbrellas is not permitted*



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**FIGURE 17**  
*Furniture may be of dark color or natural unpainted material*



**FIGURE 18**  
*No white or fluorescent furniture is permitted*

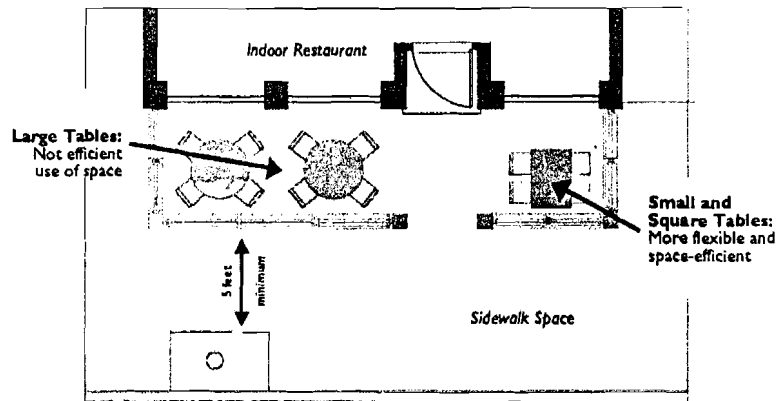
## 2.2 Tables

Tables need to be functional, not only for patrons, but also for pedestrians, given the limited space available for outdoor dining on many Old Town sidewalks.

Outdoor dining furniture must also contribute to the overall atmosphere of Old Town's commercial district and be complementary in both appearance and quality.

**Color:** Tables may be colored or of a natural unpainted material (i.e., wood, metal etc.). Tables are not permitted to be white plastic or of any fluorescent or other strikingly bright or vivid color.

## 2.2 Tables



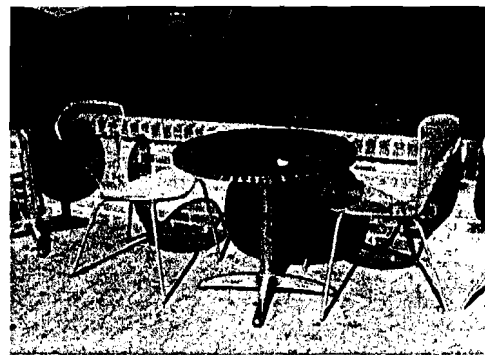
**Size and Shape:** The size and shape of tables strongly affects the functionality of an outdoor dining area. Due to Old Town's narrow sidewalks, restaurants should strive for space-efficient seating layouts and furniture configuration.

**Square or Rectangular Tables Preferred:** Square or rectangular tables are strongly recommended for use in Old Town's outdoor dining areas.

- **Better Fit:** Square or rectangular tables may fit flush against a building's wall and can permit more usable surface area for patrons while at the same time leaving more space available for pedestrians.
- **More Flexibility:** Square or rectangular tables are more flexible for use in outdoor dining areas. Such tables may be combined to seat larger parties much more effectively than can round tables.

**Smaller Tables Preferred:** Smaller tables work better than larger tables and are more efficient and flexible. Although optimal table size varies by each restaurant's specific outdoor dining layout, smaller tables are preferred.

35  
**FIGURE 19**  
*Efficient furniture layout - smaller furniture works better on King Street*



**FIGURES 20 and 21**  
*Smaller bistro-style tables are more efficient for use along King Street*

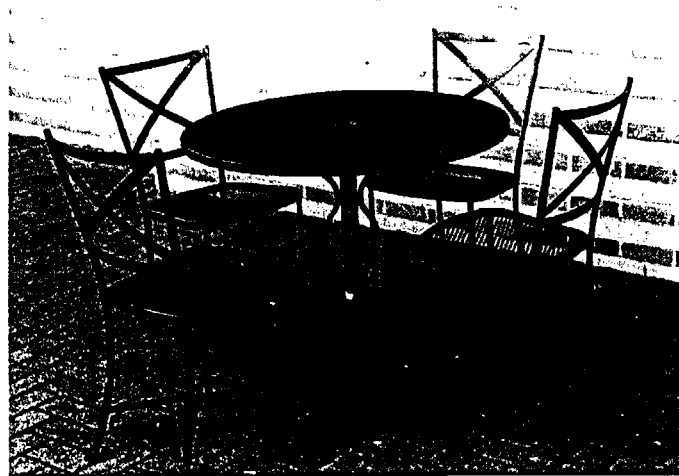
## 2.3 Chairs

Chairs, like other outdoor dining elements, must contribute to the overall atmosphere of Old Town's commercial district and must be complementary in both appearance and quality.

**Color:** Chairs may be colored or of a natural unpainted material (i.e., wood, metal etc.). Chairs are not permitted to be white plastic or of any fluorescent or other strikingly bright or vivid color.

**Upholstery:** Upholstered chairs are permitted. Upholstery is not permitted to be of any fluorescent or other strikingly bright or vivid color.

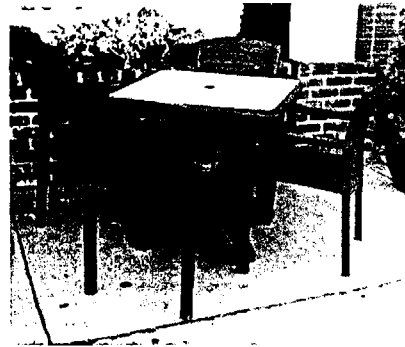
**Matching:** All chairs used within a particular establishment's outdoor seating area must match each other by being of visually similar design, construction and color.



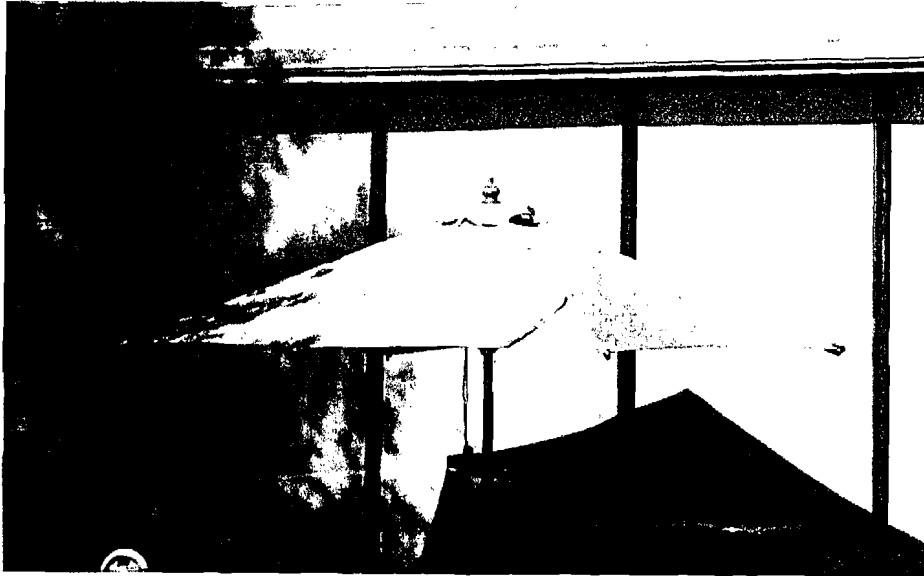
**FIGURE 22**  
*Chairs used in an outdoor dining area must match each other*



**FIGURE 23**  
*No white plastic or fluorescent furniture is permitted*



**FIGURE 24**  
*Furniture may be of dark color or natural unpainted material*



**FIGURE 25**  
*Acceptable umbrella design*

## 2.4 Umbrellas

Umbrellas can add a welcoming feel to outdoor dining areas and provide shelter from the elements, making their use desirable for outdoor dining applications. Appropriately designed and sized umbrellas are permitted for use under this outdoor dining program. Umbrellas must be free of advertisements and contained within the outdoor dining area, and the lowest dimension of an extended umbrella must be at least 7 feet above the sidewalk surface. All umbrellas must comply with the following conditions.

### **Contained Within the Outdoor Seating Area:**

To ensure effective pedestrian flow, all parts of any umbrella (including the fabric and supporting ribs) must be contained entirely within the outdoor seating area.

### **Minimum Height for Sidewalk Clearance:**

When extended, the umbrella must measure at least 7 feet above the surface of the outdoor dining area in order to provide adequate circulation space below. This measurement must include not only the umbrella frame and panels, but also any decorative borders such as fringes, tassels, or other such ornamentation.

**Maximum Height:** Any part of an umbrella used in an outdoor seating area may not exceed a height of 120" (10 feet) above the level of the sidewalk, in order to avoid causing an undue visual obstruction of other businesses.

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**FIGURE 26**  
*Acceptable umbrella design: Solid color, space-efficient, market-style, canvas material*

## 2.4 Umbrellas

**Colors:** Umbrellas must blend appropriately with the surrounding built environment. Therefore, umbrella fabric is not permitted to be of any fluorescent or other strikingly bright or vivid color. Umbrella covers must be of one solid color.

**Size and Shape:** The size and shape of an umbrella strongly affects its functionality within a constrained space such as an outdoor dining area. Due to the narrow measurements of most restaurants' outdoor dining areas, restaurants using umbrellas should strive for space-efficient umbrella designs.

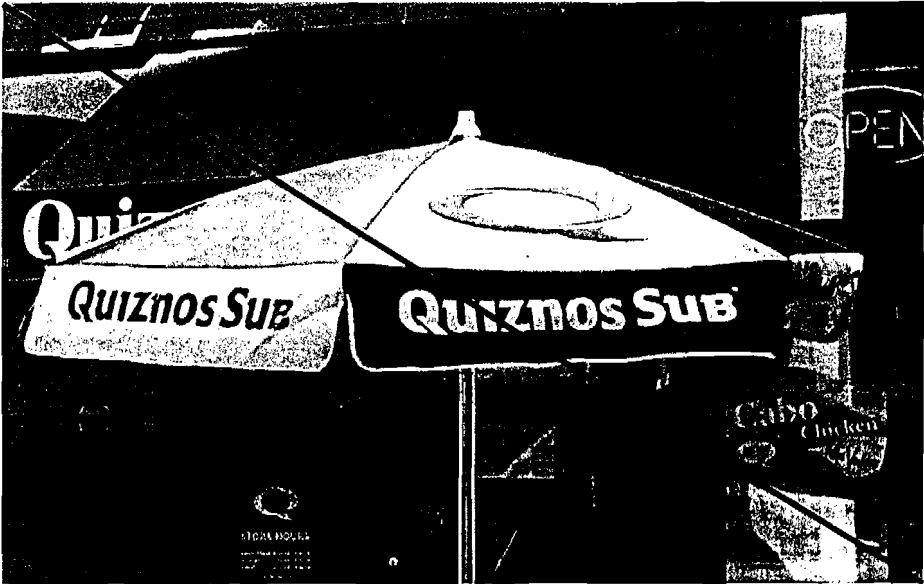
**Square or Rectangular Umbrellas Preferred:** Square or rectangular umbrellas, as opposed to round or octagonal umbrellas, are strongly recommended for use in Old Town's outdoor dining areas.

**Market-Style Umbrellas Preferred:** Market-style umbrellas – those designed specifically for patio or outdoor restaurant use – are preferred for outdoor dining purposes.

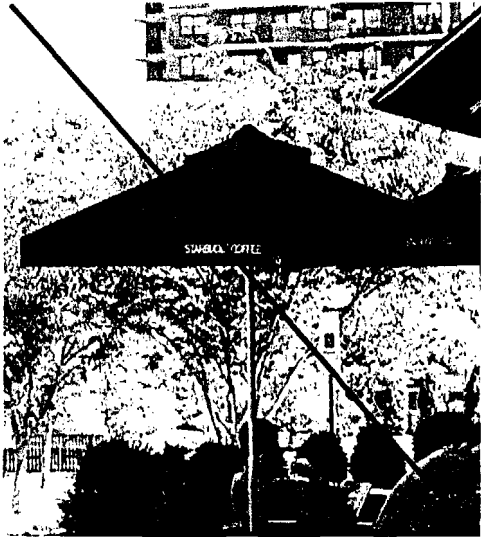
**Material:** Umbrella fabric must be of a material suitable for outdoor use, and must be canvas-type. No plastic fabrics, plastic/vinyl-laminated fabrics, or any type of rigid materials are permitted for use as umbrellas within an outdoor seating area.

## 2.4 Umbrellas

**Signage or Wording Prohibited:** Umbrellas must not contain signage for the restaurant or for any other entity in the form of wording, logos, drawings, pictorial or photographic representations, or any other likewise identifying characteristic.



*FIGURES 27 and 28  
Signage on umbrellas  
not permitted*



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40



**FIGURE 29**  
*Outdoor dining areas should be uncovered sidewalk material*

## 2.5 Sidewalk Coverings

The floor of outdoor seating areas should be uncovered sidewalk material as to provide continuity with the adjacent public right-of-way. Floor coverings or raised platforms may not be used within outdoor dining areas.

### Prohibited Sidewalk Coverings:

- **Carpet:** Prohibited sidewalk coverings include carpet or other flooring material constructed of fabric, canvas, wool, tile, linoleum, nylon, vinyl, or any covering that is intended to resemble turf.
- **Platforms:** Raised decks, platforms, or other such surfaces are not permitted within outdoor dining areas.



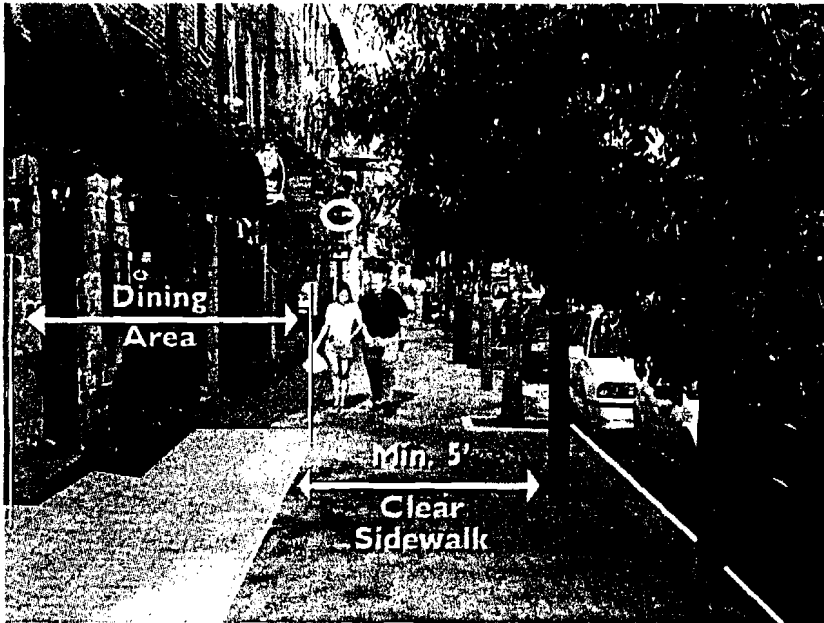
## 2.6 Circulation Room

As established in the Outdoor Dining Ordinance, all outdoor dining areas must leave at least 5 feet of unobstructed pedestrian space. This 5 feet of pedestrian space must be clear of obstructions caused by trees, tree wells, posts, hydrants, or any other infrastructure. In addition, no part of an outdoor dining area (including plants) may extend into the 5-foot-unobstructed zone.

If a perimeter enclosure is used, adequate space must be provided within the enclosed outdoor dining area to permit movement of patrons and waitstaff. Waitstaff may not serve patrons from beyond the perimeter enclosure.

## 2.7 Signage

Signage is permitted within outside dining areas only with a valid City permit. No extra or additional signage is permitted solely as a result of an establishment's participation in this outdoor dining program.

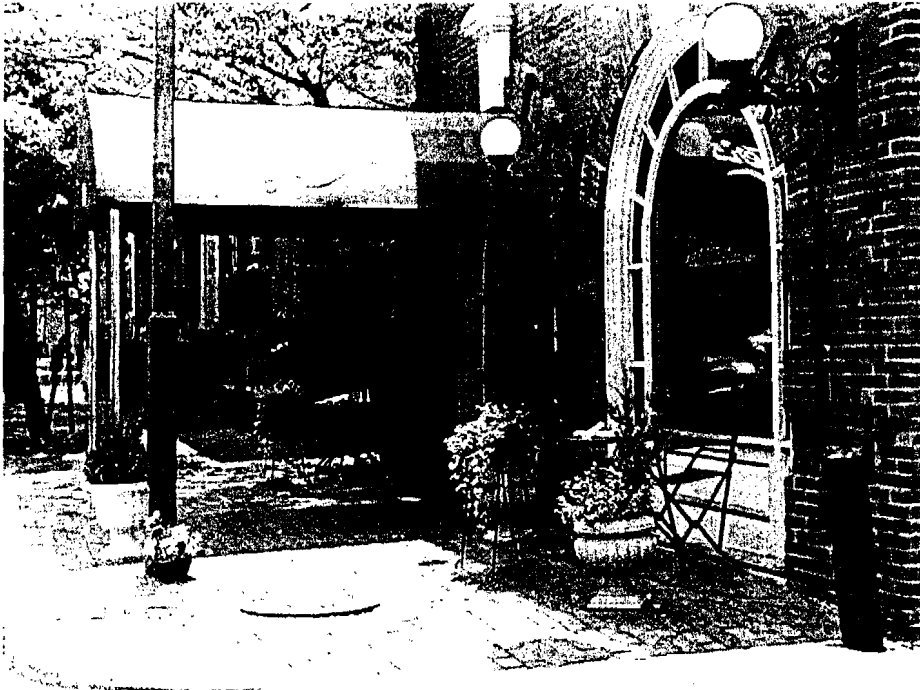


**FIGURE 30**  
*Outdoor dining areas must leave at least 5 feet of unobstructed pedestrian space*

## 2.8 Setback from Other Businesses

Restaurants need to be mindful of adjoining businesses when using outdoor dining areas, making sure that neighboring businesses remain visible to pedestrians and motorists.

A restaurant may be required to adjust the outdoor seating area's layout, dimensions or distance from the property line (2 feet or more) to ensure that this visibility is maintained.



42

**FIGURE 31**

*Neighboring businesses must remain visible to pedestrians and motorists*



## Alexandria Commission on Persons with Disabilities

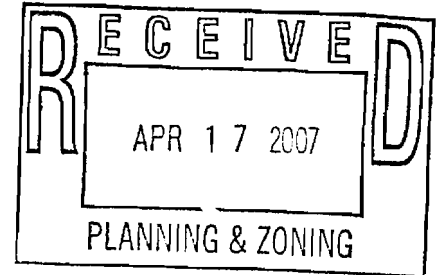
Amanda Babcock, Chair  
703-519-3357 Voice

Office of Human Rights  
421 King Street, Suite 400  
Alexandria, VA 22314

711 TTY  
703-838-4976 Fax

April 4, 2007

Richard Josephson, Acting Director  
Planning and Zoning  
301 King Street, Room 2100  
Alexandria, VA 22314



Dear Mr. Josephson:

Thank you for requesting the Alexandria Commission on Persons with Disabilities' (ACPD) input on the City of Alexandria's outdoor dining. We value the importance of a vibrant and active cityscape where everyone can participate in the hustle and bustle of Old Town especially during the warmer months. We would like to stress that our recommendations are directed at improving access for persons with disabilities, but improving access for these persons will improve access for everyone. We would also like to stress that we think that outdoor dining is something that the City should continue to provide in Old Town. We hope that our recommendations and observations will help the City of Alexandria make some adjustments so that everyone benefits.

ACPD makes the following recommendations:

1. Add a definition for "unobstructed" to the Zoning Ordinance. This should be tied to the definition of "accessible route" used in the Uniform Statewide Building Code and the ADA Accessibility Guidelines. It is important that the restaurants participating realize that there are many possible obstructions and work with the City to make sure that the five feet of clearance is indeed unobstructed.
2. Provide permanent markings in the sidewalk to identify the limits of seating areas for the restaurants participating in outdoor dining. Consider embedding markings in the brick pavers. By establishing markers, restaurants will know exactly where to place their partitions year after year.
3. Develop a method of monitoring compliance, such as City Code Enforcement personnel.
4. Identify a contact person at the City for enforcement and publicize this information. Who would someone make a complaint to? How would they make such a complaint? Is there a certain amount of time in which the

issue needs to be addressed, etc. How will a person know that the City has followed up with a restaurant?

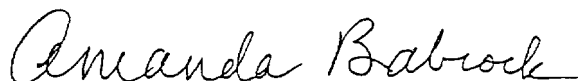
5. Provide more area for people to park their bikes so that the bikes are not chained to parking meters, etc. This recommendation is not directly related to outdoor dining but please refer to our observations below for additional information.

We also would like to include some additional observations about our experiences of trying to navigate on the streets of Old Town when outdoor dining is in place. These observations are based on our experiences.

1. Patrons are leaving their bikes, packages, baby strollers, and even pets outside of the enclosed area while dining. This makes the sidewalk area difficult to navigate and creates additional barriers.
2. Some restaurants have flower boxes and flower pots that appear to be on the outside of the enclosed area and this reduces the sidewalk area. We think flower boxes and flower pots are lovely but restaurants need to be aware that they can not be in the sidewalk area.
3. Patrons sometimes are the ones who move the barricade to make more room. Restaurants would benefit from placing a notice in the outdoor dining about the need to keep the barriers where they are supposed to be. Patrons should work with the restaurant to make their space more accommodating without encroaching on the sidewalk clearance area.
4. The City has installed benches near some of the restaurants that participate in the outdoor dining program. The clearance between the benches and the dining areas needs to comply with the applicable regulations.
5. There are some coffee shops and fast food establishments that do not have any sort of barricades. Unless there is an exception to the regulations for these establishments, they should be bound to the same rules as full service restaurants.

It is important that persons with disabilities who work, live, and visit in Old Town do not have additional barriers on the sidewalks due to outdoor dining. We would like to point out that it becomes even more important to consider ways to improve accessibility on the sidewalks as construction of the new conference/convention center being built just across the Potomac River brings more visitors to Old Town.

Sincerely,



Amanda Babcock, Chair

cc: Jean Kelleher Niebauer, Director, Office of Human Rights  
Tom Culpepper, Deputy Director, Transportation & Environmental Services

Joynt, a longtime resident, says Old Town “doesn’t have the same sizzle as Georgetown—it’s much more beige, more inhibited.”

**On the Web:** Georgetown BID ([georgetowndc.com](http://georgetowndc.com)); Citizens Association of Georgetown ([cagtown.org](http://cagtown.org)); the *Georgetown* newspaper ([georgetownner.com](http://georgetownner.com)).

## Old Town >>

**Who lives here:** There aren’t as many VIPs as in Georgetown; Mark Warner, James Carville, and Mary Matalin are among them. Old Town attracts an older demographic—far fewer college kids but many dual-income childless couples.

**Homefront:** Most of the Federal, Victorian, and Colonial townhouses that dominate Old Town are from the 18th and 19th centuries. Says architect Charlie Moore, “Every house is a little bit different, which gives the neighborhood a texture and character that people love.” Touches like beautiful woodwork and masonry, he says, render Old Town “impossible to replicate.”

**On the market:** Though prices range from about \$450,000 to more than \$4 million, Coldwell Banker agent Charles York says most fall between \$700,000 and \$1.2 million.

**Local favorites:** Misha’s for house-roasted coffee, Landini Brothers for cozy Italian fare, and Irish pub O’Connell’s for an after-work beer.

**Welcome change:** The city recently dropped its ban on outdoor dining at restaurants. Sidewalks along King Street and near the waterfront come to life in warm weather.

**Come together:** The Campaigna Center’s Junior and Supporting Friends groups are Old Town’s version of the Junior League. Equal parts community service and social networking, the two organize the Scottish Christmas Walk as well as informal get-togethers.

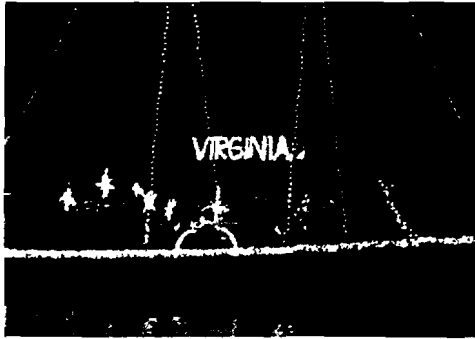
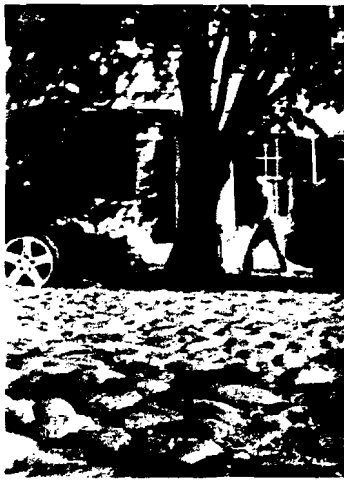
The year-round farmers market at Market Square—one of the longest-running in the country—bustles on Saturday mornings. Old Towners come for the fresh produce and baked goods and the chance to chat.

**Only in Old Town:** Sandy Mejias—whose Old Town School for Dogs has trained, groomed, and cared for thousands of canines—says Old Town is a trendsetter when it comes to dogs: “Puggles were popular here before the rest of the area.”

**Drawback:** Two-hour parking limits are strictly enforced. For many who work here, tickets are a way of life.

**How it beats Georgetown:** Old Towners say it’s more intimate. “I see people I know almost everywhere I go,” says Elizabeth Todd, who owns the hip boutique the Shoe Hive.

**On the Web:** Alexandria Convention and Visitors Association ([funside.com](http://funside.com)); City of Alexandria ([ci.alexandria.va.us](http://ci.alexandria.va.us)); Alexandria Times ([alextimes.com](http://alextimes.com)); Alexandria Gazette Packet ([connectionnewspapers.com](http://connectionnewspapers.com)). —MARY CLARE FLEURY



best  
neighborhood  
in  
alexandria

# TEXT AMENDMENT # 2007-0004

**ISSUE DESCRIPTION:** Consideration of a request for amendments to Section 6-800 of the Zoning Ordinance, the King Street Outdoor Dining Overlay Zone

**ZONING ORDINANCE SECTION:**6-800

**CITY DEPARTMENT:** Planning and Zoning

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PLANNING COMMISSION ACTION RECOMMENDED APPROVAL 5-0 June 5, 2007

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CITY COUNCIL ACTION 6/16/07 - CC deferred until 6/26/07

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SPEAKER'S FORM

DOCKET ITEM NO. 9

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: FRANCO LANDINI

2. ADDRESS: 115 KING ST.

TELEPHONE NO. 7-835 8404 E-MAIL ADDRESS: FRANCO@LANDINI.BROUWERI.COM

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_

4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: \_\_\_\_\_ AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):

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

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

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided 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 legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting 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. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and 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 legislative 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**

(a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.

(b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.

(c) 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 allocated appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.

(d) 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 on, the speakers shall be called in the chronological order of their request forms' submission.

(e) 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.