

EXHIBIT NO.

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6  
10-13-07

Docket Item # 5  
SPECIAL USE PERMIT #2007-0074

Planning Commission Meeting  
October 2, 2007

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

**APPLICANT:** Jamba, Inc  
by Duncan Blair, attorney

**STAFF:** Allison Anderson  
Allison.anderson@alexandriava.gov

**LOCATION:** 4653 Duke Street

**ZONE:** CG/Commercial General

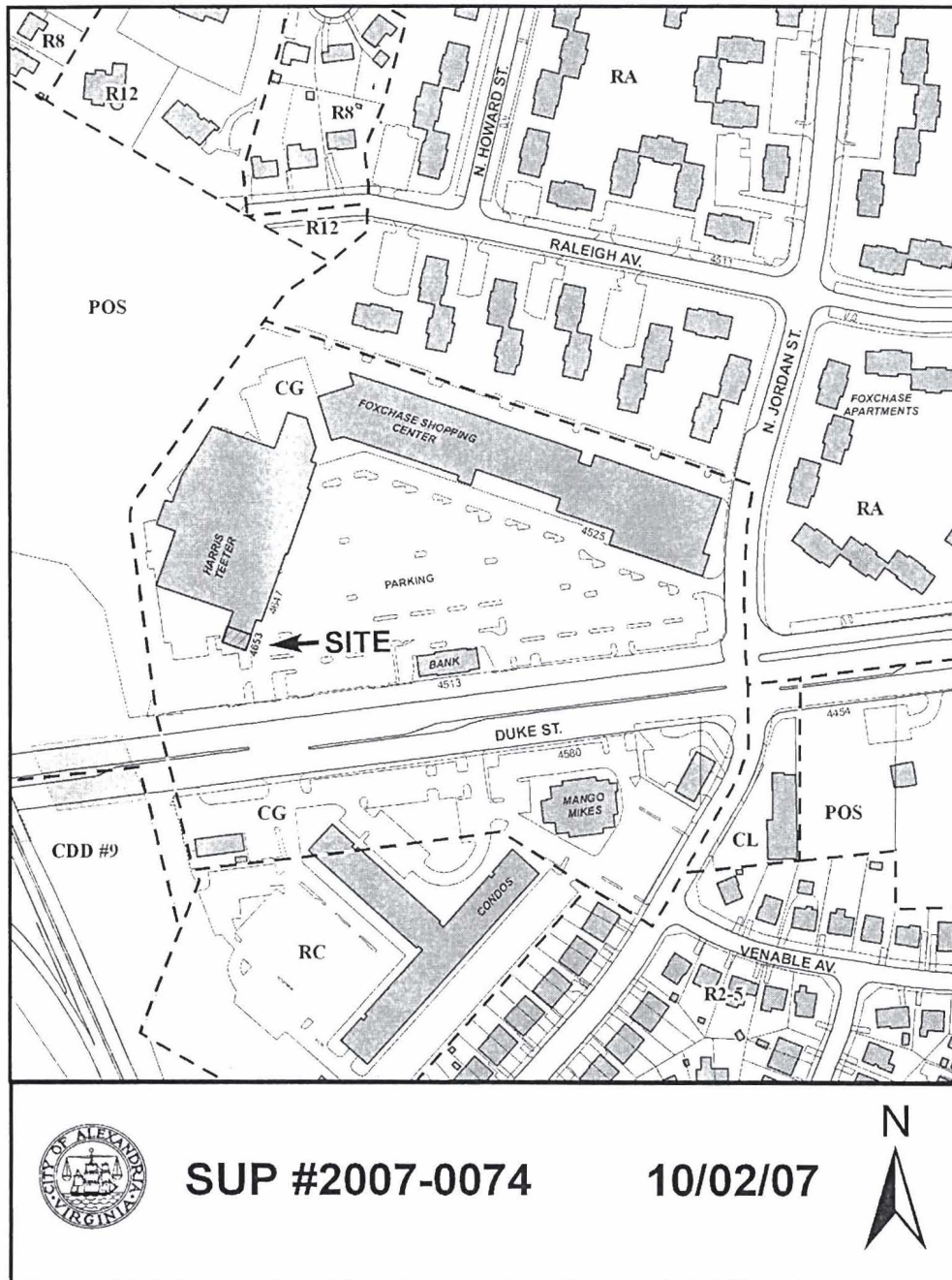
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**PLANNING COMMISSION ACTION, OCTOBER 2, 2007:** On a motion by Mr. Komoroske, seconded by Mr. Dunn, the Planning Commission voted to recommend approval subject to compliance with all applicable codes, ordinances, and staff recommendations, with the deletion of conditions #6 and #19 as requested by staff. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

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

SUP #2007-0074  
4653 Duke Street



## I. DISCUSSION

The applicant, Jamba, Inc., requests special use permit approval for the operation of a restaurant located at 4653 Duke Street.

### SITE DESCRIPTION

The subject property is two lots of record having combined frontage on Duke Street of approximately 800 feet, approximately 230 feet of frontage on North Jordan Street, and a total area of 10.4 acres. The site is developed with the Foxchase Shopping Center that has a mixture of uses, including personal service, office, retail and grocery store tenants. Parking is provided on-site. The proposed restaurant will occupy 2,400 square feet of newly constructed retail space.



The areas to the north and east are developed with the Foxchase Apartment buildings. The City's All Veterans Park is located to the east. To the south are the 4600 Duke Street Condominium building, a restaurant and a service station. Directly to the north of the location is the Harris Teeter grocery store and to the south is an Exxon service station.

### PROPOSAL

The applicant proposes to operate a Jamba Juice Smoothie Shop located in the Foxchase Shopping Center. Jamba Juice serves made to order fresh fruit smoothies and juices as well as pre-packaged pastries and breads. The proposed operation of Jamba Juice is as follows:

Hours: 7am – 9pm Sunday – Thursday  
7am – 10pm Friday and Saturday

Number of seats: 21 Interior Seats, 16 Exterior Seats

Noise: The applicant does not anticipate a high level of noise.

Trash/Litter: The type of volume and trash and garbage will be mainly refuse from products received (i.e. cardboard delivery boxes) and from general restaurant operations (product remnants). Trash will be stored in a dumpster located at the rear of the premises and will be collected by a commercial collector at least three (3) times a week.



Delivery Service: No delivery service is being proposed.

Live Entertainment: No live entertainment is being provided

Alcohol Service: No alcohol service will be provided

#### PARKING

Parking for all tenants of the Foxchase Shopping Center is provided in the on-site parking lot facing Duke Street. Pursuant to Section 8-200(A)(8) of the Zoning Ordinance, a restaurant with 37 seats will be required to provide 10 off-street parking spaces.

On February 12, 2005, City Council approved a proposed parking reduction for DSUP#2004-0025, from the required 703 parking spaces as stated by the Zoning Ordinance, to 583 parking spaces. The applicant for the Foxchase Shopping Center Redevelopment Project conducted a parking study which found that one parking space per 250 square feet is adequate for the uses within the shopping center. The applicant for SUP#2007-0074 has 2,400 square feet of space and given the parking reduction for the shopping center and the square footage of the proposed restaurant, the applicant will be required to provide 10 off-street parking spaces. Therefore, the parking requirement for the restaurant is satisfied.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CG/Commercial General zone. Section 4-403(Y) of the Zoning Ordinance allows a restaurant in the CG zone only with a special use permit. The proposed use is consistent with the Seminary Hill/Strawberry Hill Small Area Plan chapter of the Master Plan, which designates the property for commercial use.

## **II. STAFF ANALYSIS**

Staff has no objection to the proposed restaurant located within the Foxchase Shopping Center. The restaurant is compatible with the other retail, personal service and restaurant uses envisioned as tenants of the retail spaces of the shopping center. The proposed closing time is consistent with other restaurants in the Foxchase Shopping Center. The proposed opening time is earlier, but is appropriate for a restaurant of this type.

Staff is aware of the parking situation within Foxchase Shopping Center. In order to be consistent with the development special use permit approved for the shopping center, staff has included a condition requiring all employees to park in parking spaces located behind the shopping center.



Staff has included the standard restaurant conditions and a condition requiring a review of the restaurant after it has been operational for one year. With these conditions, staff recommends approval of the special use permit.

### III. RECOMMENDED CONDITIONS

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

1. The special use permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. Seating shall be provided for no more than 37 patrons inside and outside. (P&Z)
3. The hours of operation of the restaurant shall be limited to between 7 a.m. and midnight, daily. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. The applicant shall comply with any requirements adopted as a part of a smoke free restaurant ordinance. (P&Z)
6. **CONDITION DELETED BY PLANNING COMMISSION:** ~~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)~~
7. All employees must park in the parking spaces located behind the shopping center. (P&Z)
8. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
9. No live entertainment shall be provided at the restaurant. (P&Z)
10. No alcohol service shall be permitted. (P&Z)

11. No food, beverages, or other material shall be stored outside. (P&Z)
12. 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)
13. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
14. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z) (T&ES)
15. 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)
16. The applicant shall control 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 and Environmental Services. (T&ES)
17. The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
18. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
19. **CONDITION DELETED BY PLANNING COMMISSION:** Applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right of ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES)
20. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)

21. Provide a menu or list of foods to be handled at this facility to the Health Department. (Health)
22. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business. (Police)
23. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees. (Police)
24. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning;  
Allison Anderson, Urban Planner.

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



#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
- R-2 The applicant shall control 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 and Environmental Services. (T&ES)
- R-3 All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
- R-4 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- R-5 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. (T&ES)
- R-6 Applicant shall contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of-ways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval. (T&ES)
- R-7 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

Code Enforcement:

- C-1 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-3 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-4 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-9 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
- (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
  - (b) How food stuffs will be stored on site.
  - (c) Rodent baiting plan.
- C-10 The current use is classified as **B**; the proposed use is **A-2**. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 116.2) and compliance with USBC 116.1 including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities
- C-11 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. These plans shall show provide existing conditions, construction type data, and a plot plan. In addition, these plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of

proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.

- C-12 Canopies must comply with USBC 3202.3.1 for support and clearance from the sidewalk, and the applicable sections of USBC's Chapter 11. Structural designs of fabric covered canopies must comply with USBC 3105.3. The horizontal portions of the framework must not be less than 8 feet nor more than 12 feet above the sidewalk and the clearance between the covering or valance and the sidewalk must not be less than 7 feet.
- C-13 Wall letters / signs must comply with USBC [H103-H111].

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 Permits must be obtained prior to operation.
- C-3 Five sets of plans of each facility must be submitted to and approved by this department prior to construction. Plans must comply with Alexandria City Code, Title 11, Chapter 2 Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-4 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees.
- F-1 The applicant is not seeking an A.B.C. permit. The Police Department concurs.





## APPLICATION

### SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0074

**PROPERTY LOCATION:** 4653 Duke Street - Foxchase Shopping Center

**TAX MAP REFERENCE:** 049.03 06 04

**ZONE:** CG/Commercial General

#### APPLICANT

Name: Jamba, Inc., a Delaware corporation

Address: 6475 Christie Avenue, Suite 150, Emeryville, CA 94608

#### PROPERTY OWNER

Name: Washington Real Estate Investment Trust

Address: 6110 Executive Blvd., #800, Rockville, MD 20852

**PROPOSED USE:** Special Use Permit to operate a restaurant.

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

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

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

LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.

Duncan W. Blair, Esquire

Print Name of Applicant or Agent

524 King Street

Mailing/Street Address

Alexandria, Virginia 22314

City and State Zip Code

Signature

703 836-1000

703 549-3335

Telephone #

Fax #

dblair@landclark.com

Email address

July 24, 2007

Date

#### DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: \_\_\_\_\_

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

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

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

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

1. The applicant is (*check one*) ☐ the Owner ☐ Contract Purchaser  
☒ Lessee or ☐ other: \_\_\_\_\_ of the subject property.

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

**Jamba, Inc. is a Delaware corporation publicly on the NASD exchange, 6475 Christie Avenue, Suite 150, Emeryville, California 94608, owning 100%.**

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.

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.

**See attached plans, preliminary exterior elevation and layout of the restaurant.**

### **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)

**Jamba, Inc., a Delaware corporation (the "Applicant") is requesting a special use permit to open a Jamba Juice Smoothie Shop with 21 interior seats and 16 exterior seats in the Foxchase Shopping Center on the 4600 block of Duke Street. Jamba Juice serves fresh fruit smoothies and juices as well as pre-packaged pastries and breads. (See [www.jambajuice.com](http://www.jambajuice.com))**

**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).

**The Applicant anticipates the restaurant will serve approximately four hundred (400) patrons a day.**

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

**The restaurant will employ on a full or part time basis approximately 15 – 20 employees working in three (3) shifts per day. The anticipated number of employees on site at any one time is anticipated to be 4 – 6 employees.**

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

Day:

Hours:

Sunday - Thursday

7:00 A.M. – 9:00 P.M.

Friday and Saturday

7:00 A.M. – 10:00 P.M.

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

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

**It is not anticipated that noise levels will exceed permitted levels under the Alexandria City Code.**



- B. How will the noise from patrons be controlled?

**It is not anticipated that patron noise will be a source of complaints; as such, no extraordinary noise mitigation and control measures are warranted.**

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

**It is not anticipated that offensive odors will emanate from the use of the property as a smoothie shop.**

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?

**The type of volume of trash and garbage generated by the smoothie shop will be mainly refuse from products received (i.e. cardboard delivery boxes) and from general restaurant operations (product remnants).**

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

**The restaurant will generate less than 1/3 of a dumpster per day.**

- C. How often will trash be collected?

**Trash and garbage will be collected by a commercial collector at least three (3) times a week. The dumpster is located at the rear of the premises.**

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

**Litter is not an anticipated problem; however, the restaurant's staff will self-police the adjacent right-of-way.**

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:

**Small quantities of organic compounds, generally recognized to be appropriate for use by restaurants in the operation of the business, will be stored, used as solvents, and disposed of in accordance with applicable regulations. (See attached)**

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

**The location and hours of operations should provide a safe environment for its patrons and staff. It is not anticipated that extraordinary security measures will be required.**

#### 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.

#### 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?

**One parking space is required for each four (4) restaurant seats. The restaurant will have thirty-seven (37) seats; ten (10) parking spaces are required.**

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

10 Standard spaces

           Compact spaces

           Handicapped accessible spaces.

10 Other. **The parking spaces are located on the surface parking facility serving the Foxchase Shopping Center.**

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?

**None. The building to be occupied by Jamba, Inc. contains less than 2,500 square feet of floor area.**

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

**None. There is rear access to the building to be occupied by Jamba, Inc. with an adequate area for vehicles to load and unload.**

C. Where are off-street loading facilities located?

**The loading area is located on the service drive at the rear of the shopping center.**



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

**The Applicant anticipates that most deliveries will occur in the morning before 7:00 A.M.**

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

**The Applicant anticipates approximately 2 to 3 deliveries per week.**

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

**Street access to the subject property is adequate and no new street improvements are required to accommodate the expansion.**

#### **SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? N/A square feet.

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

2400 sq. ft. (existing) + -0- sq. ft. (addition if any) = 2400 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: **Foxchase Shopping Center**

☐ an office building. Please provide name of the building: \_\_\_\_\_

☐ other, please describe:

## 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:

- How many seats are proposed?

At tables: 37 At a bar: N/A Total number proposed: 37

- Will the restaurant offer any of the following?

N/A alcoholic beverages N/A beer and wine (on-premises)

N/A beer and wine (off-premises)

- Please describe the type of food that will be served:

**Made-to-order blended fruit smoothies and juices, along with pre-prepared bread products that are heated in a toaster before being served (not made or baked on site).**

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

       table service        bar **X** carry-out        delivery

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

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

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

If yes, please describe: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

SUP2007-0074


[what is jamba?](#) [menu guide](#) [nutrition guide](#) [locations](#) [careers](#) [talk to us](#) [jambacard](#) [catering](#) [community](#) [press room](#) [investors](#)
[background](#)  
[newsroom](#)  
[biographies](#)  
[logos](#)  
[image gallery](#)  
[contacts](#)

## background

### Company Roots

Founded on Kirk Perron's original vision of creating a healthy business that makes a meaningful difference in people's lives, Jamba Juice is very much an American entrepreneurial success story.

Necessity truly is the mother of invention. In 1990, company founder Perron, an avid cyclist, was looking for a healthy, refreshing and convenient snack to replenish his body and mind after his long rides. Nothing available resembled what he craved, so he took it upon himself to create what he desired. The result: freshly squeezed juices and blended-to-order smoothies – pure fruits and 100% fruit juices with no artificial preservatives or colors to take away from the wholesomeness of the food and its beneficial properties. Realizing there might be others with a similar craving, Perron set his sights on opening his own business, originally called The Juice Club, which filled a void in the community and became a place where people like himself could gather and feel good about what they ate. Sixteen years later, Perron's concept, now called Jamba Juice, has taken hold across the country.

Jamba's passion for health and its uncompromising dedication to quality are the keys to its customer satisfaction and company success. But the original vision would not be complete without community activism and support. Through its unique, familial company culture and individualized commitment to the local communities it serves, Jamba Juice empowers its team members to make a difference in their own communities through hosted events and donations of time, money and product. In the world of Jamba Juice, taking care of body, mind and soul is a way of celebrating life.

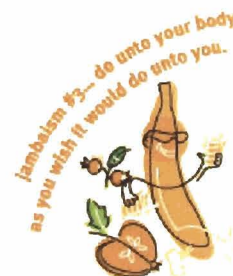
From the start, consumers and the investment community have expressed interest in getting in on what started out as a promising concept and grew into a phenomenon, and on November 28, 2006 Jamba became a publicly traded company through a merger with Services Acquisition Corp. International, living under the name Jamba Juice Company. Common stock trades under "JMBA."

### Our Mission

Establish Jamba as the world's leading source of healthy energy in the form of freshly blended beverages with an uncompromising commitment to making a difference through our values.

### Products & Services

**Jamba Smoothies:** Made with 100% real fruits and fruit juices, these natural, freshly blended-to-order fruit



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SUP2007-0074

smoothies provide three-to-four of the daily-recommended servings of fruits and vegetables. Each is loaded with vitamin C, vitamin A, calcium, fiber and potassium. Jamba smoothies are available in a variety of sizes and options to accommodate every activity level and diet objective. Jamba's newest addition to the menu are **All Fruit Smoothies**, all-natural energizing drinks comprised of only 100% real fruit, fruit juice and ice, and loaded with the essential vitamins and minerals needed to stay active and healthy. In March 2004, Jamba introduced **Jamba Light**, (formerly Enlightened Smoothies), a line of lower calorie, sugar and carb smoothies made with a lower calorie dairy base and SPLENDA®.

**Totally Tea Smoothies:** Building on the momentum of the growing trend in teas and consumer demand for a product that infuses tea into their daily lives, Jamba has developed three innovative and invigorating tea smoothies. Totally Tea Smoothies are a delicious, never-before-blended beverage containing antioxidants - something our bodies cannot generate on our own - that help neutralize free radicals in our systems. Tea smoothies offer more vitamins, minerals, and nutrients than coffee and aid in fueling a healthy, energized life.

**Jamba Blends:** Jamba's yogurt blends offer a creamy, delicious, and nutritious way to get an energizing jumpstart to the day. Made with 100% real fruit, nonfat yogurt, and soymilk, these tasty blends (available in two flavors – Bright Eyed & Blueberry™ and Sunrise Strawberry™) provide antioxidants and protein needed to power through a busy day.

**Jamba Boosts™:** The natural nutrients in Jamba smoothies can be powered-up with Jamba Boosts, a selection of high quality, uniquely blended vitamin, mineral and herb dietary supplements designed to give the mind and body a nutritious boost. Jamba Juice offers ten Boosts, including favorites like Protein, Energy and Vita Boost. A complimentary boost is offered with each Jamba Smoothie.

**Fresh Squeezed Jamba Juices:** Refreshing, delicious and completely nutritious, Jamba's line-up of fresh squeezed juices, including orange, carrot, wheatgrass and lemonade and juice combinations such as the Vibrant-C (a slushy blend of fresh orange juice, pineapple juice, bananas and botanicals loaded with 1400% RDI of Vitamin C), provide natural fuel to keep you energized, healthy and alert.

**Jamba Breads™ & Jamba Pretzels™:** Crafted with wholesome and natural ingredients, the selection of Jamba breads and warm, all-natural Jamba pretzels are a perfect complement to Jamba smoothies and juices. Jamba baked goods are enriched with B vitamins, iron, vitamin C and folic acid for extra boost.

**jambacard™:** This "fruitful" and convenient gift card, available in any amount ranging from \$5 to \$500, can be used at any one of the more than 565 Jamba Juice locations.

**Jamba go-go™:** This off-site catering and event service blends up smoothies for office lunches, corporate meetings, fundraisers, school lunch programs, outdoor events and other special functions. Jamba go-go has blended-up smoothies for events, such as the Sundance Film Festival, Opening Day at San Francisco's Pac Bell Stadium and E! Entertainment's 10-year anniversary party. No matter the location, Jamba's self-contained, portable tents and go-go

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carts can whip up fun.

SUP2007-0074

#### Locations

Currently, there are 646 stores in 22 states nationwide. The company has partnership agreements with area developers in Hawaii and Texas. In addition, Jamba Juice has licensing agreements with Whole Foods Markets, Target, Safeway, Vons, and Pavilions stores, and also operates stores on college campuses and in airport locations across the country. For the nearest location, visit [www.jambajuice.com](http://www.jambajuice.com) or call 1.866.4R.FRUIT.

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This website is available world wide to the public.

SUP2007-0074



feature article  
the jamba story  
the jamba difference  
goodness guarantee  
faq  
mission statement  
real-estate  
franchise information  
features archive  
fruity fun

## what is jamba?

An extraordinary health experience unlike any you've ever tasted! Jamba Juice serves up delicious, nutritious, energizing smoothies and juices. Each one is filled with refreshing fruit flavor and provides 3-6 servings of fruit to get you on your way to 5-a-day! Also, boosted with vitamins and minerals and always served in a fun and uplifting environment... you'll find we provide everything you need to live an active, healthy and happy life!

**Jamba smoothies... so great tasting and good for you!**  
Your body requires energy and essential nutrients like vitamins, minerals, amino acids, and certain fatty acids to sustain life. A healthy diet should supply you with the right amount of these nutrients through a balance of carbohydrates, proteins, and fats.

For the average diet of 2000 calories a day, the World Health Organization, USDA and other leading authorities recommend that 55-60% of calories come from carbs, 10-20% from proteins, and 20-30% from fats. Plus, studies show that diets low in sodium, containing a good source of potassium, may reduce the risk of stroke and high blood pressure!

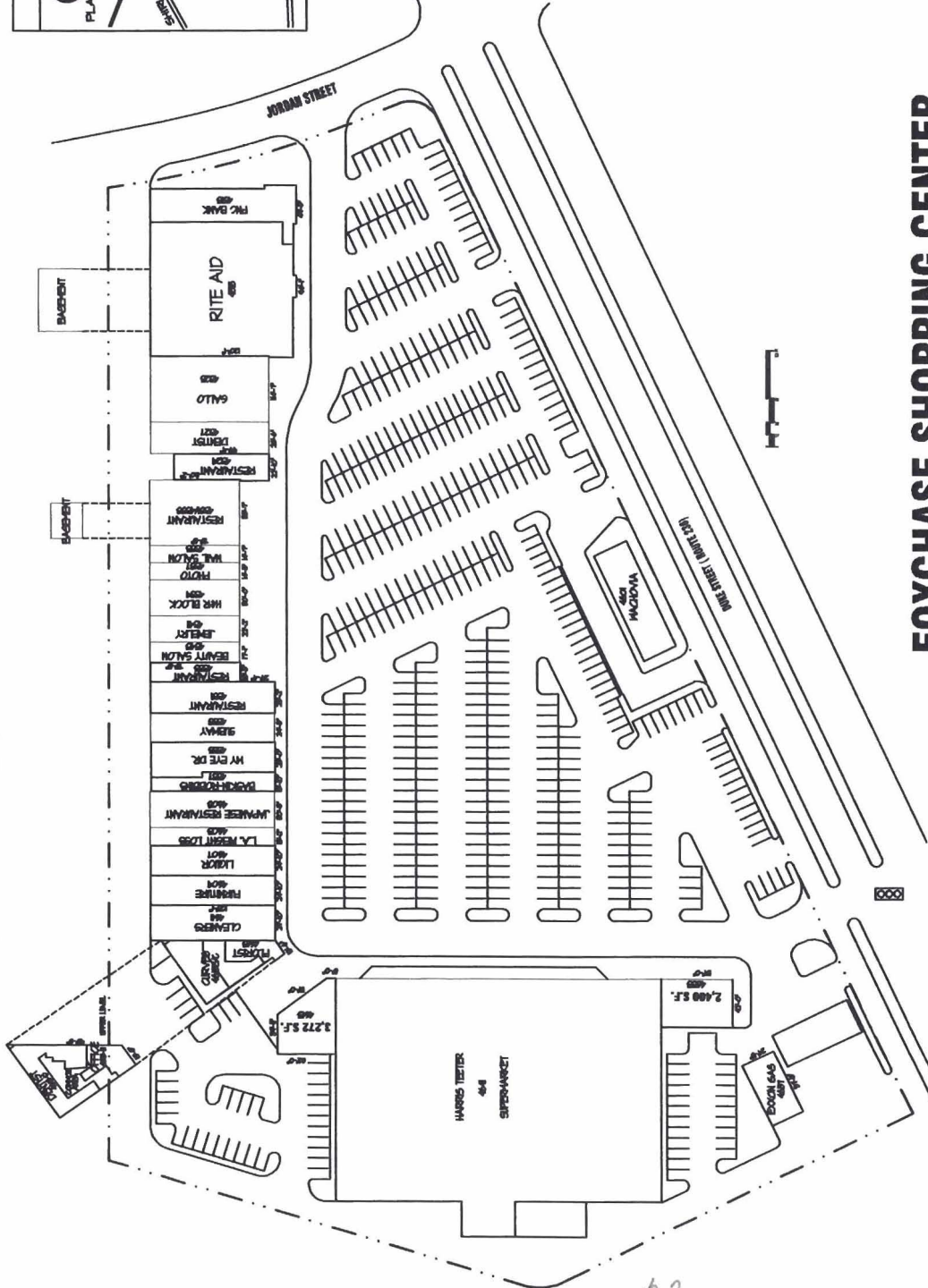
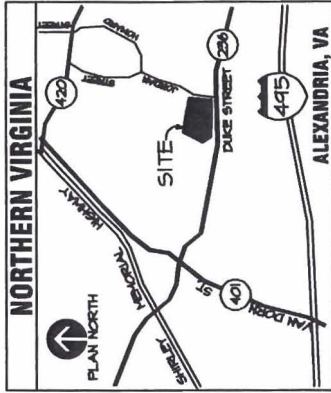
That's right, you guessed it - Most Jamba fruit smoothies are both a good source of potassium and low in sodium... how smart!



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This website is available world wide to the public.

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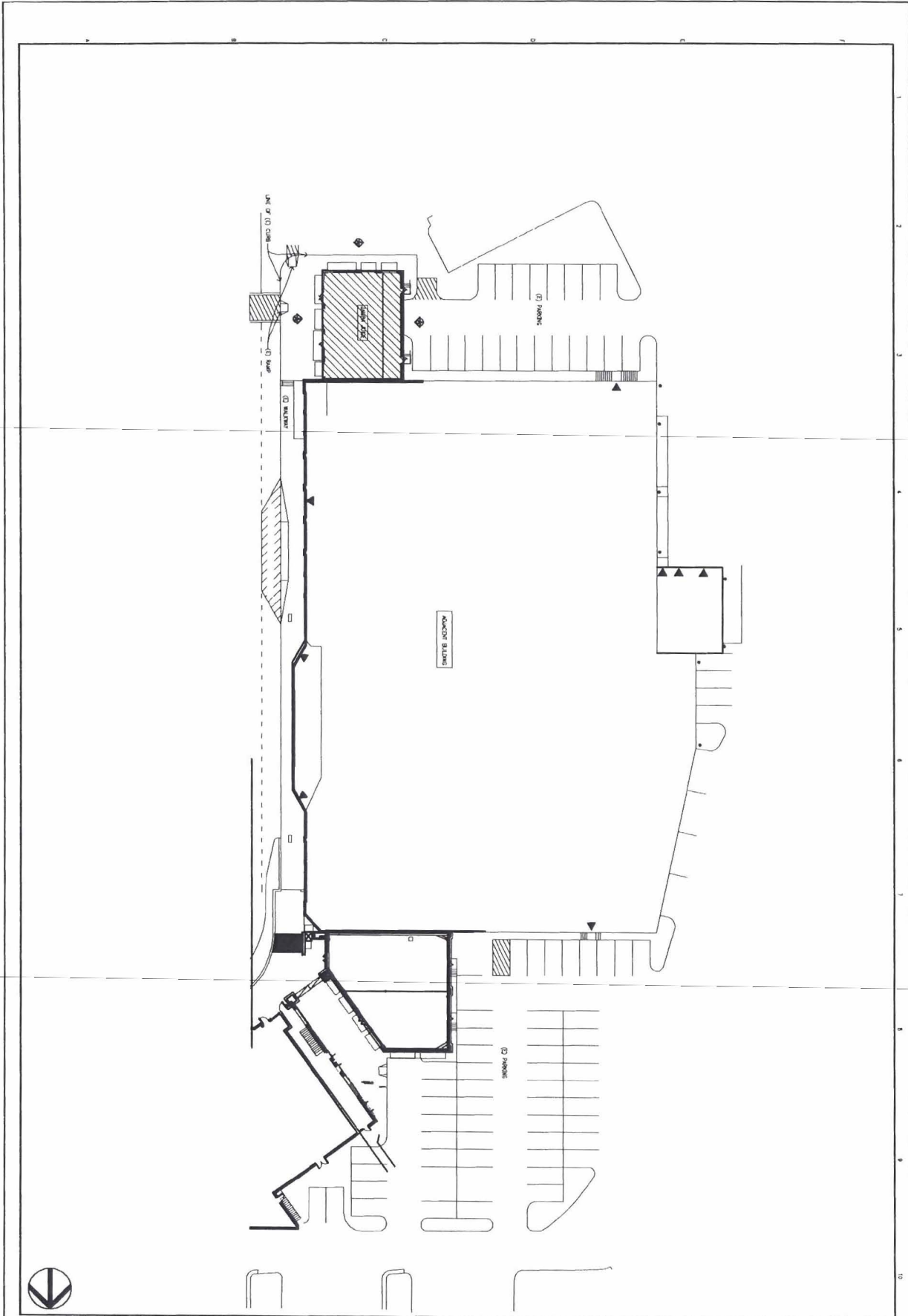
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400	PAC BANK	5,000
401	RITE AID	8,500
402	WALGREENS	1,500
403	DUNKIN' DONUTS	2,200
404	JAPANESE RESTAURANT	1,700
405	L.A. MEAT LOAF	4,000
406	LIQUOR	1,000
407	FURNITURE	1,000
408	CLEANERS	1,000
409	PHOTO	1,000
410	HAIR BLOCK	1,000
411	BEAUTY SALON	1,000
412	RESTAURANT	1,000
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# FOXCHASE SHOPPING CENTER

## WASHINGTON (REIT)

Steve Krupinski  
(301) 255-0846  
ROCKVILLE, MARYLAND

SUP2007-0074



**Existing Site Plan**  
FOR REFERENCE ONLY  
A-1

Revised	By	Date	Description

**JAMBA JUICE  
FOXCHASE SHOPPING CENTER  
ALEXANDRIA, VA**

PROJECT NUMBER: 070278

**PDMS**  
DESIGN GROUP  
RESTAURANT RETAIL ROLLOUT  
2100 East Street, Suite 100  
Arlington, Texas 76010  
817/832-4300 • Fax 817/832-4122

  
**Jamba Juice**  
**#000**

**#000**

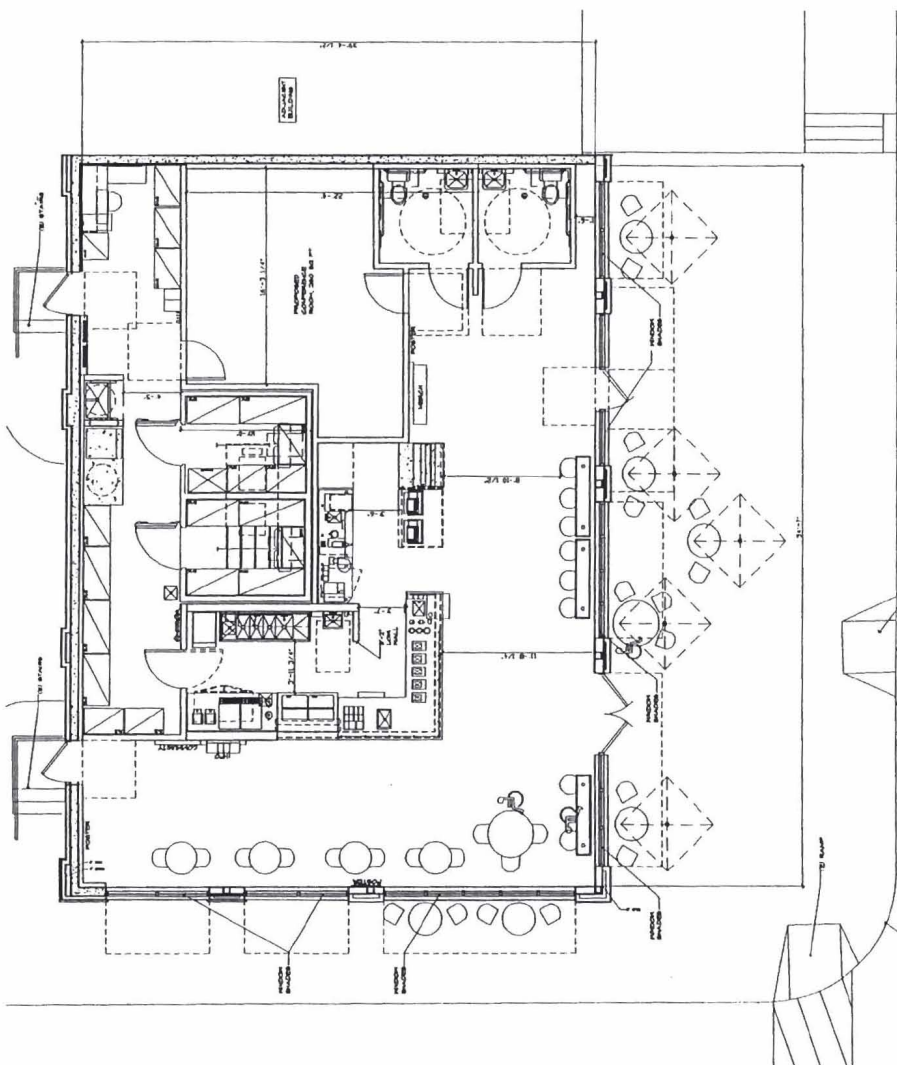
**SCHEMATIC - D**  
**Foxchase Shopping Center**  
**Alexandria, VA**



1110 East Capitol Hill Road  
 Arlington, Texas 76010  
 817/461-1000 • Fax 817/461-1411

**SCH.**  
**SCHEM.**  
**D**

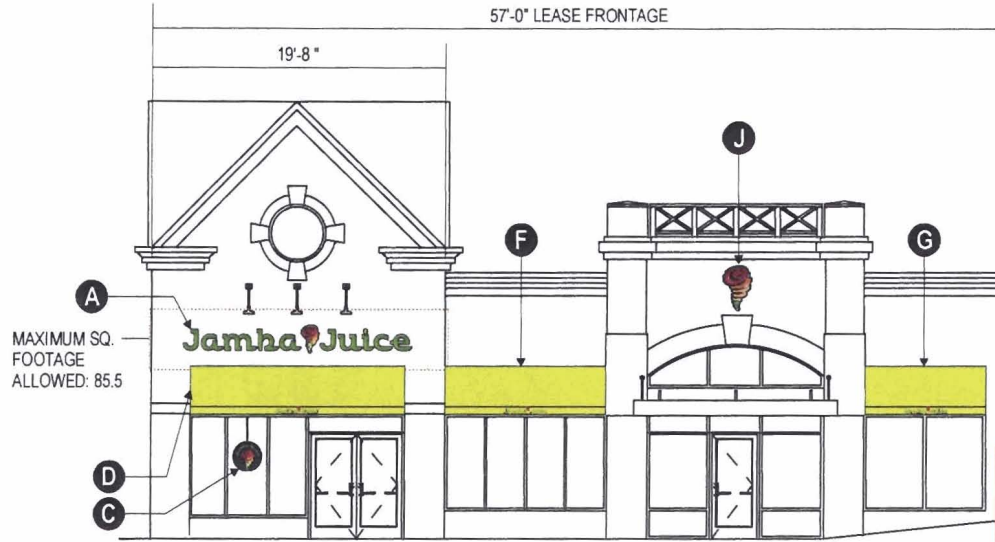
SUP 2007-0074



LAYOUT INFORMATION	
PROTOTYPE (A, B)	CUSTOM
# OF REGISTERS	2
# OF WALL MESH PANELS	1
# OF FLOOR MESH PANELS	1
MENU BOARD SIZE (S/L)	L
# OF MENU BOARD PANELS	8
# OF MENU BOARD SLATS	8
# OF MENU POSTERS	1
# OF WALL POSTERS	3
L.F. OF STOCK SHELVES	32 L.F.

BUILDING INFORMATION	
LEASE AREA	240 SQ. FT.
HEALTH JURISDICTION	-
# OF CUST. RESTROOMS REQ'D BY CODE	2
# OF HAND SINKS REQUIRED BY CODE	-
DECK HEIGHT/LOWEST OBSTRUCTION	-
GREASE TRAP REQUIRED BY CODE	-





FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

Drawing has been reviewed and is:  
☐ Approved without exception  
☐ Approved as noted  
☐ To be reviewed and resubmitted

Proposed square footage: 36.6  
Allowed square footage: 85.5

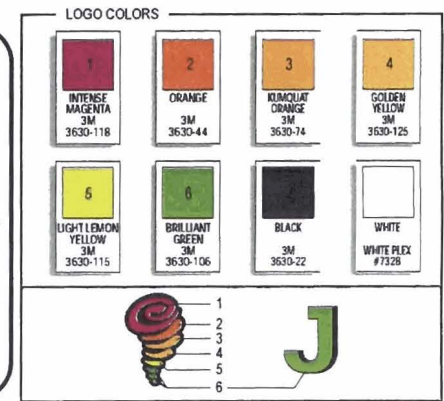
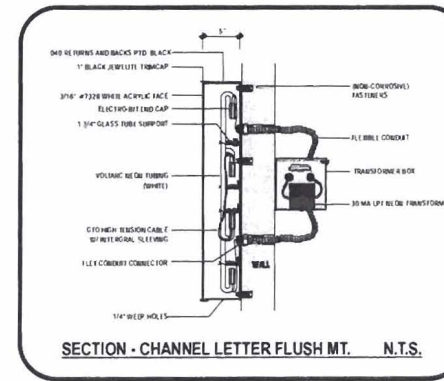


A Channel Letters Front View  
Scale - 1/2" = 1'-0"

Square Footage  
28.4

#### SCOPE OF WORK:

FABRICATE AND INSTALL 1) ONE SET OF CHANNEL LETTERS FLUSH MOUNTED ON THE FRONT ELEVATION



#### CUSTOM

17" CHANNEL LETTERS w/ LOGO  
FLUSH MOUNTED



Client: JAMBA JUICE  
Address: FOXCHASE SHOPPING CENTER  
Location: ALEXANDRIA, VA  
Sales: KS Designer: AJ  
Date: 07/13/07 PIA: WG

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Revised:  
RV11/7/6/07 ADDED AWNING & ILLUMINATED WHIRL - AJ  
Per: F-JAMBA JUICE, LOC VA ALEXANDRIA-FSCARTWORK

Signs will be manufactured with 120 Volt AC. All Primary electrical service to the sign and final connection thereof, is the responsibility of the buyer. All work is to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_  
Sales: \_\_\_\_\_ Date: \_\_\_\_\_  
Production: \_\_\_\_\_ Date: \_\_\_\_\_

JAMBA JUICE  
DRAWING #108582.1  
07-13-07

108582.1-0074

Proposed square footage: 30.8  
Allowed square footage: 63

LOGO COLORS

**NOTE:**

SECTION - CHANNEL LETTER FLUSH MT. N.T.S.

## CUSTOM

17" CHANNEL LETTERS w/ LOGO  
FLUSH MOUNTED

JAMBA JUICE  
DRAWING #108582.2  
07-13-07

Buyer:	Date:	Production:	Date:
Sales:	Date:		

Signs will be manufactured with 120 Volts A/C. All Primary electrical service to the sign, and final connection thereof, is the responsibility of the buyer. All work is to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

RV1771607 ADDED AWNINGS & ILLUMINATED WHIRL - A

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Client: **JAMBA JUICE**  
Address: **FOXCHASE SHOPPING CENTER**  
Location: **ALEXANDRIA, VA**  
Sales: **KS**      **AJ**  
Date: **01/13/07**      **PM**      **WG**

**WALTON**  
SIGNAGE  
7450 EAGLE CREEK RD  
SAN ANTONIO, TX 78220  
+12143493300  
212 845 0111  
© 2004 WALTON, INC. ALL RIGHTS RESERVED

**B** Channel Letters Front View  
Scale - 1/2" = 1'-0"

**Square Footage**  
**28.4**

**SCOPE OF WORK:**

FABRICATE AND INSTALL 1) ONE SET OF CHANNEL LETTERS FLUSH MOUNTED ON THE SIDE ELEVATION

**SCOPE OF WORK:**

Drawing has been reviewed and is:

☐ Approved without exception

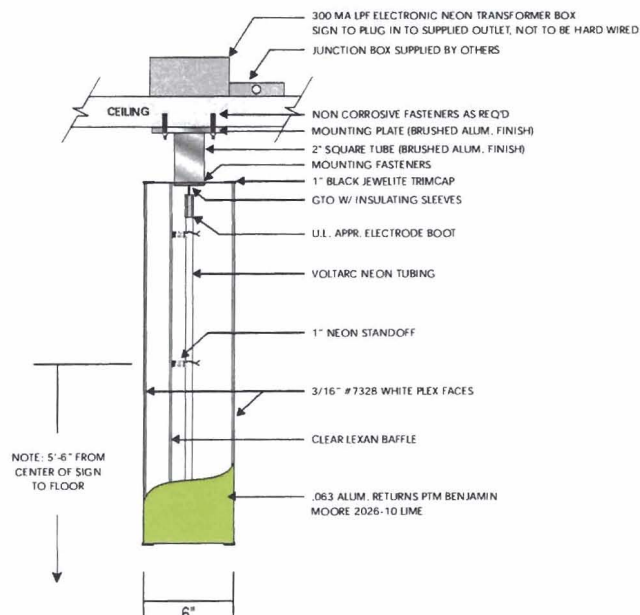
☐ Approved as noted

☐ To be reviewed and resubmitted

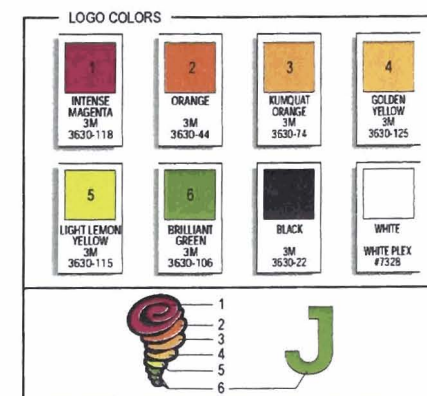


**C Front View**  
Scale: 1 1/2" = 1'-0"

**Square Footage**  
3.14 Sq. Ft.



**Side View**  
Scale: 1 1/2" = 1'-0"



#### SCOPE OF WORK:

MANUFACTURE & INSTALL (1) ONE D/F PUCK  
HANGING INTERIOR SIGN ON THE FRONT ELEVATION:

#### SPECIFICATIONS:

- SUSPENDED BY 2" SQUARE TUBE: BRUSHED ALUMINUM FINISH
- WHITE ACRYLIC FACES w/ VINYL GRAPHICS APPLIED 1st SURFACE
- ALL EXTERIOR SURFACES PTM. BENJAMIN MOORE 2026-10 LIME
- 1" JEWELTRIM, PREFINISHED BLACK
- BLACK BACKGROUND TO BE OPAQUE, USE BLOCK OUT VINYL 2nd SURFACE IF REQ'D

D.F PUCK HANGING INTERIOR SIGN

JAJUPUCKHIS



Client: **JAMBA JUICE**  
Address: **FOXCHASE SHOPPING CENTER**  
Location: **ALEXANDRIA VA**  
Sales: **KS** Designer: **AJ**  
Date: **07/13/07** PM **WG**

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Revised:  
RV11/27/6/07 ADDED AWWINGS & ILLUMINATED WHIRL - AJ  
Project: **JAMBA JUICE, LOCIA ALEXANDRIA-FSCARTWORK**

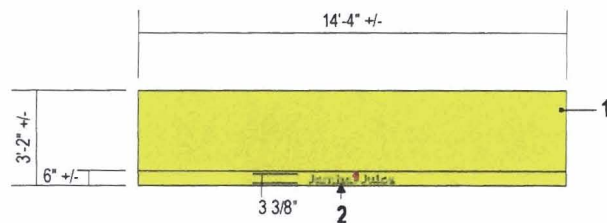
Signs will be manufactured with 120 Volt A/C. All Primary electrical service to the sign and final connection thereof, is the responsibility of the buyer. All work is to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_ Production: \_\_\_\_\_ Date: \_\_\_\_\_  
Sales: \_\_\_\_\_ Date: \_\_\_\_\_

JAMBA JUICE  
DRAWING #108582.3  
07-13-07

SUBMIT 7-20-07



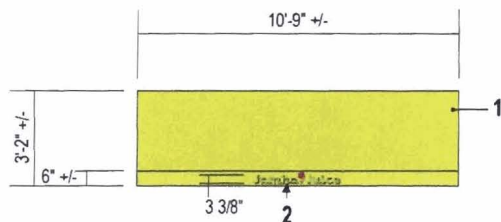


**D E** EXISTING AWNING RE-COVER  
SCALE: 1/4" = 1'-0"

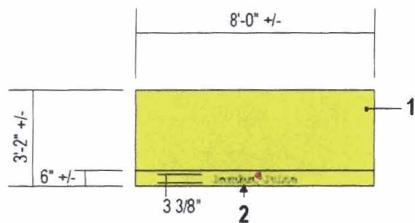


**SIDE VIEW**

Drawing has been reviewed and is:  
☐ Approved without exception  
☐ Approved as noted  
☐ To be reviewed and resubmitted



**F** EXISTING AWNING RE-COVER  
SCALE: 1/4" = 1'-0"



**G H I** EXISTING AWNING RE-COVER  
SCALE: 1/4" = 1'-0"

**SCOPE OF WORK:**

RE-COVER SIX (6) EXISTING AWNING FRAMES W/  
NEW AWNING MATERIAL.

**Square Footage**  
(copy and logo)  
**4.9**

**SURVEY NOTE:**  
FIELD SURVEY REQ'D PRIOR  
TO MANUFACTURE

SCREEN PRINT  
LOGO COLOR SPECS



**FRAMING DETAIL SPECS**

ITEM	DESCRIPTION	COLOR	FABRIC
1	SUNBRELLA AWNING MATERIAL	"SUNBURST YELLOW"	SUNBRELLA #8602
2	SCREEN PRINTED LOGO	SEE LOGO COLOR SPECS	N/A

RECOVER EXISTING AWNINGS



Client: **JAMBA JUICE**  
 Address: **FOXCHASE SHOPPING CENTER**  
 Location: **ALEXANDRIA, VA**  
 Sales: **KS** Designer: **AJ**  
 Date: **07/13/07** PM: **WG**

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Revised:  
 RV17/7/6/07 ADDED AWNINGS & ILLUMINATED WHIRL - AJ  
 Per: **F-JAMBA JUICE\_LOADVA-ALEXANDRIA-FSQARTWORK**

Signs will be manufactured with 120 Volt AC. All Primary electrical service to the sign and that connection thereof. Is the responsibility of the buyer. All work is to be done in accordance with the purchase agreement attached hereto. In case of variance between the specifications of the purchase agreement and this drawing, the drawing shall prevail.

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_ Production: \_\_\_\_\_ Date: \_\_\_\_\_

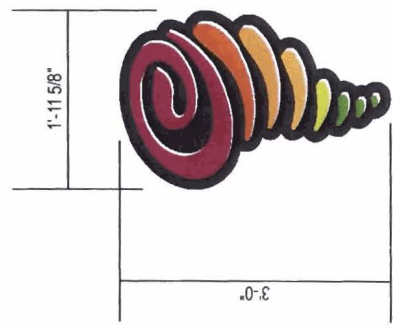
Sales: \_\_\_\_\_ Date: \_\_\_\_\_

**JAMBA JUICE**  
**DRAWING #108582.4**  
**07-13-07**

SUP 2007-0074

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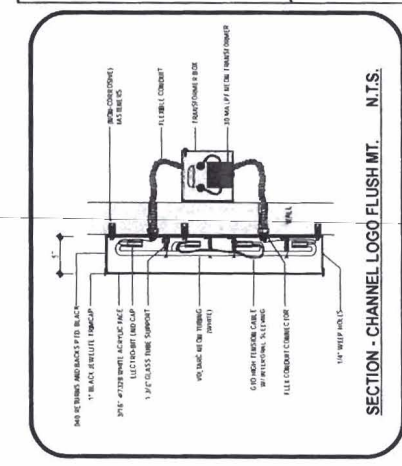
Drawing has been reviewed and is:  
☐ Approved without exception  
☐ Approved as noted  
☐ To be reviewed and resubmitted



**J** LOGO Front View  
Scale - 3/4" = 1'-0"

Square Footage  
5.8

SCOPE OF WORK  
MANUFACTURE AND INSTALL (1) ONE  
WHIRL LOGO FLUSH MOUNTED  
ON THE FRONT ELEVATION.



LOGO COLORS

1 INTERSECT MAGENTA 3M 3630-118	2 ORANGE 3M 3630-44	3 FLUORESCENT ORANGE 3M 3630-74	4 GOLDEN YELLOW 3M 3630-125
5 LIGHT LEMON YELLOW 3M 3630-115	6 BRIGHT GREEN 3M 3630-106	BLACK 3M 3630-22	WHITE WHITE PEX #728

1 2 3 4 5 6

CHANNEL LOGO - FLUSH MOUNTED

JAMBA JUICE  
DRAWING #108582.5  
07-13-07

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_  
Production: \_\_\_\_\_  
Sales: \_\_\_\_\_ Date: \_\_\_\_\_

Notes:  
1. See all work to be done in accordance with the drawings and specifications of the purchase agreement and the drawing and specifications of the purchase agreement.

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**WALTON**  
SIGNAGE  
1125 S. 1st St.  
Tulsa, OK 74106  
918.466.1111  
www.walton-signage.com

Client: JAMBA JUICE  
Address: FOXCHASE SHOPPING CENTER  
Location: ALEXANDRIA, VA  
Sales: KS Designer: AJ  
Date: 07/13/07 P.M. WG



# APPLICATION

## SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** 2007-0074

**PROPERTY LOCATION:** 4653 Duke Street - Foxchase Shopping Center

**TAX MAP REFERENCE:** 049.03 06 04

**ZONE:** CG/Commercial General

### APPLICANT

Name: Jamba, Inc., a Delaware corporation

Address: 6475 Christie Avenue, Suite 150, Emeryville, CA 94608

### PROPERTY OWNER

Name: Washington Real Estate Investment Trust

Address: 6110 Executive Blvd., #800, Rockville, MD 20852

**PROPOSED USE:** Special Use Permit to operate a restaurant.

(P)

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

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

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

**LAND, CLARK, CARROLL, MENDELSON & BLAIR, P.C.**

Duncan W. Blair, Esquire

Print Name of Applicant or Agent

524 King Street

Mailing/Street Address

Alexandria, Virginia 22314

City and State

Zip Code

Signature

703 836-1000

Telephone #

703 549-3335

Fax #

dblair@landclark.com

Email address

July 24, 2007

Date

### DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: \_\_\_\_\_

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

ACTION - PLANNING COMMISSION: recommended approval w/amendments 7-0 10-2-07

ACTION - CITY COUNCIL: 10/13/07 - CC approved the PC recommendation 7-0