

EXHIBIT NO. 1

5
12-15-07

Docket Item #4
SPECIAL USE PERMIT # 2007-0120

Planning Commission Meeting
December 4, 2007

ISSUE: Consideration of a request for a special use permit to operate a wine and cheese bar with off premise alcohol.

APPLICANT: Phillippa Jill Erber

LOCATION: 2411 Mt. Vernon Ave (Parcel Address: 2401 Mt Vernon Ave)

ZONE: CL/Commercial Low

PLANNING COMMISSION ACTION, DECEMBER 4, 2007: On a motion by Mr. Komoroske, and seconded by Mr. Jennings, the Planning Commission voted to recommend approval subject to compliance with all applicable codes, ordinances, staff recommendations, and amended condition #25 at the request of the applicant. The motion carried on a vote of 6 – 0. Mr. Robinsion was absent.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

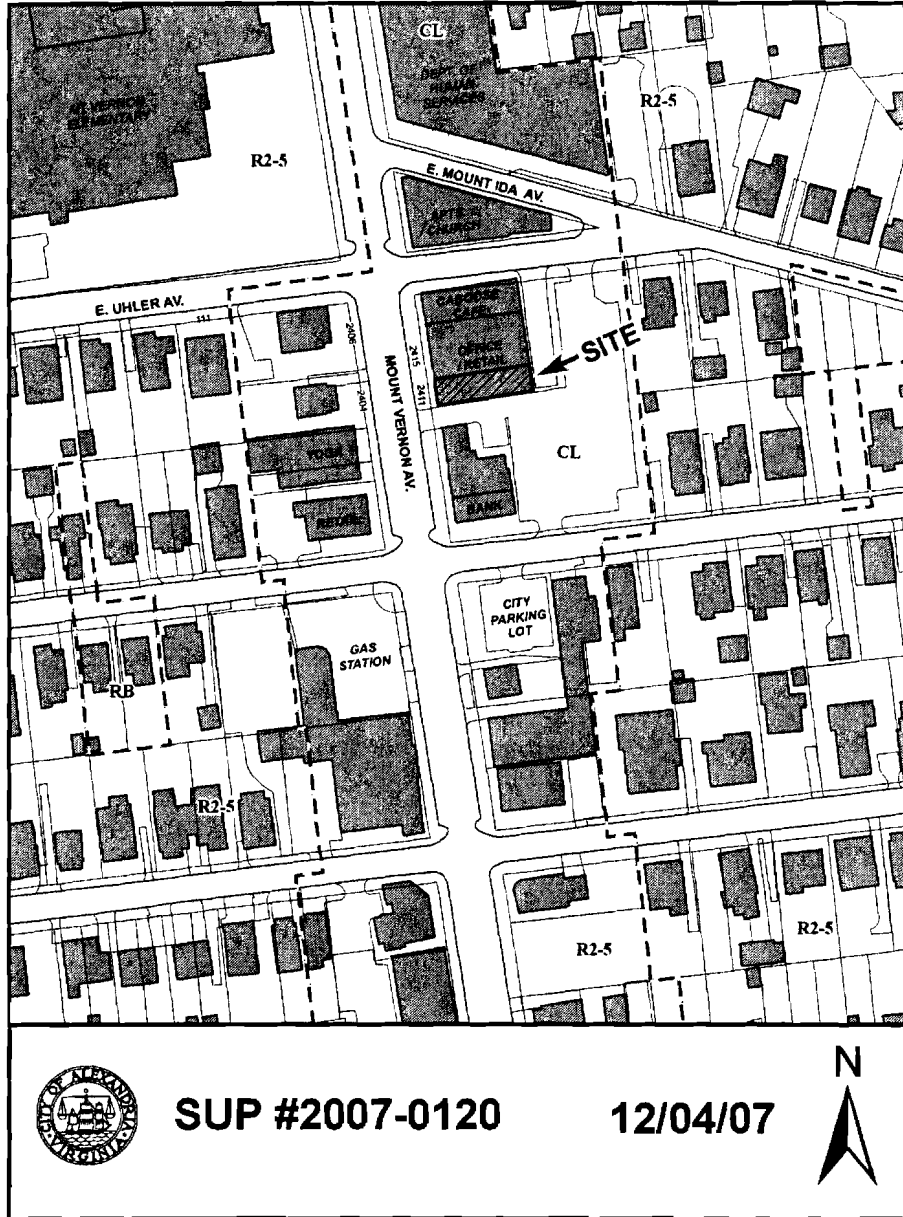
P. Jill Erber, applicant spoke in support of the application and requested an amendment to condition #25 to allow sales of half bottles of wine and fortified wines of up to 20% alcohol.

Amy Slack, 2307 E. Randolph Ave., representing the Del Ray Citizens Association, spoke in support of the application and to encourage the City to move forward with a shared parking program to address parking problems on Mt. Vernon Ave.

Pat Miller, 1806 N. Cliff St., spoke in support of the application, stating that Cheesetique is a successful business that draws shoppers from the metro region to Del Ray.

Maria Wasowski, 306 Hume Ave., representing the Potomac West Business Association, spoke in support of the application.

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.



I. DISCUSSION

REQUEST

The applicant, Phillippa Jill Erber, requests special use permit approval for the operation of a wine and cheese bar with off premises sale of beer and wine located at 2411 Mount Vernon Avenue.

SITE DESCRIPTION

The subject property is one lot of record with 230 feet of frontage on Mount Vernon Avenue, 195 feet of depth and a total lot area of 44,943 square feet. The site is developed with a multi-tenant commercial building. Access to the property is from Mount Vernon Avenue and East Oxford Avenue.

The surrounding area is occupied by a mix of commercial and residential uses. Immediately to the north is Wholistic Family Agape Ministries. To the south is a city parking lot. To the east are single family detached houses. To the west are a restaurant, Taqueria Poblano, Yoga In Daily Life, a landscaping business and a CPR training center.

BACKGROUND

The applicant operates a gourmet store at 2401 Mount Vernon Avenue, specializing in cheeses and wines. The store will operate at the new location at 2411 Mount Vernon Avenue in conjunction with the wine and cheese bar.

On September 21, 2007, staff granted Administrative Use Permit #2007-0007 for the operation of a wine and cheese bar with no off premises sale of alcohol. In the Mount Vernon Urban Overlay Zone restaurants may apply for an Administrative Use Permit in place of a Special Use Permit. The AUP allows restaurants to have up to 60 seats and standardized hours of 7:00 am to 10:00 pm, Sunday through Thursday and 7:00 am to 11:00 pm, Friday and Saturday. Administratively approved restaurants are allowed to serve beer and wine on premises, however, for off premises sales a Special Use Permit must be obtained.

The administratively approved restaurant has not yet opened; the applicant continues to operate the gourmet store at the original location with no complaints or violations.



PROPOSAL

The applicant proposes to expand the existing retail wine and cheese gourmet store. The expansion will include the addition of 35 seats and food and wine table service. The type of food that will be served is cheese plates, antipasto plates, fondue, quiche and Panini sandwiches. Details of the proposed expansion are as follows:

Hours: Tuesday – Friday, 11:00 am – 9:00 pm
Saturday, 8:00 am – 9:00 pm
Sunday, 12:00 pm – 6:00 pm

Number of seats: 35

Alcohol: On-premises table service; off-premise sales.

Noise: No undue noise impacts anticipated

Trash/Litter: Trash will be collected twice a week

PARKING

According to Section 8-200(A)(8) of the Zoning Ordinance, a restaurant requires one parking space for every four seats. A restaurant with 35 seats will be required to provide nine off-street parking spaces.

The subject property has a parking lot in the rear that provides 25 parking spaces for the exclusive use of the shops in the 2400 block of Mount Vernon Avenue. In addition there are 65 spaces in the lot behind the subject property that are available in the evenings and on weekends.

Staff counted available street parking at 3:15 on a weekday afternoon and found the following: 4 spaces on the east side of the 2400 block of Mount Vernon Avenue and 3 spaces on the west side, 6 spaces on East Oxford Avenue and 2 spaces on East Uhler Avenue.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL/Commercial Low zone. Section 4-103(M) of the Zoning Ordinance allows a restaurant in the CL zone only with a special use permit.

The subject property is also governed by the Mount Vernon Urban Overlay Zone. Section 6-607(C)(4)(g) requires restaurants that wish to provide off premises sales of beer and wine to obtain a SUP.

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for small scale retail and service uses.

II. STAFF ANALYSIS

Staff supports the expansion of a prominent, successful business in Del Ray. The restaurant component will compliment the established retail store and draw more shoppers to the many shops and services offered in Del Ray.

Staff has heard concerns from citizens about the lack of available parking in Del Ray, especially in the evenings when residents return from work. Staff feels that the availability of the larger lot in the evenings will reduce competition for on-street parking when resident demand is highest.

Although the applicant anticipates being open from 8:00 am to 9:00 pm only on Saturdays, with fewer hours the rest of the week, staff has placed a condition allowing extended hours to provide greater flexibility for the applicant.

With the following 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. The hours of operation shall be limited to 7:00 a.m to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday. The closing hour for indoor seating may extend until 12:00 midnight four times a year for special events. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. 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)
5. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
6. 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)

7. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
8. 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 or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
9. 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)
10. 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)
11. 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)
12. 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 containers which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (T&ES)
13. The applicant shall provide information on alternative forms of transportation to access Mt. Vernon Avenue including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. The applicant shall encourage its employees and customers 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)
14. At such time that a shared parking program has been adopted by the City Council, the applicant shall participate in the program. (P&Z)
15. The applicant shall install signs inside the building indicating the location of off-street parking in the area and shall inform customers about the parking. (P&Z)

16. Meals ordered before the closing hour may be served, but no new patrons may be admitted after the closing hours, and all patrons must leave by one hour after the closing hour. (P&Z)
17. Limited, non-amplified live entertainment may be offered at the restaurant. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment.
18. The number of seats shall be limited to 40 seats with no more than 16 outdoor seats. (P&Z)
19. No food, beverages, or other material shall be stored outside. (P&Z)
20. The applicant shall conduct employee training sessions on a 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)
21. Beer and wine table service and off-premise alcohol sales are permitted. (P&Z)
22. Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
23. 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)
24. 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)
25. **CONDITION AMENDED BY PLANNING COMMISSION:** Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least ~~750~~ 375 ml or ~~25.4~~ 12.7 ounces. ~~Fortified wine (wine with an alcohol content of 14% or more by volume)~~ Wine with an alcohol content greater than 20% may not be sold. (Police)

26. 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;
Richard Bray, Urban Planner.

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

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- 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 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:

- F-1 The current use is classified as **M**; 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-1 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 structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-2 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 116.1.
- C-3 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-4 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-5 The following code requirements apply where food preparation results in the development of grease laden vapors:
- (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
 - (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.

- C-6 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-7 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-8 Additions and alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit (USBC 108.1). 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.

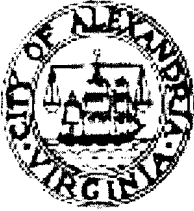
Health Department:

- 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 must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-4 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 The applicant is to contact the 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 seeking an "ABC On" and "ABC Off" license. The Police Department has no objections to either license subject to the following conditions or alcohol sold off premise:

1. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold.
2. That the SUP is reviewed after one year.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0120

PROPERTY LOCATION: 2411 Mt. Vernon Avenue (2401 Mt. Vernon Parcel address)

TAX MAP REFERENCE: _____ ZONE: _____

APPLICANT:

Name: Phillippa Jill Erber

Address: 110 Belleaire Rd. Alexandria, VA 22301

PROPOSED USE: Retail cheese shop and cheese bar / 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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

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.

Phillippa Jill Erber
Print Name of Applicant or Agent

Phillippa Erber 11/5/07
Signature Date

110 Belleaire Rd.
Mailing/Street Address

~~555~~ (202) 549-0985
Telephone #

Alexandria, VA 22301
City and State Zip Code

jill@cheesetique.com
Email address

ACTION-PLANNING COMMISSION: _____	DATE: _____
ACTION-CITY COUNCIL: _____	DATE: _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 2411 Mt Vernon Avenue, I hereby
(Property Address)
grant the applicant authorization to apply for the restaurant use as
(use)
described in this application.

Name: Scott Mitchell

Phone: (703) 628-9015

Please Print

Address: P.O. Box 2777 Alex, VA
22301

Email: _____

Signature: [Signature]

Date: 11-5-07

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. The applicant is the (check one):

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 or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Phillippa Jill Erber 110 Belleaire Rd. Alexandria, VA 22301

Jeffery Stephen Erber " " "

**Narrative Description : Cheesetique Specialty Cheese Shop
2411 Mt. Vernon Avenue**

Cheesetique Specialty Cheese Shop is currently located at 2403 Mt. Vernon Avenue. Our business is solely retail. We will be relocating to a new 1500 square foot space at 2411 Mt. Vernon Avenue with the hopes of expanding our retail offerings and adding a new dine-in portion. This will take the form of a "cheese bar" and a set of tables and chairs where we will serve cheese plates and wine.

Types of Business

Retail

The bulk of Cheesetique's business will remain retail cheese and meat sales. The typical customer experience is to enter the shop, receive guidance and samples from the staff, make a selection, have that selection cut and wrapped, and pay at the check-out counter. In addition to cheeses and meats, wine and beer will be sold off premises.

Dine-In

A secondary portion of Cheesetique's business will be dine-in sales. The typical customer experience is to enter the shop, be seated at the cheese bar, make selections of cheese and/or meats from our rolling cheese cart, select a glass of wine, and enjoy both while seated in the shop.

Classes

The third and smallest portion of the Cheesetique business will be our classes. These are simply formal cheese tastings led by the owner. Patrons will sit at tables and sample a variety of cheeses and meats.

Being a Good Neighbor

Cheesetique has always been a good neighbor and it is our intention to remain as such. We will have a mellow atmosphere with no loud music or loud parties. Since seating is so limited (maximum of about 35) there will be no large, loud crowds. Our hours are from 11AM till 9 PM most days (we will never be open later than 9:00 PM). On Saturdays during the summer, we will open at 8 AM to accommodate customers visiting the local farmers' market.

Cheesetique's parking needs are minimal - only 9 spaces are required. There are many more spots than that in the attached and neighboring free parking lots. There is also ample street parking available.

Cheesetique's business should have no adverse effect on business or residential neighbors. We attract a very positive clientele and will respect our neighborhood by keeping limited hours and occupancy. Because of this, our staffing requirements are also very low, limited to three staff members at any time. And, even though cheese does have a particular lovely odor, it will be easily contained by a new HVAC system to be installed in the property. Also, we never leave windows and doors open.

Working with the City

Cheesetique has always had a very positive relationship with the city of Alexandria and we will continue to foster that relationship. Frequent consultations with member of the Health Department, Planning and Zoning, and Code Enforcement will ensure that the project is developed according to code and that it will remain within those guidelines.

Thank you so much for your time and attention. Please let me know if you need any more information. We look forward to moving forward!

Sincerely,

Jill Erber
Owner, Cheesetique

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

[] **Yes.** Provide proof of current City business license

[] **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

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. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

USE CHARACTERISTICS

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

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

Maximum 15 retail customers per hour on weekends
Maximum 35 seated patrons evenings

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

Maximum 4 employees at any one time
(one server, three retail)

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

Day:
Tuesday
Wednesday
~~Thursday~~
Friday
Saturday
Sunday

Hours:
11 AM - 9 PM
11 AM - 9 PM
11 AM - 9 PM
11 AM - 9 PM
8 AM - 9 PM summer, 10 AM - 9 PM
12 PM - 6 PM winter

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

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

Noise levels will be minimal - no loud music or
loud parties. Seating is limited, so patron noise
will be low.

B. How will the noise be controlled?

No open windows or doors.

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

Any cheese odors will be adequately controlled by the new HVAC system to be installed.

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? (i.e. office paper, food wrappers)

Empty cardboard boxes, extra cheese and cured meat. All trash can be disposed of in garbage bags or broken down in the case of boxes.

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

Maximum 5 bags per day for retail and foodservice

C. How often will trash be collected?

Twice per week

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

There are numerous garbage cans lining Mt. Vernon Avenue.

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

[] Yes. [X] 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. [x] No.

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

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

Regular Health Department, Code Enforcement, and ABC inspections will point out areas for improvement. Property will be well-lit and properly secured.

ALCOHOL SALES

13.

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

[x] Yes [] No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

Wine and beer will be sold off-premises
Wine and beer will be sold on-premises
and served with food (ABC license pending)

PARKING AND ACCESS REQUIREMENTS

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

- 60-100 Standard spaces
- _____ Compact spaces
- 2 Handicapped accessible spaces.
- _____ Other.

depending on day of week and time of day - see attached parking plan.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A _____

Does the application meet the requirement?
 Yes No

B. Where is required parking located? (check one)

- on-site
- off-site

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

PLEASE NOTE: 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.

C. 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.

Parking reduction requested; see attached supplemental form

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

A. How many loading spaces are available for the use? 0

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?
 Yes No

B. Where are off-street loading facilities located? Back door entry for deliveries

C. During what hours of the day do you expect loading/unloading operations to occur? Weekdays between 10:30 AM and 5:00 PM

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate? 1-2 deliveries per day (weekdays only)

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

Street access is adequate

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? Yes No
Do you propose to construct an addition to the building? Yes No
How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?
1700 sq. ft. (existing) + _____ sq. ft. (addition if any) = 1700 sq. ft. (total)

19. The proposed use is located in: (check one)
 a stand alone building
 a house located in a residential zone
 a warehouse
 a shopping center. Please provide name of the center: _____
 an office building. Please provide name of the building: _____
 other. Please describe: _____

End of Application



APPLICATION

RESTAURANT

All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

1. How many seats are proposed?
Indoors: 35 Outdoors: _____ Total number proposed: 35

2. Will the restaurant offer any of the following?
Alcoholic beverages (**SUP only**) _____ Yes No
Beer and wine — on-premises Yes _____ No
Beer and wine — off-premises Yes _____ No

3. Please describe the type of food that will be served:
Cheese plates, antipasto plates, fondue, quiche, panini sandwiches.

4. The restaurant will offer the following service (check items that apply):
 table service bar _____ carry-out _____ delivery

5. If delivery service is proposed, how many vehicles do you anticipate? N/A
Will delivery drivers use their own vehicles? _____ Yes _____ No
Where will delivery vehicles be parked when not in use?

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
_____ Yes No
If yes, please describe:

Handwritten initials/signature

Parking impacts. Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
 100%
 75-99%
 50-74%
 1-49%
 No parking can be accommodated off-street
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
 All
 75-99%
 50-74%
 1-49%
 None
3. What is the estimated peak evening impact upon neighborhoods? (check one)
 No parking impact predicted
 Less than 20 additional cars in neighborhood
 20-40 additional cars
 More than 40 additional cars

Litter plan. The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

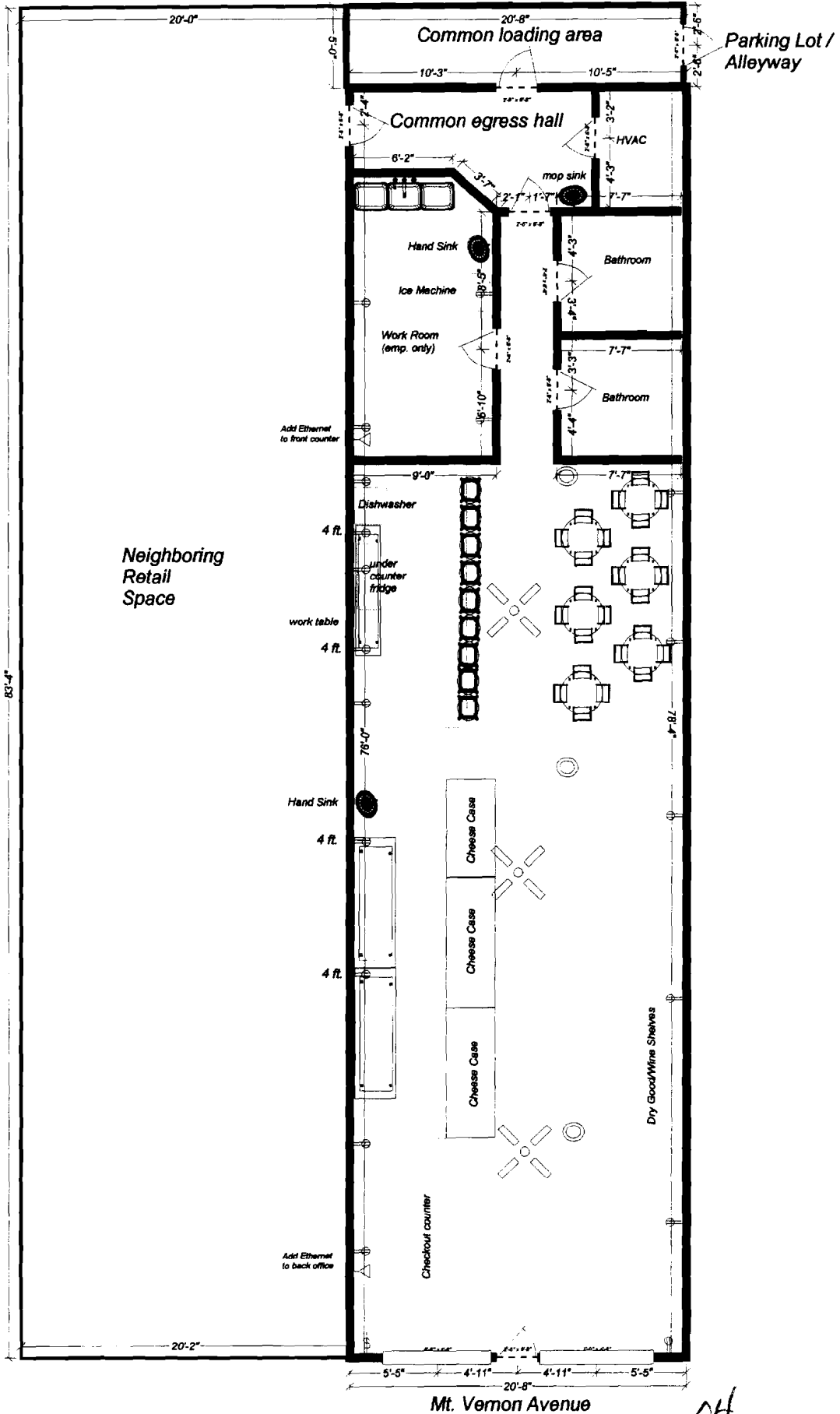
Alcohol Consumption and Late Night Hours. Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:
$$\begin{array}{r} \underline{25} \text{ Maximum number of patron dining seats} \\ + \quad \underline{10} \text{ Maximum number of patron bar seats} \\ + \quad \underline{0} \text{ Maximum number of standing patrons} \\ = \quad \underline{35} \text{ Maximum number of patrons} \end{array}$$
2. 4 Maximum number of employees by hour at any one time
3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)
 Closing by 8:00 PM
 Closing after 8:00 PM but by 10:00 PM
 Closing after 10:00 PM but by Midnight
 Closing after Midnight
4. Alcohol Consumption (check one)
 High ratio of alcohol to food
 Balance between alcohol and food
 Low ratio of alcohol to food

23

SUP2007-0120

Floor Plan for Cheesetique
2411 Mt. Vernon Avenue
~ 1700 sq. feet



24

Site map of area surrounding 2411 Mt. Vernon Avenue

SUP2007-0120

Date Created: 11/5/2007



Legend for Parcel Map
Highlighted Feature

- Address Points
- ▬ Parcels
- ▬ Road Labels
- ▬ '84 Aerial
- ▬ Road Centerlines

Area of Primary Geospatial Relative Coverage

- ▬ Lotlines
- ▬ Other Roads
- ▬ Roads
- ▬ Buildings
- ▬ Parks
- ▬ City of Alexandria

DISCLAIMER: The maps/data presented hereunder are provided as is and the City expressly disclaims all warranties, UCC and otherwise, express or implied, including warranties as to accuracy of the maps/data and merchantability and fitness for a particular purpose, and further expressly disclaims responsibility for all incidental, consequential or special damages arising out of or in connection with the use of the application. The information is not survey quality and should not be used to establish property lines or legal descriptions for plats or construction. All boundary information provided on this site is for informational purposes only and not considered official. Official documentation on the information presented are available through various departments within the City of Alexandria.

25

SUP2007-0120

**Parking Plan for Cheesetique Location
2411 Mt. Vernon Avenue, Alexandria**



Future Cheesetique Location

- ~ 25 unlimited free parking spots in lot (weekday daytime hours)
- ~ 65 unlimited free parking spots in lot (weekday evenings, weekends, holidays)
- ~ 10 free 2-hour parking spots in lot (anytime)

Note: there is also ample free 2-hour parking on surrounding streets



Cicely Woodrow/Alex
12/03/2007 06:01 PM

PC Docket Item # 4
Case # SUP2007-0120 Alex

bcc
Subject Fw: Docket Item #2007-0120 - Cheestique

This is for Planning Commission.

----- Forwarded by Cicely Woodrow/Alex on 12/03/2007 06:01 PM -----



<larry.campbell@us.pwc.com
>
11/29/2007 09:57 AM

To <pnzfeedback@alexandriava.gov>
cc
Subject Docket Item #2007-0120 - Cheestique

Hello,

I am writing in support of the Special Use Permit requested by Cheestique to operate a wine and cheese bar with off premise alcohol. I live at 207 East Windsor Avenue and believe the expansion of this business will benefit the Del Ray neighborhood and provide an attractive dining and retail option in walking distance for many local residents. The conditions recommended by staff appear to be reasonable in addressing any concerns which might arise.

I ask that the Planning Commission approve this consent agenda item and thank you all for your work.

Regards,
Larry Campbell

Larry N. Campbell | PwC | Legislative & Regulatory Services | 1301 K Street NW, 800W | Washington D.C. 20005

| 📞: 202-414-1477 | cell: 202-251-6666 | 📠: 813-281-6371 | ✉: larry.campbell@us.pwc.com

This document was not intended or written to be used, and it cannot be used, for the purpose of avoiding U.S. federal, state or local tax penalties.

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from any computer. PricewaterhouseCoopers LLP is a Delaware limited liability partnership. ---=_alternative 00522DBF852573A2_--

City of Alexandria, Virginia

MEMORANDUM

DATE: DECEMBER 4, 2007

TO: CHAIRMAN WAGNER AND MEMBERS OF THE PLANNING COMMISSION

FROM: FAROLL HAMER, DIRECTOR
DEPARTMENT OF PLANNING AND ZONING *FH b1 p5*

SUBJECT: SUP #2007-0120, RESTAURANT, CHEESETIQUE

Staff proposes to amend a condition of the Special Use Permit for the restaurant at 2411 Mount Vernon Avenue.

A condition stating the percentage of alcohol allowed for off premises sale of alcohol is incorrect. The condition should read:

Original Condition:

Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (Police)

Amended Condition:

Beer or wine coolers for off premises consumption may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine for off premises consumption may be sold only in bottles of at least 750 ml or 25.4 ounces. Beverages with an alcohol percentage greater than 18% may not be sold. (Police)