

DOCKET ITEM # 15

Special Use Permit #2008-0047

501 East Monroe Ave- Gold Crust Bakery

Application	General Data	
Request: Consideration of a request for a special use permit amendment to relocate loading activities and loading access at an existing bakery.	Planning Commission Hearing:	June 2, 2009
	City Council Hearing:	June 13, 2009
Address: 501 East Monroe Ave	Zone:	CSL/Commercial Service Low
Applicant: Gold Crust Bakery by M. Catherine Gibbs, Attorney	Small Area Plan:	Potomac West

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov

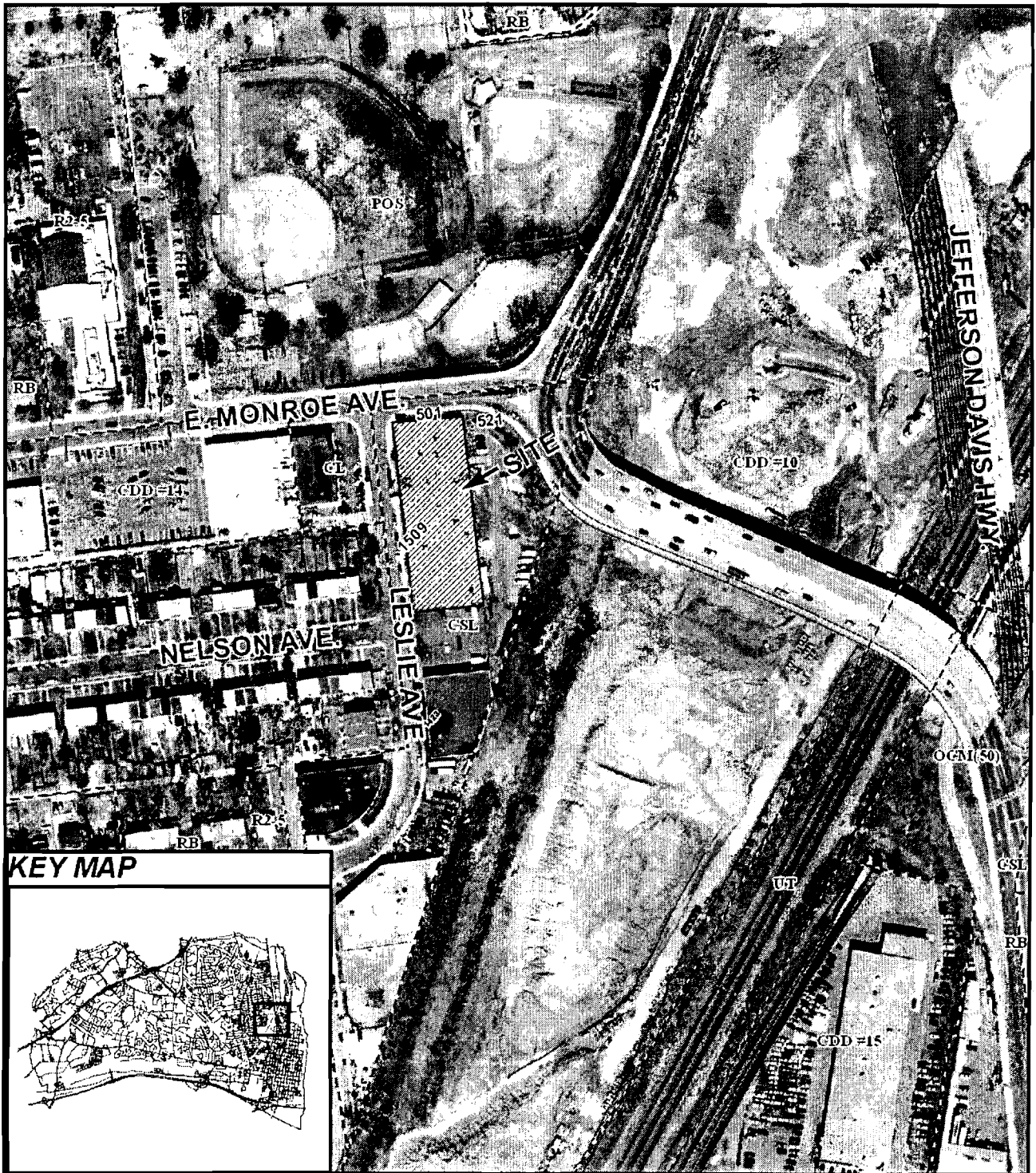
PLANNING COMMISSION ACTION, JUNE 2, 2009: On a motion by Mr. Jennings, seconded by Mr. Wagner, the Planning Commission voted to recommend approval of the request, with an amendment to Condition #6 replacing language about an access license with the following: "the City shall either create a public access easement, convey a private access easement, or sell to Gold Crust the new City-owned property between the newly-created driveway and E. Monroe Avenue." The motion carried on a vote of 6 to 0, with Ms. Lyman absent.

Reason: The Planning Commission partially agreed with staff analysis but believed that a curb cut in this location would not be detrimental to pedestrian safety and that it was reasonable for the bakery to have greater certainty about loading access through an access easement as opposed to an access license.

Speakers:

Amy Slack, representing the Del Ray Land Use Committee, spoke in support of the applicant's request and asked the Planning Commission to consider an access easement for the bakery instead of an access license.

Mary Catherine Gibbs, representing the applicant, spoke in support of the request. Ms. Gibbs asked the Planning Commission to consider an access easement for the bakery instead of an access license, stating that an easement is reasonable and appropriate in this location and that many uses have curb cuts in areas of high pedestrian activity in the City.



SUP #2008-0047

06/02/09



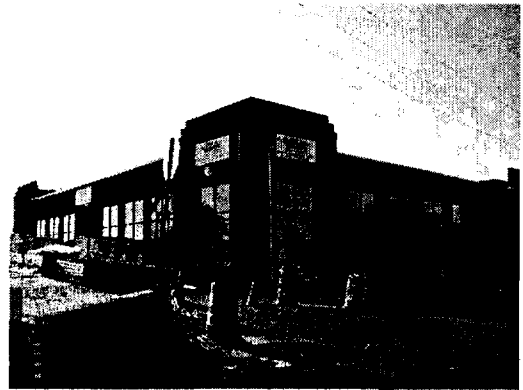
I. DISCUSSION

REQUEST

The applicant, Gold Crust Baking Company, requests a special use permit amendment to relocate loading activities and loading access for the operation of a bakery with a retail component located at 501 E. Monroe Avenue and 1509 Leslie Avenue.

SITE DESCRIPTION

The subject site comprises two lots of record. The first, 501 E. Monroe Ave., has approximately 102 feet of frontage on Monroe Avenue, approximately 100 feet of frontage on Leslie Avenue and a total lot area of 11,508 square feet. This property is developed with a one story warehouse building of 10,500 square feet. The second lot of record, 1509 Leslie Avenue, has approximately 290 feet of frontage on Leslie Avenue, 114 feet of depth, and a total lot area of 32,328 square feet.



The Gold Crust Bakery occupies the entire 10,500 square-foot building at 501 E. Monroe Avenue as well as 8,500 square feet of space located at 1509 Leslie Avenue. The property can be accessed from either E. Monroe Avenue or Leslie Avenue.

To the north of the site across Monroe Avenue is Simpson Field. To the east is vacant property, once partially occupied by the Route 1/Monroe Avenue bridge, on which a Dominion Virginia Power substation is planned subject to approval of DSUP#2007-0009. To the west is an office building and residences. To the south is a print shop.

BACKGROUND

On September 18, 1999, City Council granted Special Use Permit #99-0057 to Paul Christou and Nausika Christou Lyubinsky for the operation of a bakery with a retail component. During their renovation of the building, the applicants proposed to provide a loading dock on the east side of the building, to be accessed by trucks by way of the Dominion Virginia Power land immediately adjacent to the subject property.

In May 2000, staff met with the applicant regarding this proposal and indicated that the applicants could proceed with this arrangement, if they chose to do so, with one caveat. Staff explained that the redevelopment of Potomac Yard and the straightening of the Route 1/Monroe Avenue Bridge might preclude access to a rear loading dock in the future. Staff further explained that the applicant would then be required to reconfigure the loading dock or make other arrangements in the future in order to comply with the special use permit approval.

On June 16, 2001 City Council granted Special Use Permit #2001-0040 to amend the hours of

operation of the bakery and retail shop and to allow loading activities outside of the bakery building. On May 11, 2006, staff administratively approved a minor amendment, Special Use Permit #2006-0026, allowing the expansion of office space, storage space, and employee break and locker rooms for the bakery into space at 1509 Leslie Avenue.

Dominion Virginia Power has proposed a substation for Potomac Yard, subject to approval of DSUP2007-0009, on land located immediately to the east of the subject site. Construction of the new Dominion Virginia Power substation precludes the applicant from accessing the existing loading dock at the bakery from the south from Leslie Avenue and around the building as it does currently.

Land for this substation has become available as a result of the relocation of the Route 1/Monroe Street Bridge. Several land transfers are proposed among the Virginia Department of Transportation (VDOT), Dominion Virginia Power, Gold Crust Bakery, and the City. Upon final subdivision approval of these changes, Gold Crust Bakery will own a small strip of additional land to the east of its current property line at 501 E. Monroe Avenue. The City will own a small piece of land located between the public ROW and the additional Gold Crust land (a preliminary plan is attached to this report.) These strips of land will be used to provide access to the existing loading dock as described below.

On May 18, 2009 staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

PROPOSAL

The applicant seeks a special use permit amendment to provide alternative access to its existing loading dock and provide an alternative location for the unloading from large tractor trailer trucks. It proposes to allow small box trucks to use the current loading dock but to access it via a new driveway and new curb cut located directly from E. Monroe Avenue to the northeast of the building. This new driveway is proposed to be located primarily on property to be owned by Gold Crust in the near future and also on a small portion of property to be owned by the City in the near future.

In addition, since large tractor trailer trucks delivering flour pallets cannot maneuver into the proposed new driveway, the applicant proposes that they be allowed to unload from a designated on-street location on E. Monroe Avenue only during the hours of 4:00-6:00am.

No other changes to the operations of the business are proposed.

Hours of Operation:

<u>Production:</u>	7:00am – 7:00pm daily Cleaning from 6:00pm to 12:00midnight daily
<u>Retail Operation:</u>	9:00am – 7:00pm daily
<u>Delivery:</u>	5:00am – 8:00am, Monday-Saturday

Customers:	10-100 customers per day, throughout the day
Loading Activities:	<p><u>Small Box Trucks:</u> Supplies from these trucks will be loaded or unloading through existing loading dock accessed from the new driveway and curb cut from E. Monroe Avenue.</p> <p><u>Large tractor-trailer trucks:</u> Supplies from these trucks will be loaded and unloaded from an on-street location on E. Monroe Ave. to be located to the satisfaction of the Director of Transportation & Environmental Services.</p>
Noise:	Typical bakery and retail operation noises are expected from this proposal. All activities will take place within the building, however.
Trash:	Typical bakery and retail operation trash will be collected once per week on average.

PARKING

There is no specific off-street parking ratio in the Zoning Ordinance for a bakery. At the time of the bakery's original SUP in 1999, staff applied the retail requirement for the retail portion of the proposed bakery. For the remaining square footage of the bakery, staff applied the requirement for industrial buildings used for purposes other than long-term storage. Special Use Permit #99-0057 granted a parking reduction for all 26 parking spaces required at the time of approval, as there is no room for parking on the site.

Using the same parking ratio described above, the bakery was required to provide a total of 9 off-street spaces upon its expansion in 2006. This represents the difference between the total requirement of 35 parking spaces upon expansion and the 26 space reduction granted in 1999.

The applicant meets the nine-space requirement by providing 18 off-street spaces at the southern end of the 1509 Leslie Avenue building.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CSL/Commercial Service Low zone. Section 4-303(B)(1) of the zoning ordinance allows a bakery exceeding 3,500 square feet in the CSL zone only with a special use permit.

The proposed use is consistent with the Potomac West small area plan chapter of the Master Plan which designates the property for commercial and service uses.

II. STAFF ANALYSIS

Staff does not object to applicant's request to relocate access to its existing loading dock and conduct limited on-street unloading at the subject bakery. Although the loading relocation plan proposed by the applicant is generally reasonable given new and existing site constraints, staff believes that certain aspects of the applicant's request could negatively impact the vicinity now or in the future. Therefore staff has recommended specific conditions of approval in Section III of this report that are intended to mitigate potential impacts such as the interruption of traffic along E. Monroe Avenue and pedestrian safety.

Loading and unloading activities for the bakery use have the potential to adversely impact traffic along E. Monroe Avenue. This potential exists for the new access driveway and curb cut for smaller box trucks and especially for large tractor trailers on E. Monroe Avenue. Staff has recommended two conditions that should reduce these potential impacts and still meet the bakery's needs. First, trucks larger than 20 feet in size shall be prohibited from using the new driveway from E. Monroe Ave to access the existing loading dock. Although many larger trucks would find themselves unable to manage the proposed turning radius, this condition will help to prevent large trucks from attempting such maneuvers that could block traffic on E. Monroe Avenue.

Second, staff has conditioned that large tractor-trailer trucks may load or unload only between the hours of 4:00am to 6:00am and only from an on-street location designated by the Director of Transportation & Environmental Services. Limiting the on-street loading/unloading to early morning hours and only in a designated location will also help prevent traffic tie-ups. Staff notes that since no residences are located in the immediate vicinity of the proposed on-street loading/unloading on E. Monroe Avenue, it does not believe the early morning hours will have an adverse impact.

Pedestrian safety is another potential issue stemming from the applicant's proposal, particularly with regard to the new curb cut that will be needed on E. Monroe Avenue. Staff considers the addition of a new curb cut in this location to be inconsistent with the vision for the reconstruction of E. Monroe Avenue. This location is expected to be an important pedestrian gateway leading into Potomac Yard and staff anticipates a high level of pedestrian activity in the vicinity once road and park improvements are complete. Simpson Field already draws pedestrians to the area and a dog park is planned just east of the Dominion Virginia substation.

As noted previously in this report and in DSUP#2007-0009, the City is expected to acquire through a series of land transfers a small piece of land at the mouth of the proposed driveway leading to the existing loading dock at the bakery. In order to retain the ability to balance competing interests of pedestrian safety and the business needs of a community-serving bakery, staff has recommended requiring in Condition #6 that the applicant obtain permission to cross City land through a renewable license and that the curb cut be removed in the event the bakery ceases operation.

As envisioned by staff, the access license granted to the applicant from the City would have a limited term but could be renewed subject to City approval and only for the continued bakery use

at this location. Should the ownership of the bakery change, new owners could be eligible to obtain a new license as long as the bakery use has not ceased at the site for more than 12 months. In the event the bakery use does cease for more than 12 months, the access license shall be revoked and the curb cut will need to be removed. Staff believes that the renewable license is the best approach in this instance, particularly compared to a permanent access easement. Staff notes that a renewable license also may be advantageous because state law places limits and terms on access easements granted by cities.

While the applicant does not propose any additional changes to the operation of its business beyond the relocation of loading activities, staff has amended additional conditions of this Special Use Permit to bring it in conformance with current standard conditions. Staff also notes that it has added conditions ensuring proper emergency access and fire hydrant access.

Trash Can, Litter and Street Tree Requirements

No street trees are being required in this case. Existing property lines do not allow space for City street trees. The applicant is encouraged to plant trees on their property adjacent to the sidewalk. Because the use is a semi-industrial one, T&ES is not requiring a new trash can. On the other hand, given the retail portion of the use and the hope for pedestrian activity in the area in the future, staff is requiring a contribution to the City's Litter Control Fund.

Subject to the conditions contained in Section III of this report, staff recommends approval of this request.

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) (SUP #99-0057)
2. No indoor or outdoor dining facilities shall be located on the premises. (P&Z) (SUP #99-0057)
3. The retail hours of operation shall be limited from 9:00 a.m. to 7:00 p.m. daily. (P&Z)(SUP2001-0040)
4. **CONDITION AMENDED BY STAFF:** The applicant shall post the hours of operation at the entrance to the retail portion of the bakery. (P&Z) (SUP #99-0057)
5. No alcoholic beverages shall be sold. (P&Z) (SUP #99-0057)
6. **CONDITION AMENDED BY STAFF AND PLANNING COMMISSION:** Access to the proposed existing loading dock and the access shall be from a curb cut on the right-of-way E. Monroe Avenue for the bakery use only. The driveway between E. Monroe Avenue and the loading dock shall be located as far to the south as possible to the

~~satisfaction of the Director of Transportation and Environmental Services, along the eastern side of the building at 501 E. Monroe Avenue. Prior to construction the City shall either create a public access easement, convey a private access easement, or sell to Gold Crust Bakery the new City-owned property between the new driveway and E. Monroe Ave. in order to access the existing loading dock from E. Monroe Avenue. (T&ES) (P&Z) (PC) (SUP #99-0057)~~

7. **CONDITION AMENDED BY STAFF:** ~~No loading or unloading is permitted on the right-of-way of Leslie or East Monroe Avenues. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am, except that loading and unloading from large tractor trailers may take place on E. Monroe Avenue only in a designated location and only during the hours of 4:00 am – 6:00 am or as approved by the Director of T&ES. The location of and hours for this space shall be posted on E. Monroe Avenue. (T&ES)(P&Z) (PC)(SUP #2001-0040)~~
8. **CONDITION AMENDED BY STAFF:** ~~The applicant shall encourage its staff to require its employees who drive to use off-street parking and provide employees who use mass transit or to car pool when traveling to and from the bakery with subsidized bus and rail fare media. The applicant shall also post by posting information regarding DASH and METRO schedules on-site for employees. routes, the location where fare passes for transit are sold, and the advertising of car pooling opportunities and shall provide a transit subsidy to all employees. (P&Z)(T&ES) (SUP #99-0057)~~
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #99-0057)
10. 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. A dumpster may be located outside the building as long as it is not visible from Leslie or East Monroe Avenues. (PC)(SUP2001-0040)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #99-0057)
12. Condition Deleted. (SUP#2006-0026)
13. **CONDITION AMENDED BY STAFF:** ~~The applicant shall control cooking bakery-related odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property to prevent them from or becoming a nuisance to neighboring properties, as determined by the Health Department and the Department of Transportation and Environmental Services. (Health) (T&ES) (SUP#2006-0026)~~
14. **CONDITION DELETED BY STAFF & COMBINED WITH CONDITION #16:** ~~No amplified sound shall be audible at the property line. (P&Z) (T&ES) (SUP #2006-0026)~~

15. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)(SUP #2001-0040)
16. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2006-0026)
17. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
18. **CONDITION ADDED BY STAFF:** No box truck greater than 20 feet long shall be permitted to back into the loading dock access driveway from Monroe Avenue. (T&ES)
19. **CONDITION ADDED BY STAFF:** The new curb cut and loading access driveway shall be consistent with the approved Development Special Use Permit # 2007-0009 for Dominion Virginia Power. (P&Z) (T&ES)
20. **CONDITION ADDED BY STAFF:** Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
21. **CONDITION ADDED BY STAFF:** 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)
22. **CONDITION ADDED BY STAFF:** 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)
23. **CONDITION ADDED BY STAFF:** Applicant shall contribute \$575.00 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)

24. **CONDITION ADDED BY STAFF:** Existing landscaping on property shall be well maintained and be free of weeds, debris, and litter at all times. The applicant shall replace dead or missing plants as needed. (RP&CA)
25. **CONDITION ADDED BY STAFF:** Fire hydrants shall not be blocked by any parking or loading spaces. (Code Administration)
26. **CONDITION ADDED BY STAFF:** The existing emergency access through the parking lot at 1509 Leslie Avenue shall be maintained. (Code Administration)

STAFF: Gwen Wright, Division Chief, Department of Planning and Zoning;
Nathan Randall, 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:

- F-1 One measure the bakery can implement to meet Condition # 8 is to establish a SmartBenefits account with Metro. A SmartBenefits account will allow for the purchase of SmartTrip cards and the ability to provide a monthly subsidy for downloading on to the cards in the amount of the benefit they decide to offer. The 2009 Internal Revenue Service (IRS) regulation states employers may offer up to \$120.00 per month for qualified transportation fringe benefits (IRS Revenue Procedure 2008-66). (T&ES)
- F-2 No previous contribution to the Litter Control Fund. (T&ES)
- R-1 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am, except that loading and unloading from large tractor trailers may take place on E. Monroe Avenue only in a designated location and only during the hours of 4:00 am – 6:00 am or as approved by the Director of T&ES. The location of and hours for this space shall be posted on E. Monroe Avenue. (T&ES)
- R-2 No box truck greater than 20' long shall be permitted to back up from Monroe Avenue. (T&ES)
- R-3 The new curb cut and loading access driveway shall be consistent with the approved Development Special Use Permit # 2007-0009 for Dominion Virginia Power. (T&ES)
- R-4 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
- R-5 The applicant shall control bakery related odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-6 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-7 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-8 The applicant shall require its employees who drive to use off-street parking and 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)
- R-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)
- R-10 Applicant shall contribute \$575.00 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)
- 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. (T&ES)
- 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). (T&ES)

Code Enforcement:

- F-1 Any existing Emergency Vehicle Easements must be maintained operationally and shall not consist of any parking or loading areas.
- R-1 Fire hydrants shall not be blocked by any parking or loading spaces.
- R-2 The existing emergency access to the site shall be maintained.

Health Department:

- F-1 No Comment

Parks and Recreation:

- F-1 Existing property lines do not allow space for planting City street trees. The applicant is encouraged to plant trees on their property, adjacent to the Leslie Ave. sidewalk. (RP&CA)
- R-1 Existing landscaping on property shall be well maintained and be free of weeds, debris, and litter at all times. Replace dead or missing plants as needed.

- C-1 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owners front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)

Police Department:

- F-1 The Police Department has no objections to the relocations of the Bakery's loading spaces.

Richard



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2008-0047

PROPERTY LOCATION: 501 East Monroe Ave.

TAX MAP REFERENCE: 044.01-05-01 **ZONE:** CSL

APPLICANT:
Name: Gold Crust Baking Co., Inc.

Address: 501 E. Monroe Ave., Alexandria, VA 22301

PROPOSED USE: Bakery, with small retail of baked goods

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.

<u>Mary Catherine Gibbs</u>		<u>June 26, 2008</u>
Print Name of Applicant or Agent	Signature	Date
<u>307 N. Washington Street</u>	<u>703-836-5757</u>	<u>703-548-5443</u>
Mailing/Street Address	Telephone #	Fax #
<u>Alexandria, VA 22314</u>	<u>mcg.hcgk@verizon.net</u>	
City and State	Zip Code	Email address

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

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 501 E. Monroe Ave., I hereby
(Property Address)
 grant the applicant authorization to apply for the Bakery use as
(use)
 described in this application.

Name: Chris Christou, Gold Crust Baking Co., Inc. Phone: _____
Please Print
 Address: 501 E. Monroe Ave., Alexandria, VA 22301 Email: chris@goldcrust.com
 Signature:  Date: June 26, 2008

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.

- Paul Christou, 501 E. Monroe Ave., Alexandria, VA 22301 - 70%

- Chris Christou, 501 E. Monroe Ave., Alexandria, VA 22301 - 15%

- Nausika Lyubinsky 501 E. Monroe Ave., Alexandria, VA 22301 - 15%

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.)

The applicant is seeking to amend it's existing SUP No. 2001-0040 in response to development of the

Dominion Virginia Power's substation to the east of the property, and is seeking to change where it's

loading and unloading are permitted. The applicant and Dominion have agreed that allowing limited truck

access to the existing loading bay through a curb cut and driveway off of E. Monroe is a viable solution.

Currently, Dominion leases the area to the east of the building to the bakery and their trucks access the

loading bay from the fenced in area behind their building. As shown in Dominion's plans, a 12 5 foot wide

drive to access the existing loading dock off of E. Monroe works. We believe Staff is in support of this

option, including a curb cut on Monroe Ave. The loading space will be limited to small box trucks, not the

tractor trailer trucks that deliver pallets of flour, ect, to the bakery. Those trucks would use a limited loading

space on Monroe during the early morning hours, to limit any impact on traffic on Monroe Ave. All other

aspects of the bakery operation/small retail space would remain the same. At some point in the near future,

the applicant would like to replace the existing loading door on the E. Monroe Ave. facade of the building

with a window to match the corresponding window of the building closest to the intersection with Leslie Ave.

The Applicant went to the Del Ray Land Use Committee, and we have their support for this alternative.

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).

Same as existing - 10-100 retail customers depending on the day, throughout the day.

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

Same as existing - 6 to 10 employees per shift.

6. Please describe the proposed hours and days of operation of the proposed use:
- Day: _____ Hours: _____

Production: Daily 7 a.m. to 7 p.m. Cleaning of the facility will occur from 6 p.m. to Midnight.

Retail: Daily 9 a.m. to 7 p.m.

Delivery: Monday through Saturday 5 a.m. to 8 a.m.

7. Please describe any potential noise emanating from the proposed use.
- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Typical for a bakery operation and small retail component.

- B. How will the noise be controlled?

Operations are performed within the building only.

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

Typical odors from a bakery operation. Machinery is utilized in the operation to control odors.

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)

Typical trash from a bakery use.

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

One Dumpster per week, on average.

C. How often will trash be collected?

Once a week, on average.

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

Employees will monitor the area and pick up trash as necessary.

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. 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?

The building is monitored by a security company.

ALCOHOL SALES

13.

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

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.

PARKING AND ACCESS REQUIREMENTS

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

- 18 Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.

Planning and Zoning Staff Only Required number of spaces for use per Zoning Ordinance Section 8-200A _____ Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No

B. Where is required parking located? (*check one*)
 on-site (In Leslie Properties Parking Lot at the end of the warehouse building)
 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? 1

Planning and Zoning Staff Only Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____ Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No

B. Where are off-street loading facilities located? On new loading space off of E Monroe Ave
as well as a proposed loading zone on E. Monroe for larger trucks.

C. During what hours of the day do you expect loading/unloading operations to occur?
During early morning hours, until 10:00 a.m., in the loading space, and until 6 a.m. in the
loading zone on E. Monroe for the larger trucks.

D. How frequently are loading/unloading operations expected to occur, per day or per week,
 as appropriate?
Daily for the loading space and up to three times a week for the loading zone.

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?

10,000 sq. ft. (existing) + _____ sq. ft. (addition if any) = 10,000 sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building

a house located in a residential zone

a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

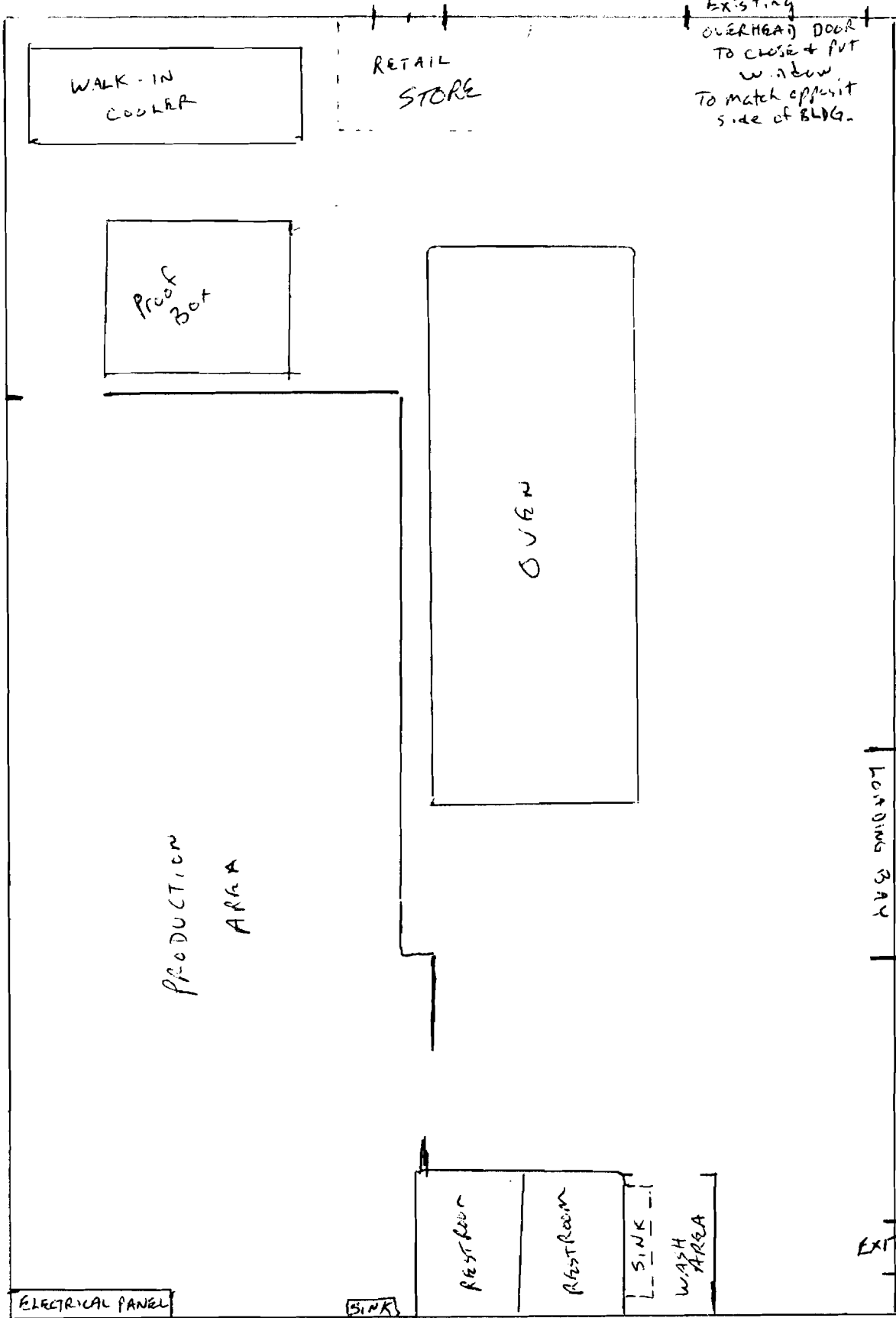
other. Please describe: _____

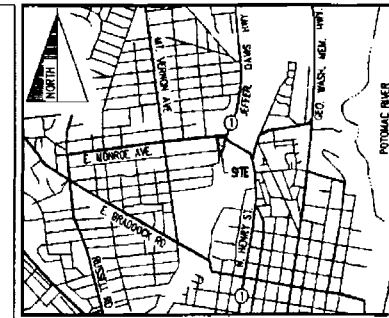
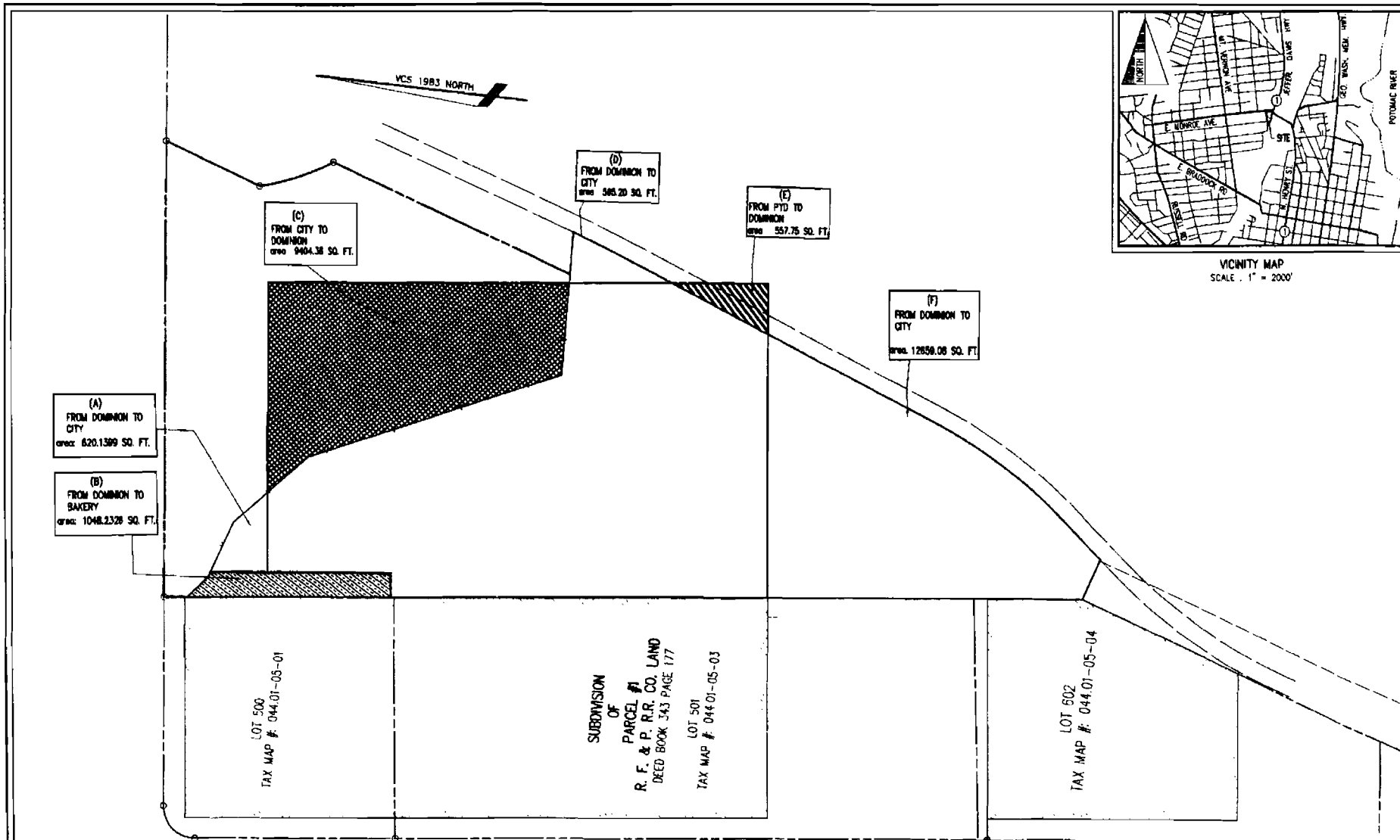
End of Application

MONROE AVE

SUP2008-0047

LESLIE AVE



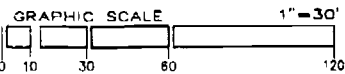


VICINITY MAP
SCALE: 1" = 2000'

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	COURSE
C1	104.50	37.06'	2019'57"	18.74'	36.89'	S74°09'36"E
C2	496.00	18.98'	211'33"	9.49'	18.98'	S191°07'W
C3	246.00	87.99'	2029'37"	44.47'	87.52'	S30°38'42"W
C4	243.25	15.67'	3°4'28"	7.84'	15.67'	S39°02'47"W

---V--- DENOTES PROPERTY LINE HEREBY VACATED



DRAWN BY: E.AUFMUTH CHECKED BY: P.WOORE

ADVANCE COPY

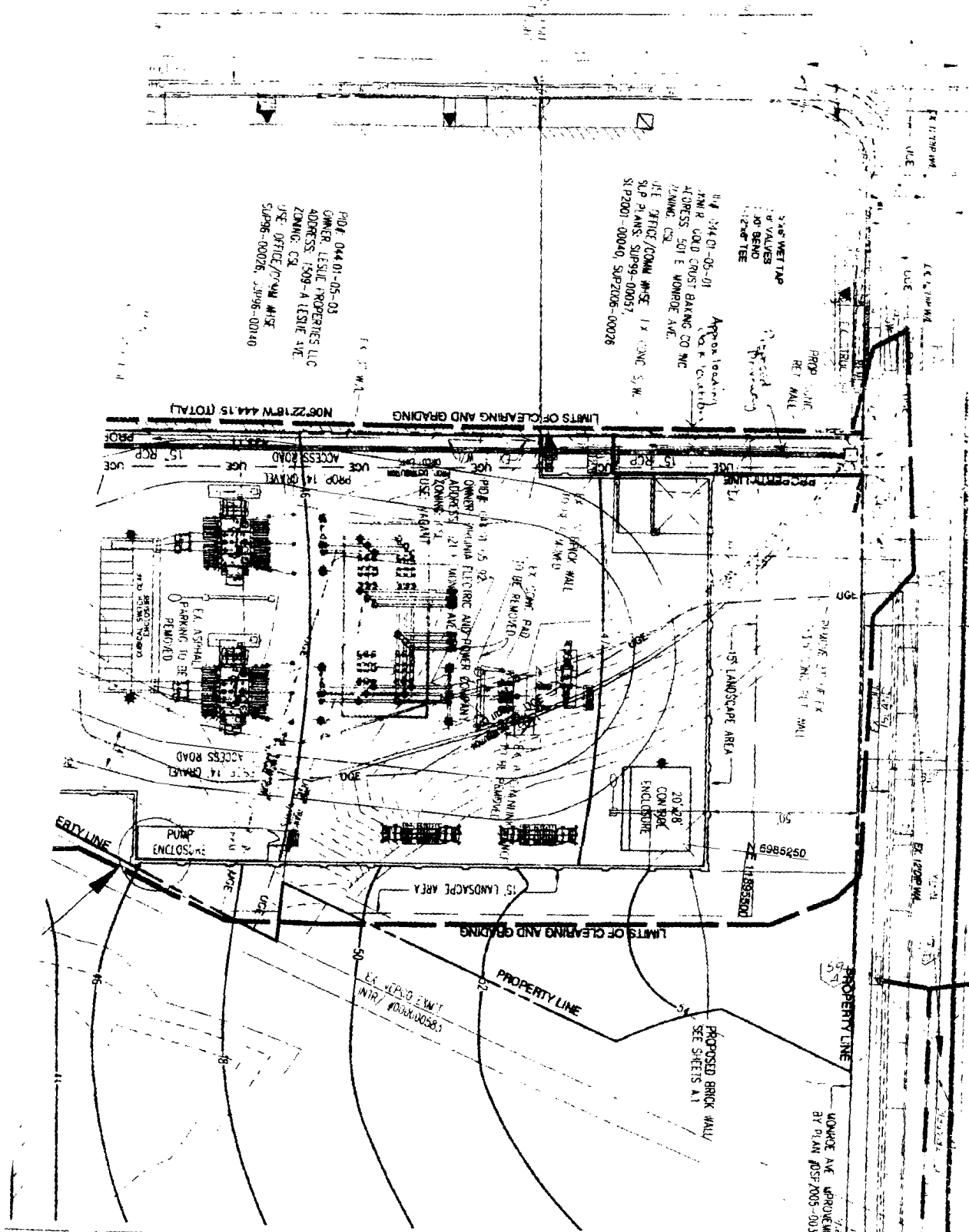
EXHIBIT SHOWING
SWAP OF LAND
ON THE LAND OF
VIRGINIA ELECTRIC AND POWER COMPANY
DEED BOOK 1559 AT PAGE 305
AND THE
CITY OF ALEXANDRIA

CITY OF ALEXANDRIA
SCALE: 1" = 30' DATE: JAN, 2009



Dewberry & Davis LLC
10626 BATTLEVIEW PARKWAY
MANASSAS, VIRGINIA 20108-2243
PHONE: 703.369.4293 FAX: 703.631.2834

23



PROJ. 044-01-05-03
 OWNER: LESLIE PROPERTIES LLC
 ADDRESS: 1508-A LESLIE AVE.
 ZONING: C2
 USE: OFFICE/COMM. USE
 SUP96-00076, SUP96-00140

Proj. 044-01-05-01
 OWNER: GOLD CRUST BAKING CO INC
 ADDRESS: 501 E MONROE AVE.
 ZONING: C2
 USE: OFFICE/COMM. USE
 SUP99-00057, SUP2006-00028

3\"/>

LIMITS OF CLEARING AND GRADING

LIMITS OF CLEARING AND GRADING

SOURCE: AVE IMPROVEMENTS
 BY PLAN #2572005-0037

From:
 Preliminary Site Plan
 (DSUP.2007-0004)

HART, CALLEY, GIBBS & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

307 NORTH WASHINGTON STREET
ALEXANDRIA, VIRGINIA 22314-2557

TELEPHONE (703) 836-5757
FAX (703) 548-5443
hcgk.law@verizon.net

HARRY P. HART
MARY CATHERINE H. GIBBS
HERBERT L. KARP

ASSOCIATE
DAVID L. CHAMOWITZ

OF COUNSEL
CONSTANCE H. PIERCE

RETIRED
ROBERT L. MURPHY, 2001
CYRIL D. CALLEY, 2005

LURAY OFFICE:

170 KIBLER DRIVE
LURAY, VA 22835

TELEPHONE: 540-743-2922
FAX: 540-743-2422

May 22, 2009

Mr. John Komoroske, Chair
and Members of Planning Commission
c/o Ms. Faroll Hamer, Director
Department of Planning & Zoning
City Hall, Room 2100
Alexandria, VA 22314

Re: Goldcrust Baking Co., Inc., SUP No. 2008-0047
501 E. Monroe Avenue

Dear Mr. Komoroske and Members of Planning Commission:

On behalf of the Applicant, Goldcrust Baking Co., I'm writing to discuss the last remaining issue under this SUP. The Applicant and the City have been working for a long time on the issue of access to the Bakery once the Dominion Virginia Power Substation is approved. The Applicant requests that the City grant a permanent limited easement along the very small portion of property between its newly acquired drive aisle to the loading bay and the right-of-way of Monroe Avenue. Please see the attached Plat which highlights this area.

For a number of years, and since the original SUP was approved for the bakery, Goldcrust had an easement from Dominion Virginia Power to access their loading dock on the eastern side of their building. Essentially, Goldcrust has been able to go around the building from Leslie Avenue and access their loading dock in that fashion. They were aware that the full easement to access the loading dock was subject to the future construction of a substation on the Dominion property at some point. Since Dominion began the process for receiving approval for the construction of the new substation, Goldcrust has been looking for a solution to their access issue.

The City agreed to permit Goldcrust to access their loading dock from a newly created drive aisle from Monroe Avenue to the existing loading dock on the eastern side of their building. The Del Ray Land Use Committee supports this proposal. Dominion agreed to sell Goldcrust a 12.5 foot strip of their property along the eastern side of Goldcrust's building to create this drive aisle. As you can see from the attached exhibit, that 12.5 foot strip owned by Dominion ends very close to the Monroe Ave. right of way, but doesn't quite reach it. The last remaining area between what Dominion is going to sell Goldcrust and Monroe Ave., is owned by

Mr. John Komoroske, Chair
and Members of Planning Commission
May 22, 2009
Page 2 of 2

the City. The issue is how the City will permit Goldcrust to access this drive aisle and what happens if Goldcrust determines at a later date to move.

In looking at the southern elevation of the building, there exists today another loading bay that was previously accessed off of E. Monroe Avenue prior to the Monroe Ave. bridge being constructed. Now that the bridge has been removed and the road lowered again, Goldcrust believes its reasonable to suggest that access off of Monroe Ave. be permitted again to access the loading bay in the eastern side of the building, in a limited fashion. The Applicant proposed that the City grant a limited permanent easement that provides access along the small strip of land specifically limited by the hours that delivery trucks can use it and by the size of truck that can use it as those hours are limited in their SUP. Those limitations would remain in effect for any future user of the building. We believe this is a reasonable request because it addresses both the Bakery's need to have access to their loading dock and it addresses the City's concern that future users wouldn't be subject to the limitations contained in the bakery's SUP, in addition to the fact that access off Monroe Ave. existed prior to the construction of the Monroe Ave. bridge immediately adjacent to the area in dispute here.

The Staff, on the other hand, want to limit the access to a renewable license only the Bakery can use, and if the Bakery ever ceases to operate at this location, the access easement expires and the curb cut has to be removed. See Condition No. 6. We believe this is unreasonable. The Bakery knew that at some point they were going to have to renegotiate an access point to their building when Dominion decided to build their substation. We believe we have done that in good faith by working with both the City and Dominion to achieve the access described above. The Applicant has been in contact with the Del Ray Land Use Committee about this issue, and they support the Bakery's proposal. We'd ask that the Planning Commission recommend the same to the City Council.

We'd be happy to discuss this with you at your convenience and will be in contact with you prior to the public hearing on June 2, 2009. We look forward to continuing to work with Staff towards achieving a reasonable access solution.

Very truly yours,

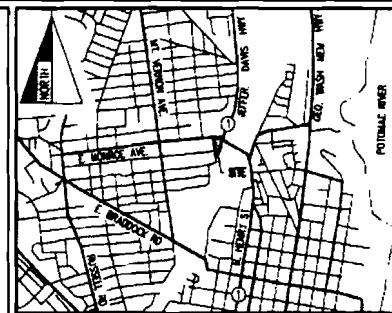


Mary Catherine Gibbs

cc: Chris Christou, Goldcrust Baking Co., Inc.
Ms. Emily Baker, Acting Director, T&ES
Mr. Chris Spera, Deputy City Attorney

Le

VCS 1.083 NORTH



VICINITY MAP
SCALE: 1" = 2000'

(A)
FROM DONOR TO CITY
area: 626,130.00 SQ. FT.

(B)
FROM DONOR TO BAKERY
area: 1046,228.00 SQ. FT.

(C)
FROM CITY TO DONOR
area: 9084.26 SQ. FT.

(D)
FROM DONOR TO CITY
area: 845.28 SQ. FT.

(E)
FROM PTD TO DONOR
area: 837.75 SQ. FT.

(F)
FROM DONOR TO CITY
area: 12850.08 SQ. FT.

*City owned property
reformed by what owners*

LOT 500
TAX MAP # 044.01-05-01

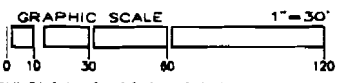
SUBDIVISION
OF
PARCEL #1
R. F. & P. R.R. CO. LAND
DEED BOOK 343 PAGE 177
LOT 501
TAX MAP # 044.01-05-03

LOT 602
TAX MAP # 044.01-05-04

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	TANGENT	CHORD	COURSE
C1	124.52'	37.06'	207°53'	18.74'	28.89'	S24°09'56"E
C2	496.00'	18.96'	71°13'	8.49'	18.96'	S71°10'07"W
C3	248.00'	87.99'	207°53'	44.47'	87.92'	S32°38'42"W
C4	243.26'	15.87'	74°28'	7.84'	13.87'	S38°02'47"W

DEVELOPS PROPERTY LINE HEREBY VACATED



ADVANCE COPY

COMBIT SHOWING
SWAP OF LAND
IN THE LAND OF
VIRGINIA ELECTRIC AND POWER COMPANY
DEED BOOK 1580 AT PAGE 505
AND THE
CITY OF ALEXANDRIA

CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 30' DATE: JAN, 2008

Dewberry
Dewberry & Davis LLC
10825 BATTLEVIEW PARKWAY
MANASSAS, VIRGINIA 20108-2343
PHONE: 703.398.4933 FAX: 703.631.2834

DRAWN BY: E.ALFALTAH CHECKED BY: F.MOORE

SHEET 1 OF 1

MAN. EP-

3,4,5,6,9,14,16
6-13-09

City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 11, 2009
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: JAMES K. HARTMANN, CITY MANAGER 8
SUBJECT: APPLICATION OF TREES AND TRASH CAN POLICY TO JUNE SUP
CASES

ISSUE: How to apply the new policy for funding street trees and trash cans to the SUP cases on Council's June docket.

RECOMMENDATION: That Council apply the new policy and condition language regarding trees and trash cans to the June SUP cases as outlined below.

BACKGROUND: One June 9, Council acted to adopt a policy with regard to SUP conditions for streetscape funding. Specifically, Council directed staff to include the following condition in all new SUP cases, including those approved administratively. The condition is not to be applied to cases seeking to amend an existing SUP or where there is a separately established funding stream for the same features.

The applicant shall contribute \$500 to the City's Streetscape Improvement Fund for street trees and trash cans.

The above condition makes for consistent application and is to replace the site specific analysis and application of requirements for street trees and trash cans, tailored to the circumstances of a particular location, that had previously been staff's practice.

APPLICATION OF THE NEW RULE TO JUNE SUP CASES

There are seven SUP cases on Council's June docket. Two are new SUP cases to which Council's new condition language applies. The remaining five cases seek amendments to previously approved SUPs, and the new language does not apply in those cases. Staff drafted the June staff reports, including conditions, based on its prior practice, however, staff indicated to the Planning Commission and the applicant that the conditions might change as a result of Council's discussion on June 9. To apply its new policy to the June cases, Council needs to make the following changes to the cases below at its June 13 hearing.

New SUP Cases

SUP #2009-0015, Bashford Lane Apartments parking reduction by RPJ (docket item #4):
Add new condition language.

SUP #2009-0016, Dove Street Cat Shelter (docket item #5):
Add new condition language; and
Remove condition #9 requiring \$575 contribution for litter fund.

SUP Amendment Cases

SUP #2009-0014, Café Pizzaiolo Restaurant (docket item #3):
No changes.

SUP #2009-0021, Umbrella SUP Extension (docket item #6):
Remove Condition # 19 requiring \$1150 contribution for new trash can; and
Remove Condition # 21 requiring the replacement of two new street trees.

SUP #2009-0018, Momo Sushi (docket item #9):
No changes.

SUP #2009-0020, Landinis (docket item #14)
Remove condition 30 requiring \$575 contribution for litter fund.

SUP #2008-0047, Gold Crust Bakery (docket item #16)
Remove condition 23 requiring \$575 contribution for litter fund.

STAFF:

Faroll Hamer, Director, Department of Planning and Zoning

SPEAKER'S FORM

DOCKET ITEM NO. 16

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

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. **NAME:** Mary Catherine Gibbs

2. **ADDRESS:** 307 N. Washington Street
TELEPHONE NO. 703-836-5757 **E-MAIL:** mcg.hcgk@verizon.net

3. **WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?**
The Applicant

4. **WHAT IS YOUR POSITION ON THE ITEM?**
For

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

6. **ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL?**
Yes

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

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

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

Richard
16



APPLICATION **SPECIAL USE PERMIT**

SPECIAL USE PERMIT # 2008-0047

PROPERTY LOCATION: 501 East Monroe Ave.

TAX MAP REFERENCE: 044.01-05-01 **ZONE:** CSL

APPLICANT:

Name: Gold Crust Baking Co., Inc.

Address: 501 E. Monroe Ave., Alexandria, VA 22301

PROPOSED USE: Bakery, with small retail of baked goods

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.

Mary Catherine Gibbs
Print Name of Applicant or Agent
307 N. Washington Street
Mailing/Street Address
Alexandria, VA 22314
City and State
Zip Code

Mary Catherine Gibbs June 26, 2008
Signature Date
703-836-5757 703-548-5443
Telephone # Fax #
mcg.hcgk@verizon.net
Email address

Recommended Approval w/amendments 6-0 6-2-09
ACTION-PLANNING COMMISSION: CC approved PC recommendation 7-0 DATE: 6/13/09
ACTION-CITY COUNCIL: _____ DATE: _____