

EXHIBIT NO. 1

9
6-13-09

DOCKET ITEM #6

Special Use Permit #2009-0018
212 Queen Street – Momo Sushi Restaurant

Application	General Data	
Request: Consideration of a request to increase seating and the hours of operation at an existing restaurant.	Planning Commission Hearing:	June 2, 2009
	City Council Hearing:	June 13, 2009
Address: 212 Queen Street	Zone:	CD/Commercial Downtown
Applicant: Yeon Sin Son	Small Area Plan:	Old Town

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: Eileen Oviatt eileen.oviatt@alexandriava.gov

PLANNING COMMISSION ACTION, JUNE 2, 2009: On a motion by Mr. Dunn, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations, with the amendment of condition #16 and the restoration of condition #9. The motion carried on a vote of 6 to 0. Ms. Lyman was absent.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Barbara Fahs Charles, 220 Queen Street, raised concerns regarding the operation of the restaurant, including overflowing garbage, parking issues, and possible construction having been completed without permits. She noted that garbage is often overflowing from garbage cans along the side of the restaurant, adjacent to her parking lot. She also noted that customers, delivery trucks, and construction workers associated with the restaurant frequently park in her private lot. Finally, she noted that she does not believe that the applicant is providing parking subsidies to customers as is required by the existing SUP. Ms. Charles submitted photographs of the overflowing garbage cans and a new set of exterior stairs that have recently been erected.

Yeon Sin Son, the applicant, spoke in support of her application, and addressed comments regarding trash and parking. She stated that she is working to increase the number of times per week that her trash is collected. She also noted that it is not only her customers and delivery drivers who are parking in her neighbor's lot, but those from other area businesses as well. She explained that she asks customers to not park in the adjacent parking lot.



KEY MAP



SUP #2009-0018

06/02/09



I. DISCUSSION

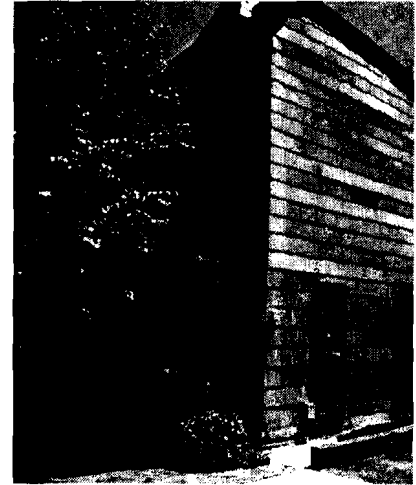
REQUEST

The applicant, Yeon Sin Son, requests approval of a special use permit amendment to allow additional seating and expand hours of operation at an existing restaurant located at 212 Queen Street.

SITE DESCRIPTION

The subject property is one lot of record with 16 feet of frontage on Queen Street, 64 feet of depth and a total lot area of 1,015 square feet. The site is developed with a two-story brick semi-detached building. Access to the property is from Queen Street.

Immediately to the north is a public surface parking lot. To the south is a commercial use (Crilley Warehouse). To the east is Bilbo Baggins restaurant and to the west is an office use.



BACKGROUND

On May 17, 1997, City Council granted Special Use Permit #97-0026 for the operation of a restaurant (coffee shop) with carry-out service located at 212 Queen Street. On February 21, 1998, City Council granted Special Use Permit #97-0181 to expand the existing coffee shop by adding seats and the on-site preparation of sandwiches. On June 26, 2003, a change in ownership was approved to transfer the ownership to Vitalino Roberto DeLeon (Special Use Permit #2003-0046).

On June 17, 2005, staff approved Special Use Permit #2005-0053 to change the ownership of the restaurant to the current owner and applicant Yeon S. Son. On October 20, 2005, City Council granted Special Use Permit #2005-0071 to change the hours of operation and to increase seating.

On April 8, 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

- Hours: The hours of operation are proposed to be 7:00 a.m. to midnight, seven days per week. This is an increase of one hour.
- Number of seats: The applicant proposes 44 seats, which is an increase of 32 seats. The additional seating will be accommodated by an expansion into the upstairs space.

- Alcohol: The applicant proposes to continue on-premises beer and wine service.
- Noise: The applicant does not expect noise audible from outside of the building.
- Entertainment: No live entertainment is proposed.
- Trash/Litter: Trash consists of regular restaurant refuse. Trash is kept behind the building and is collected three times per week.
- Loading: Loading is expected to occur between 10:00 a.m. and 11:30 a.m. three times per week.

PARKING

According to Section 8-300 (B) of the Zoning Ordinance, a lot within the central business district containing less than 10,000 square feet is not subject to parking requirements. As the restaurant is contained within the central business district, no parking is required. However, the applicant leases three spaces within the Torpedo Factory parking garage for employee parking.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CD/Commercial Downtown zone. Section 4-503 of the Zoning Ordinance allows a restaurant in the Commercial Downtown zone only with a special use permit.

The proposed use is consistent with the Old Town Small Area Plan chapter of the Master Plan which designates the property for commercial use.

II. STAFF ANALYSIS

Staff supports extending the hours, and increasing the number of seats of this restaurant on Queen Street. Currently, the twelve-seat restaurant can operate between 7:00 a.m. to 11:00 pm. The proposed increase in hours is minor, and is consistent the operating hours of other restaurants in Old Town. The additional seats will allow this successful restaurant to offer seating for more of its patrons, rather than relying mostly on carry-out business. Even with the additional seats, this will remain a small restaurant. Staff finds that even with the additional hours and seats, this relatively small operation will not negatively impact the nearby residential area.

Trash Can, Litter and Street Tree Requirements

No street trees are required in this case. There are no dead, diseased street trees or empty tree wells along the immediate block face of the property. Because the applicant was required to pay for a new trash in the past, even for its very small restaurant, no additional cans and no Litter

Fund contribution is being required now. These conditions may change as a result of Council's policy discussion on these issues scheduled for June 9.

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 business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2005-0071)
2. **CONDITION AMENDED BY STAFF:** Seating shall be provided for a maximum of ~~12~~ 44 customers. (P&Z) (~~SUP #2005-0071~~)
3. No outside dining facilities shall be located on the premises. (P&Z) (SUP #2005-0071)
4. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #2005-0071)
5. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to 7:00 a.m. to ~~11:00 p.m.~~ 12:00 midnight daily. (P&Z) (~~SUP #2005-0071~~)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2005-0071)
7. On-premises sale of wine and beer are permitted with appropriate ABC license. (P&Z) (SUP #2005-0071)
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2005-0071)
9. **CONDITION RESTORED BY PLANNING COMMISSION: CONDITION DELETED BY STAFF (See Condition 22):** ~~Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2005-0071)~~
Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2005-0071) (PC)
10. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #2005-0071)

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 #2005-0071)
12. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z)(T&ES) (SUP #2005-0071)
13. ~~**CONDITION DELETED BY STAFF (See Condition24):** The applicant shall require its employees who drive to use off street parking. (P&Z) (SUP #2005-0071)~~
14. Condition deleted by staff. (SUP #2005-0071)
15. 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 #2005-0071)
16. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall post a sign at the entrance that directs patrons to the availability of parking at nearby garages and prohibits parking on the adjacent lot as long as the property owner objects. ~~and~~ The applicant shall also offer a parking subsidy in which the regular parking price is discounted by at least \$1. (P&Z) (SUP #2005-0071) (PC)
17. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP #2005-0071)
18. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for employees. (Police) (SUP #2005-0071)
19. The applicant shall conduct employee training sessions on an ongoing basis, including part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z) (SUP #2005-0071)
20. ~~**CONDITION DELETED BY STAFF (See condition 24):** The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP #2005-0071)~~

21. **CONDITION SATISFIED:** ~~Applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES) (SUP #2005-0071)~~
22. **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)
23. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
24. 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)

STAFF: Gwen Wright, Division Chief;
Eileen Oviatt, 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 Trash can payment required by SUP2005-00071 made 12/20/2006.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-4 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am.
- R-5 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.
- R-6 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.
- R-7 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.
- C-1 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).
- C-2 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.

Code Enforcement:

- C-1 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-2 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.

Health Department:

The establishment had applied for plan review for additional dining and prep area at the second floor of the property. Plan was approved and renovation is still going on. A follow-up inspection will be conducted after the renovation is finished.

- F-1 No comment on the additional indoor seating.

Parks and Recreation:

- F-1 There are no dead, diseased street trees, or empty tree wells along the immediate block face of the subject property.
- 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:

- 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 Condition #7 of SUP #2005-0071 states "On-premises sale of wine and beer are permitted with appropriate ABC license." The Police Department concurs with the "on-premises" sales only.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2009-1012

PROPERTY LOCATION: 312 Queen St, Alex VA 22314

TAX MAP REFERENCE: 65.03-09-03 ZONE: OS

APPLICANT:
Name: YEON SIN SON

Address: 312 Queen St, Alex VA 22314

PROPOSED USE: 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.

<u>YEON SIN SON</u>	<u>[Signature]</u>	<u>3/27/09</u>
Print Name of Applicant or Agent	Signature	Date
<u>312 Queen St</u>	<u>703)299-9092</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Alex VA 22314</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 YEON SON, I hereby
(Property Address)
grant the applicant authorization to apply for the Restaurant use as
(use)
described in this application.

Name: YEON SIN SON Phone: (703) 299-9092
Please Print
Address: 217 Queen St. Alex VA 22304 Email: _____
Signature: [Signature] Date: 3/27/09

- 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.

YEON SIN SON

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.)

We currently operating a carry out
Restaurant.

We serving Sushi & Beverage

We expect 20-25 patrons ^{at a} ~~at~~ ~~the~~ ~~time~~

3-4 employees (maximum)

open 7:00 AM - 12:00 PM

No parking require. but we do have

3 Garage parking space.

~~No noise expected~~

Changed proposed ~~are~~ add seat upstairs
and extending hours.

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).

7:00 AM - 12:00 PM MON - SUN

40-45 PATRONS

B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

3-4 employees

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

Day:

Hours:

MON THUR SUN

7:00 AM - 12:00 PM

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

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

NO NOISE EXPECTED

B. How will the noise be controlled?

N/A

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

No odors expected from the proposed use.

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)

Lot ~~over~~ Food + preparation material
paper supplies such as napkins, paper towels etc.

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

~~3 times~~ per week 25 bags size 33x43 per week

C. How often will trash be collected?

3 times per week

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

I will regularly clean litter adjacent to the property.

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

Yes.

No.

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

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

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

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

Caution sign for non slipperly floor. Sanitational
sign for cleaners.

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.

There is existing ABC license on premises.

PARKING AND ACCESS REQUIREMENTS

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

- 3 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 <u> 0 </u> Does the application meet the requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> 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?

 parking Garage

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 <u> </u> Does the application meet the requirement? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

SUP #

1070010



APPLICATION

RESTAURANT

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

Current Seating: 12

1. How many seats are proposed?

Indoors: 44

Outdoors: _____

Total number proposed: 44

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

* 32 seat increase

3. Please describe the type of food that will be served:

Japanese sushi & Beverages

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:

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:
$$\begin{array}{r} \underline{34} \text{ Maximum number of patron dining seats} \\ + \quad \underline{10} \text{ Maximum number of patron bar seats} \\ + \quad \underline{\hspace{2cm}} \text{ Maximum number of standing patrons} \\ = \quad \underline{44} \text{ Maximum number of patrons} \end{array}$$

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

Momo Sashisate

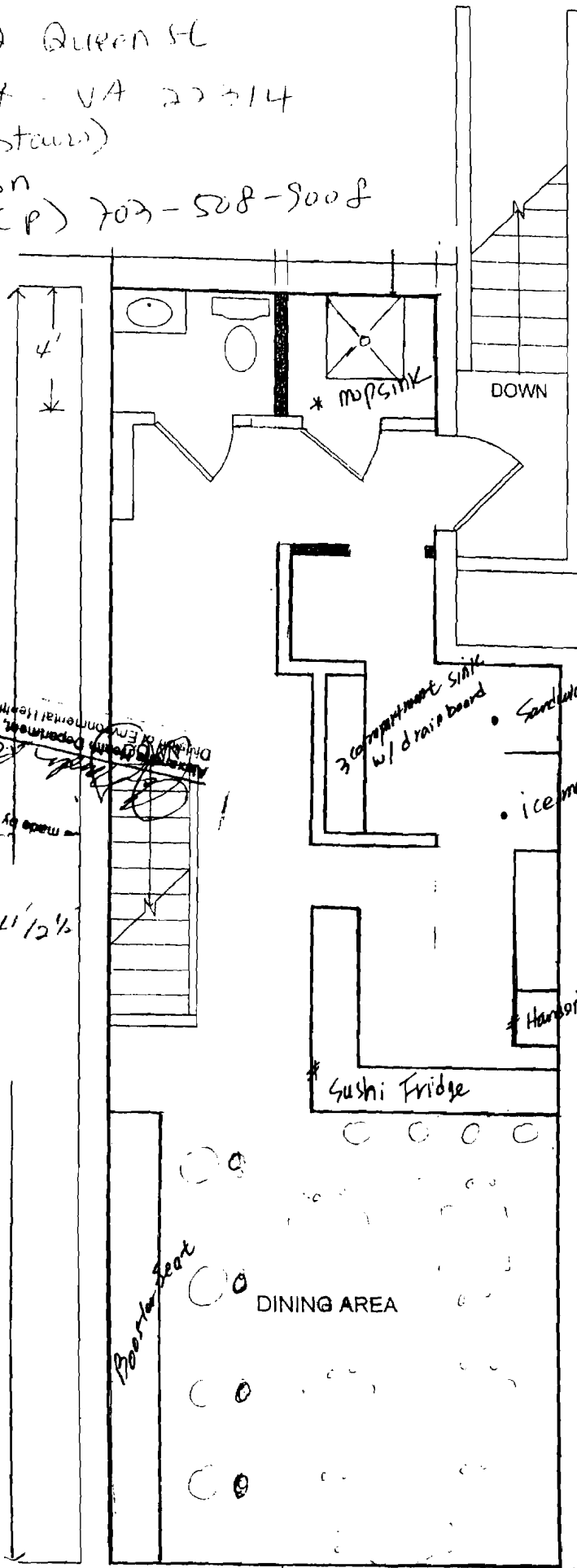
212 Queen St

Alex - VA 22314

(Upstairs)

Yeon Son
(CP) 703-528-9008

HP
703) 299-9092



Department of Environmental Health

...necessary for order
...made by field order

4' 1/2'

* Sushi Fridge

DINING AREA

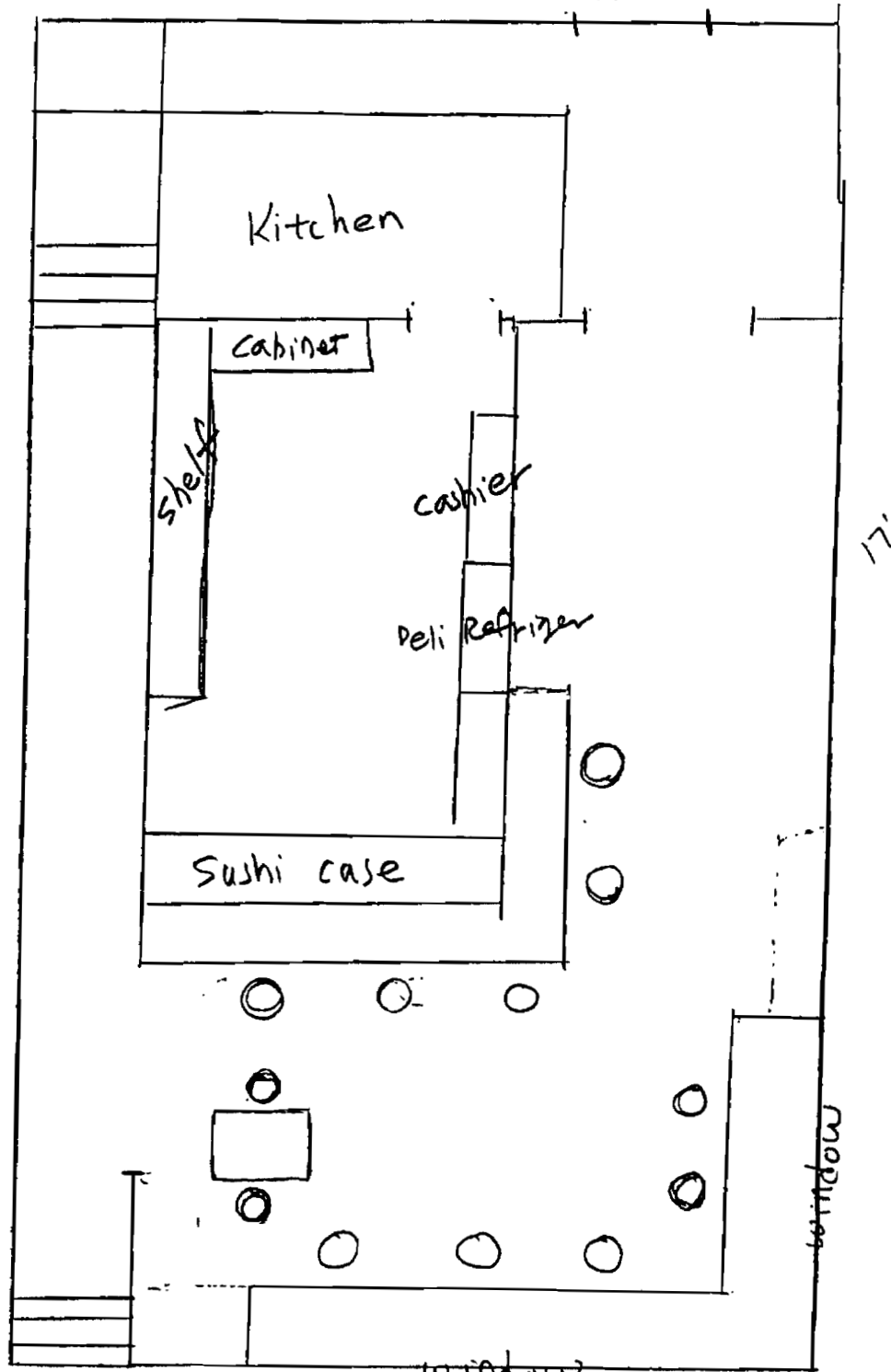
Booth Seat

SUP2005-0071

downstairs
(existing)

Back Door

BILBO
BAGGINS



ALLEY AND PARKING FOR ADJACENT BUILDING

↑ Front

10'


QUEEN ST.

22 21

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 
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.

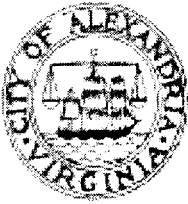
SUP #2009-0020, Landinis (docket item #14)
Remove condition 30 requiring \$575 contribution for litter fund.

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

June



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2009-0018

PROPERTY LOCATION: 212 Queen St, Alex VA 22314

TAX MAP REFERENCE: 65.03-09-03 ZONE: OS

APPLICANT:

Name: YEON SIN SON

Address: 212 Queen St, Alex VA 22314

PROPOSED USE: Restraunt

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>YEON SIN SON</u>	<u>[Signature]</u>	<u>3/27/09</u>
Print Name of Applicant or Agent	Signature	Date
<u>212 Queenst.</u>	<u>703)299-9092</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Alex VA 22314</u>		
City and State	Zip Code	Email address

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