EXHIBIT NO.

Docket Item #3 SPECIAL USE ERMIT #2008-0045

Planning Commission Meeting September 4, 2008

ISSUE: Consideration of an amendment to a special use permit to allow offpremise sale of alcohol at an existing restaurant.

APPLICANT: Kyong Yi

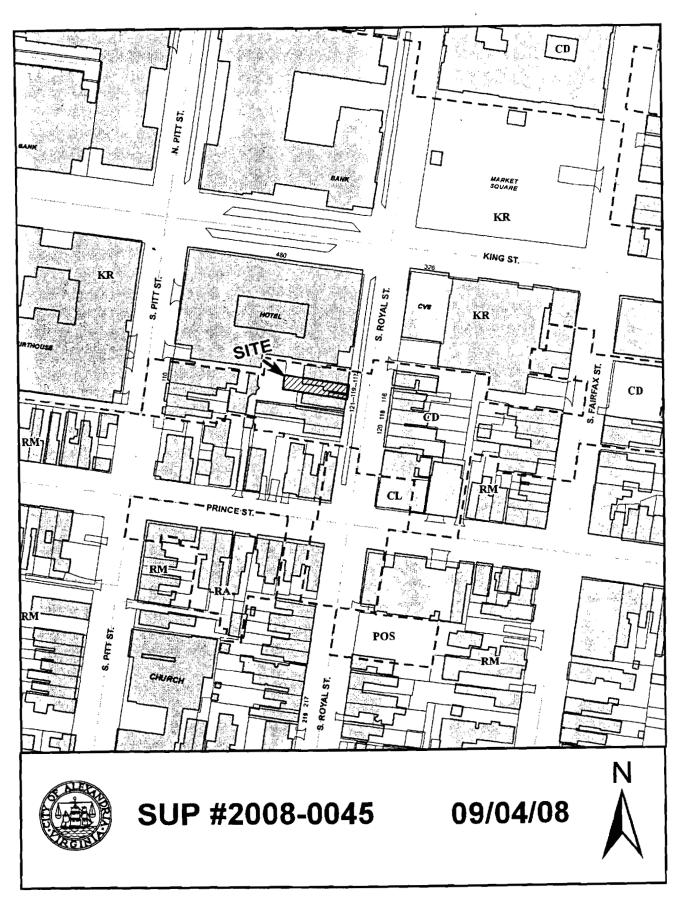
LOCATION: 119 South Royal Street

ZONE: CD/Commercial Downtown

PLANNING COMMISSION ACTION, SEPTEMBER 4, 2008: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

<u>STAFF RECOMMENDATION</u>: 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

<u>Request</u>

The applicant, Kyong Yi, requests an amendment to Special Use Permit #2007-0025 for the offpremises sale of alcohol at an existing restaurant located at 119 South Royal Street.

SITE DESCRIPTION

The subject property is one lot of record with 21 feet of frontage on South Royal Street, 93 feet of depth and a total lot area of 2,019 square feet. The site is developed with a commercial townhouse. Access to the property is from South Royal Street.

The surrounding area is occupied by a mix of retail, residential, restaurant, office, and hotel uses. Immediately to the north is Shoe Hive (retail). To the east is a vacant retail space and to the west is Restaurant Eve. To the south is Goldsmith-Silversmith (retail).



BACKGROUND

On October 12, 1991, City Council approved SUP#2532 to Vivian M. Bacon to operate a full service restaurant at 119 South Royal Street with a total of 44 seats. On October 17, 1992, City Council approved SUP#2532-A to Vivian M. Bacon for an extension to the previous special use permit approval. On October 16, 1993, City Council approved SUP#2532-B to Vivian M. Bacon for an increase in hours of operation for Tea Cozy Restaurant and to offer carry-out service. The Tea Cozy Restaurant ceased operations in February 2007. On May 12, 2007, City Council approved SUP#2007-0025, an amendment to change the ownership to Kyong Yi, the current owner, and increase the hours and number of seats for the restaurant.

On July 18, 2008, 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 proposes to offer wine and beer for off premises consumption at the existing restaurant. The applicant will retain the current seating arrangement and display beer and wine at the bar. There are no other changes proposed.

Hours: 9:00 am - 12:00 am, daily (no change)

Number of seats: 55 (no change)

Noise: There have been no noise issues (no change)

- Trash/Litter: Trash is collected daily when the business is open. Trash is stored inside or in a dumpster and staff checks for litter around the store, street frontage, alley, and nearby properties daily. (no change)
- Alcohol: On-premise alcohol sales are currently provided, off-premises sale of beer and wine is proposed.

Parking

According to Section 8-300 (B) of the Zoning Ordinance, parking provisions do not apply to restaurants located within the Central Business District.

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 CD/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 the proposed amendment to the special use permit for the restaurant. The applicant indicates that the ability to provide patrons with beer and wine for off premises consumption will be an enhancement to the existing restaurant. Since the applicant is not altering the seating arrangement and is proposing a modest display area for off-premises sales, this will be an accessory feature of the current restaurant and not a primary draw. Staff does not feel that this will have negative impacts on the neighborhood and will help the existing small business better serve their customers.

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#2532)
- 2. Seating shall be provided inside for no more than 55 patrons. (P&Z)
- 3. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2532)

- 4. Trash and garbage shall be place in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP2007-0025)
- 5. Trash and garbage shall be collected every day that service is available. (P&Z)(SUP#2532)
- 6. The hours of operation shall be limited to 7am- Midnight Daily. (P&Z) (SUP2007-0025)
- 7. CONDITION DELETED BY STAFF: On-premise alcohol sales only are permitted. (P&Z)
- 8. 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) (SUP2007-0025)
- 9. CONDITION SATISFIED: Applicant shall contribute \$500.00 to the Streetscape Beautification Fund for the installation of litter receptacles along the public right ofways. Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301King Street within 60 days of City Council approval. (T&ES)
- 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)(T&ES)(SUP#253B)
- 11. The applicant shall post the hours of operation at the entrance of the restaurant. (P&Z)(SUP#2532-B)
- 12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)(SUP#2532-B)
- 13. 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) (SUP2007-0025)
- 14. 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) (SUP2007-0025)
- 15. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES) (SUP2007-0025)

- 16. The applicant shall provide storage space for solid waste and recyclable materials lined 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) (SUP2007-0025)
- 17. The applicant shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Study. (P&Z) (SUP2007-0025)
- 18. The applicant shall comply with any requirements adopted as a part of a smoke-free restaurant ordinance. (P&Z) (SUP2007-0025)
- 19. Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health) (SUP2007-0025)
- 20. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for employees. (Police) (SUP2007-0025)
- 21. Indoor live entertainment shall be permitted to the extent that no amplified sound is audible outside 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. (P&Z) (SUP2007-0025)
- 22. <u>CONDITION ADDED BY STAFF</u>: Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- 23. <u>CONDITION ADDED BY STAFF:</u> 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)
- 24. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

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STAFF: Richard Josephson, Deputy 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:

- F-1 The applicant has purchased the receptacle. This condition has been 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 within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
- 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) (SUP2007-0025)
- 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) (SUP2007-0025)
- 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) (SUP2007-0025)
- R-4 Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- 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. (T&ES) (SUP2007-0025)
- R-6 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. A 100% parking or transit subsidy shall be provided for employees. (T&ES) (SUP2007-0025)
- R-7 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) (SUP2007-0025)

- 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. (SUP2007-0025)
- 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). (SUP2007-0025)

Code Enforcement:

F-1 No Comment

Health Department:

F-1 No Comment

Parks and Recreation:

F-1 No Comment

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.
- F-1 The applicant is seeking an "ABC On" and "ABC Off" license. After reviewing the crime database for 119 S. Royal St., the Police Department has no objections to either license subject to the following conditions for 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.

Richard
APPLICATION
SPECIAL USE PERMIT
2008-0045 SPECIAL USE PERMIT #
PROPERTY LOCATION: 119 South Royal street
TAX MAP REFERENCE: $074.02-07-02$ zone: (1)
Name: Fortaine Inc.
Address: 117 S. Royal street # 201, Alexandria, UA 22314
PROPOSED USE: Full - Solver restaunt requerting to
serve alcoholl-Beert win off-premises
THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI,

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.

NITHE 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.

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.

Kyong R. Yi	Aun 26, 2008
Print Name of Applicant or Agent	'Signature // Date
117 S. Roy al St. # 201 Mailing/Street Address	(571) 228-9290 (-703) 465-9481 Telephone # Fax #
Alexandria 1 VA 22314 City and State Zip Code	<u>Kyong Pan vi Qya har Lan</u> Email address
ACTION-PLANNING COMMISSION:	DATE:
ACTION-CITY COUNCIL:	DATE:

PROPERTY OWNER'S AUTHORIZATION
As the property owner of <u>119 S</u> , <u>Roy at Stheet</u> , I hereby (Property Address) grant the applicant authorization to apply for the <u>SUP-Self Beers</u> where as (use) $OA-pre Mders$
(use) $O(H - \psi V e V W e^{-})$ described in this application.
Name: Barton Royal Street Propertir LLC. Phone
Address: 6201 Hillval place, Alexandria VA 22307 Email:
Signature: Mar 26, 2008

SUP # 2008-00

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
 [] 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.

1002 1 stred # 201 Alexandria, WA22314

SUP # 2008-

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.)

NP ines no mi $\rho(\cdot,$.

SUP # 2008-00

USE CHARACTERISTICS

6.

- **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,
 - Y 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).

No change) Β. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift). no Manje Please describe the proposed hours and days of operation of the proposed use: Hours: Day: No Manger

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

changes anticipated $\sqrt{0}$

_ _ _

B. How will the noise be controlled?

13

SUP # 2008-00

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

9.

Mongo articipated 106 Please provide information regarding trash and litter generated by the use. Α. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers) NO nanjes anticipa Β. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week) you changes auticipation 00 C. How often will trash be collected? is usinen is operation Aill D white anjes, D. How will you prevent littering on the property, streets and nearby properties? transited to current zilon 4 10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property? No. [] Yes. If yes, provide the name, monthly quantity, and specific disposal method below:

SUP # 2008 0045

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

No. [] Yes. ۲Ŋ

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?

No major changes articipal	to
<u>current proxiam</u>	

ALCOHOL SALES

- 13.
- Α.

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.

inense to include off-premine sales of keer of wine.

•	A.	How many parking spaces of each type are provided for the proposed use: <u>N/A</u> N.fr.: Gampf from purking vegullowith Standard spaces
		Compact spaces Handicapped accessible spaces. Other.
		Planning and Zoning Staff Only
		ired number of spaces for use per Zoning Ordinance Section 8-200A the application meet the requirement? []Yes []No
	ц В.	Where is required parking located? <i>(check one)</i> N/A

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? ______

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

		SUP #2008-0045
B.	Where are off-street loading facilities located?	NIA
C.	During what hours of the day do you expect loading/	unloading operations to occur?
 D.	How frequently are loading/unloading operations exp as appropriate?	pected to occur, per day or per week,

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

street aupro to the subject proper

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
 Yes

How large will the addition be? ______ square feet.

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

 $\underline{(\mathcal{V})}$ sq. ft. (existing) + $\underline{(\mathcal{V})}$ sq. ft. (addition if any) = $\underline{(\mathcal{V})}$ sq. ft. (total)

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

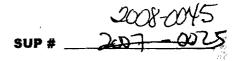
	2008-0045
SUP #	2007-0025
Admin Use	Permit #



SUPPLEMENTAL APPLICATION

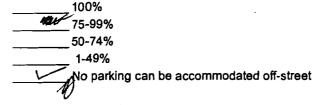
All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

1.	How many seats are proposed?
	Indoors: 55 Der mittee W SUP Outdoors: 4 Total number proposed: 59
	Lallowed by King St.
2.	
	Alcoholic beverages (SUP only)YesNo
	Beer and wine — on-premisesYesNo
	Beer and wine off-premises Yes No
3.	Please describe the type of food that will be served:
	It well specialize in (reper, It will offer.
	Crepes, gairnet sandwiches, and salads.
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?
	Will delivery drivers use their own vehicles?YesNo
	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:
	· ···
	tion SUP restaurant.pdf
3/1/06	Pnz\Applications, Forms, Checklists\Planning Commission .

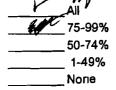


Parking impacts. Please answer the following:

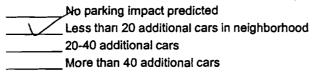
1. What percent of patron parking can be accommodated off-street? (check one)



- 2.
- . What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends?)(check one)



3. What is the estimated peak evening impact upon neighborhoods? (check one)



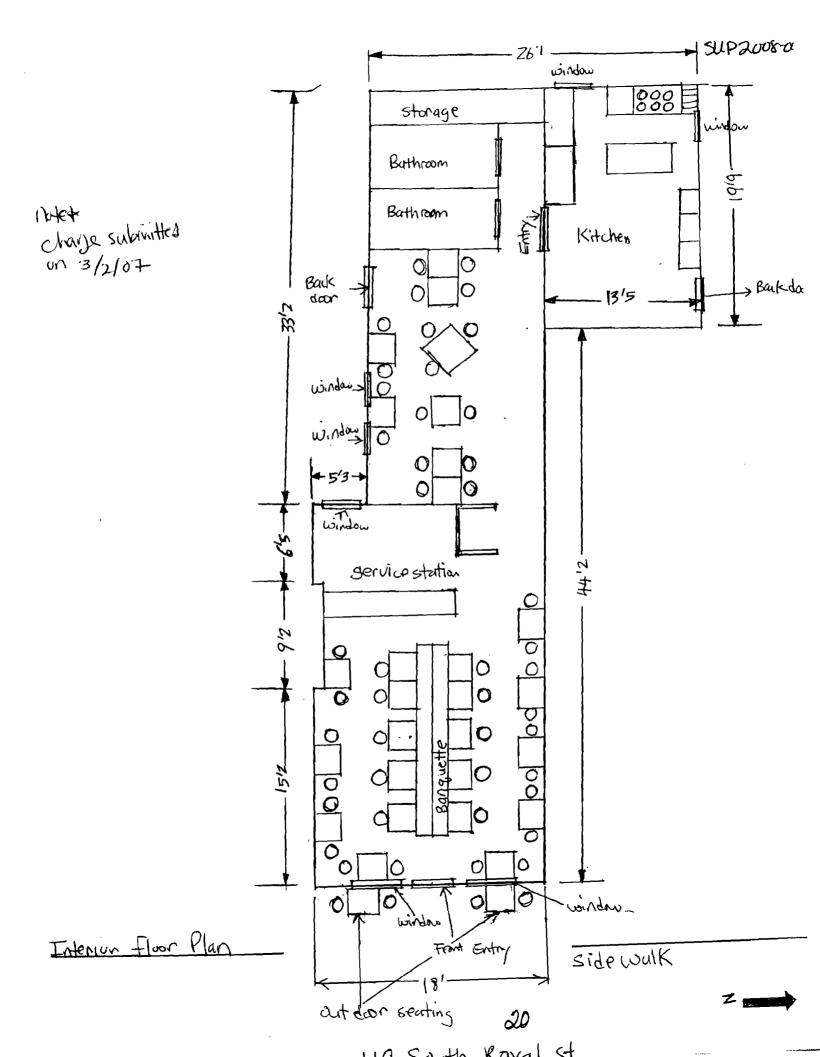
Litter plan. The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

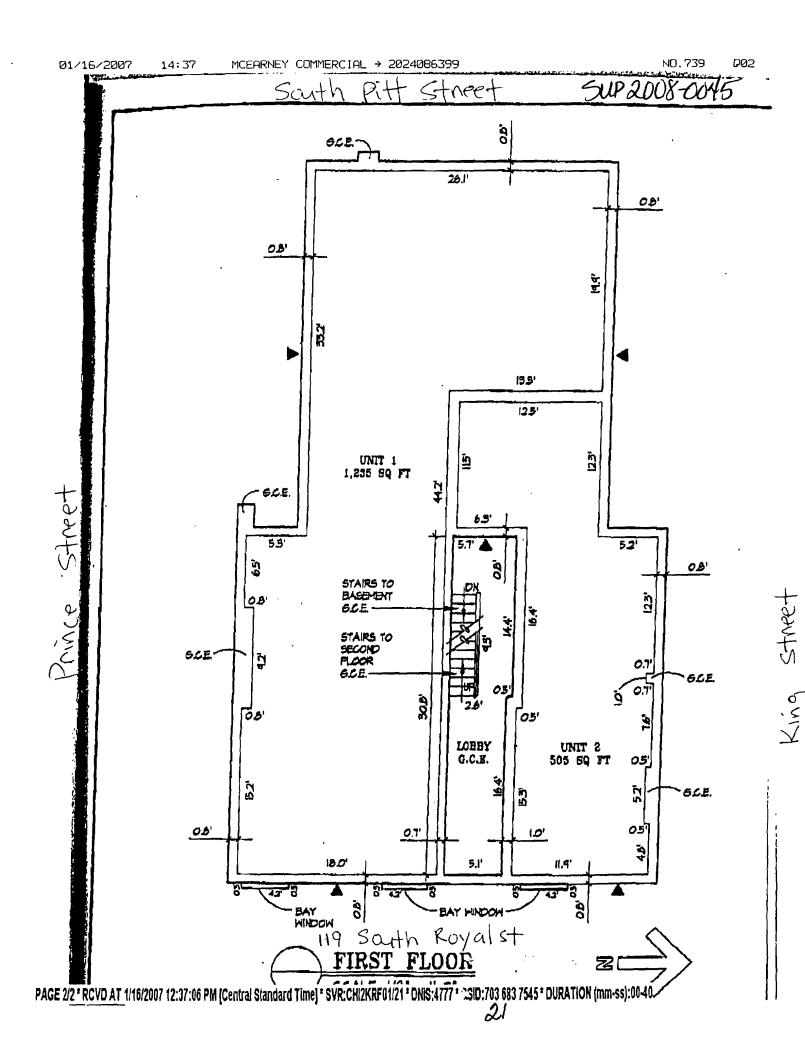
Alcohol Consumption and Late Night Hours. Please fill in the following information.

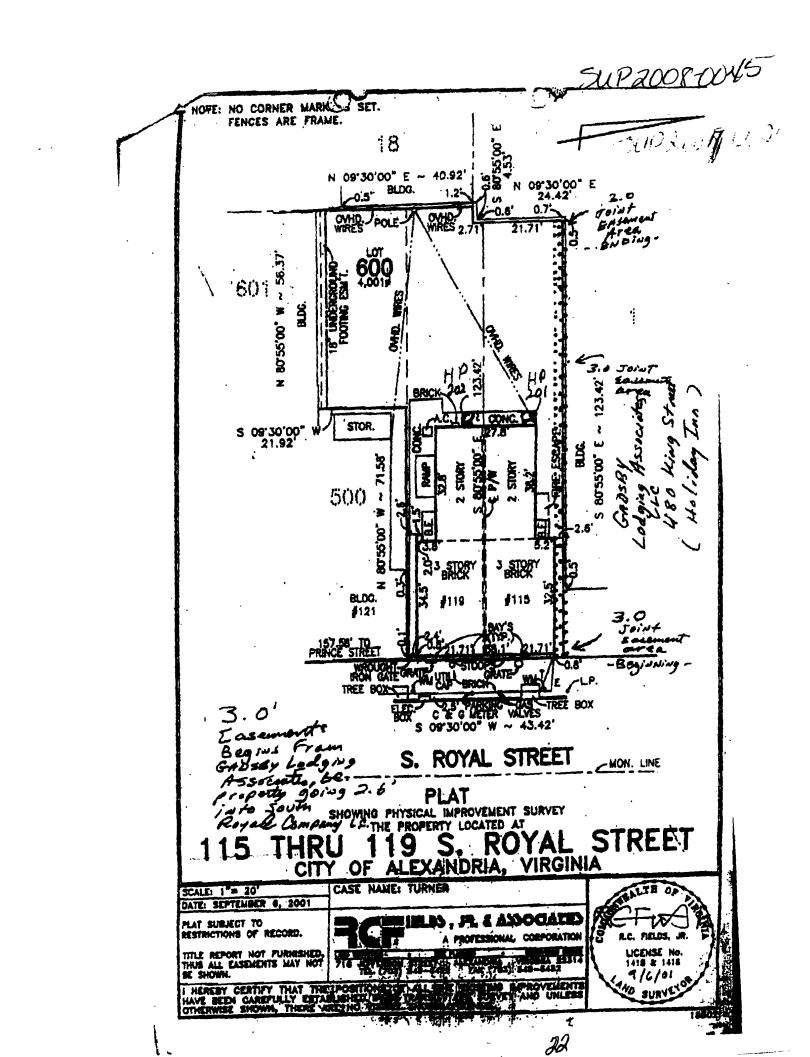
- 1. Maximum number of patrons shall be determined by adding the following:
 - 59 Maximum number of patron dining seats
 - 5 Maximum number of patron bar seats
 - Maximum number of standing patrons
 - = <u>59</u> Maximum number of patrons
- 2. <u>Maximum number of employees by hour at any one time</u>
- 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
- Application SUP restaurant.pdf

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3/1/08 Pnz\Applications, Forms, Checklists\Planning Commission







Richard
APPLICATION
SPECIAL USE PERMIT
2008-0045 SPECIAL USE PERMIT #
PROPERTY LOCATION: 119 South Royal street
TAX MAP REFERENCE: $074.02-07-02$ zone: <u>()</u>
Name: Fortaine Inc.
Address: Address: Alexandria, UA22314
PROPOSED USE:Full-Solvin restaunt regrenting to
Serve alcowed - Beer & when OA - premises TATHE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI,

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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.

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