

DOCKET ITEM #4

Special Use Permit #2009-0039
1019 King Street – Sam Phao Restaurant

5
 9-12-09

Application	General Data	
Request: Consideration of a request to add delivery service and remove Special Use Permit condition language regarding off-street parking.	Planning Commission Hearing:	September 1, 2009
	City Council Hearing:	September 12, 2009
Address: 1019 King Street	Zone:	KR/King Street Retail
Applicant: King Thai Kitchen, Inc. d/b/a Sam Phao	Small Area Plan:	Old Town

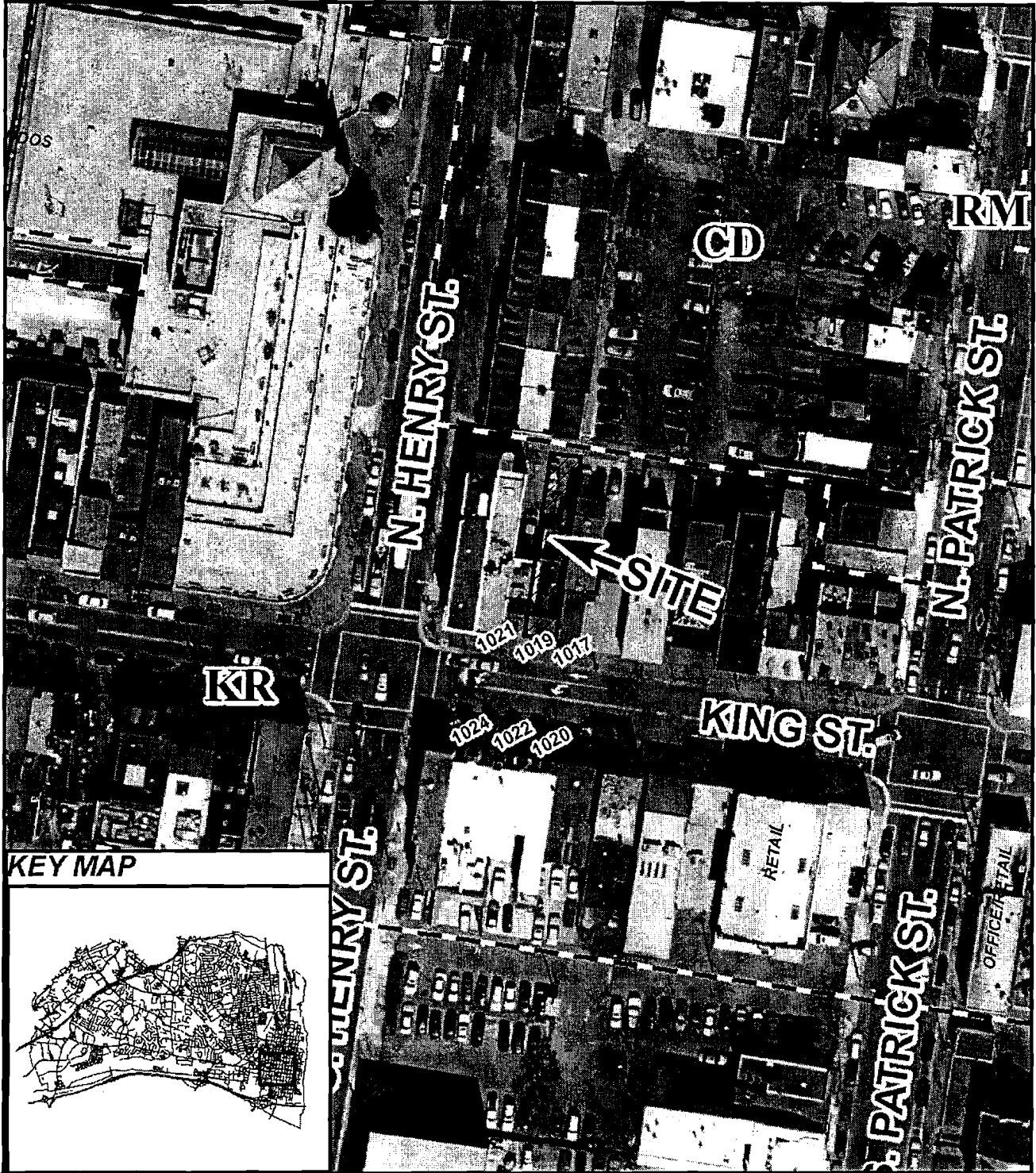
Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

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

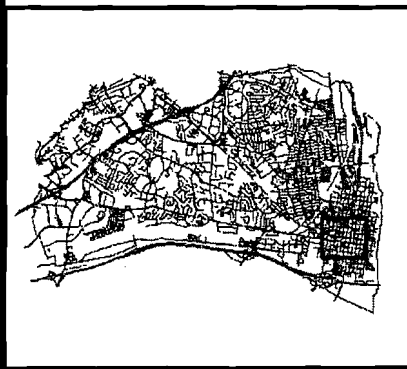
PLANNING COMMISSION ACTION, SEPTEMBER 1, 2009: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

CITY COUNCIL ACTION:



KEY MAP



SUP #2009-0039

09/01/09



I. DISCUSSION

REQUEST

The applicant, King Thai Kitchen, Inc. d/b/a Sam Phao, requests a special use permit amendment to add delivery service and remove condition language requiring off-street parking at an existing restaurant located at 1019 King Street.

SITE DESCRIPTION

The subject property is one lot of record with 15.4 feet of frontage on King Street, 100 feet of depth and a total lot area of 1,540 square feet. The site is developed with a two-story building with the subject restaurant occupying 1,470 square feet of space on the first and second floors. Access to the site is from either King Street or a public alley behind the property.



The surrounding area is occupied by a mix of retail and office uses. Immediately to the north are office townhouses. To the south are a restaurant and a home goods boutique. To the east is a children's toy store and to the west is a bookstore.

BACKGROUND

On March 24, 1990, City Council granted Special Use Permit #2359 to Quynh-Dao Nguyen for operation of a restaurant located at 1019 King Street. Ownership of the business has changed several times between 1990 and 2003. On June 14, 2003, City Council granted SUP #2003-0055 to the SFC Group, LLC to change ownership and to increase hours of operation of the restaurant. Staff administratively approved Special Use Permit #2009-0017 on May 27, 2009 to change the ownership of the existing restaurant to King Thai Kitchen, Inc.

On August 11, 2009 staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. The one violation staff found, that the applicant does not provide seven parking spaces behind the restaurant, is part of the applicant's current request.

PROPOSAL

The applicant requests removal of Condition #8 of SUP#2009-0017 requiring the provision of seven off-street parking spaces behind the restaurant to accommodate restaurant patrons and employees. The applicant also requests to add delivery service, which though not expressly prohibited in SUP conditions, was not a part of the previous owner's application in SUP2003-0055.

<u>Hours:</u>	11:00am – 10:00pm daily
<u>Number of seats:</u>	50 seats
<u>Type of service:</u>	Table service, carry-out, bar service and delivery
<u>Number of customers:</u>	No changes from prior Special Use Permit approval
<u>Alcohol:</u>	On-premises alcohol service only
<u>Entertainment:</u>	No live entertainment is proposed
<u>Delivery Vehicles:</u>	One delivery vehicle is proposed
<u>Noise:</u>	No changes from prior Special Use Permit approval
<u>Trash/Litter:</u>	No changes from prior Special Use Permit approval

PARKING

The subject property is located within the Central Business District (CBD). According to Section 8-300 (B) of the Zoning Ordinance, restaurants located within the CBD are exempt from parking requirements. However, Condition #8 of SUP#2003-0055 required the applicant to provide seven off-street spaces behind the building. As explained in more detail in Section II of this report, staff has found that the applicant does not have seven spaces available behind the building and therefore recommends changes to the SUP conditions regarding parking.

BOARD OF ARCHITECTURAL REVIEW

The location of the proposed restaurant is within the boundaries of the Old and Historic Alexandria District and is under the jurisdiction of the Old & Historic Alexandria Board of Architectural Review (BAR.) All exterior changes to the building that are visible from the public right-of-way will require the applicant to obtain approval from the Old and Historic Board of Architectural Review. Such exterior changes include, but are not limited to: the proposed signage, awnings, and lighting, and any new or replacement signage, lighting, window replacement, fencing, kitchen exhaust and/or new HVAC vents or fixtures, or other alterations visible from a public right-of-way.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the KR / King Street Retail zone. Sections 6-702(A)(2) (k) and 6-702(B)(1)(a) of the Zoning Ordinance allows a restaurant in the KR 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 retail/commercial use.

II. STAFF ANALYSIS

Staff supports the applicant's request to add delivery service at the existing restaurant and to remove a condition requiring the provision of seven off-street parking spaces behind the restaurant. The delivery service proposed by the applicant is small, reasonable, and can be accommodated at this location. The removal of the existing parking condition acknowledges that the current applicant does not have access to seven parking spaces behind the building. The removal of the condition and the addition of the existing standard condition also represent a consistent approach toward parking requirements for small restaurants along King Street.

Condition #8 requiring seven off-street parking spaces behind the restaurant first appeared in SUP#2003-0055, consistent with the prior owner's suggestion that these parking spaces were available in that location. However, the current applicant asserts that seven parking spaces do not exist on the restaurant property. Staff has confirmed that only one standard-sized parking space exists behind the building on restaurant property. Therefore staff believes that it is reasonable to correct this discrepancy.

The applicant for the current request proposes to correct this by asking for the removal of the entire condition requiring off-street parking. Staff does not object to this request since it is consistent with the more recent approach toward parking requirements for restaurants similar to the subject restaurant. In the last several years, multiple restaurants located on (or in close proximity to) King Street and with less than or approximately 100 seats have been approved by SUP with without a requirement for a specific number of reserved off-street parking spaces. Examples of such restaurants include: Sandella's, Thomas Sweet, The Burger Joint, Chipotle, Bittersweet, The Uptowner Café, and Bistrot Lafayette. In each case mentioned, staff has recommended that the restaurant be required to participate in any shared parking program that is developed as a result of the recommendations contained in the King Street Retail Strategy, a project currently underway and now known as the Old Town Comprehensive Parking Study (2009). Staff has recommended adding this condition for the current request as well.

As noted previously, the applicant seeks to add delivery service at this location. This request is reasonable and staff does not object as long as the delivery vehicle parks in the one off-street parking space located behind the restaurant. Staff has included a new condition that limits delivery service to one vehicle and requires that the vehicle be parked in that space.

Subject to the conditions contained in the staff report, staff recommends approval of this Special Use Permit 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 business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2003-0055)
2. Seating shall be provided inside for no more than 50 patrons. (P&Z) (SUP #2003-0055)
3. **CONDITION AMENDED BY STAFF:** ~~No outside dining facilities shall be located on the premises. Outdoor seating may be provided on the premises subject to approval by the Director of Planning and Zoning through the King Street Outdoor Dining Program.~~ (P&Z) (SUP #2003-0055)
4. The hours of operation shall be limited to 11:00 A.M. to 10:00 P.M., daily. (P&Z) (SUP #2003-0055)
5. No food, beverages, or other materials shall be stored outside. (P&Z) (SUP #2003-0055)
6. Condition deleted. (P&Z) (SUP #2009-0017)
7. Condition deleted. (P&Z) (SUP #2009-0017)
8. **CONDITION DELETED BY STAFF:** ~~The applicant shall provide and maintain seven off-street parking spaces behind the restaurant to accommodate restaurant patrons and employees, to the satisfaction of the Director of the Department Planning and Zoning.~~ (P&Z) (SUP #2003-0055)
9. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #2003-0055)
10. On-site alcohol service is permitted; no off-premise alcohol sales are permitted. (P&Z) (SUP #2003-0055)
11. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2003-0055)
12. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #2003-0055)

13. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #2003-0055)
14. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP #2003-0055)
15. Condition deleted. (P&Z) (SUP #2009-0017)
16. 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 #2003-0055)
17. 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. (T&ES) (SUP #2003-0055)
18. **CONDITION AMENDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements and on how to prevent underage sales of alcohol. (P&Z) (~~SUP #2003-0055~~)
19. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey and a robbery awareness program for all employees. (Police) (SUP #2009-0017)
20. Condition deleted. (P&Z) (SUP #2009-0017)
21. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year from 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 as a result of a complaint that rises to the level of a violation of the permit conditions, 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) (~~SUP2003-0055~~)
22. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2009-0017)
23. 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) (SUP #2009-0017)

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) (SUP #2009-0017)
25. ~~**CONDITION DELETED 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) (SUP #2009-0017)~~
26. Provide a menu or list of foods to be handled at this facility prior to opening. (Health) (SUP #2009-0017)
27. **CONDITION ADDED BY STAFF:** The applicant shall direct patrons to the availability of parking at nearby public garages and 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 Old Town Comprehensive Parking Study (2009). (P&Z) (T&ES)
28. **CONDITION ADDED BY STAFF:** The maximum number of delivery vehicles operating from this facility shall be one (1). The delivery vehicle shall not be parked on-street at any time when located in the vicinity of the subject property. The applicant shall provide and maintain one parking space behind the restaurant for the delivery vehicle to the satisfaction of the Director of Planning & Zoning. (P&Z) (T&ES)
29. **CONDITION ADDED BY STAFF:** Meals ordered before the closing hour may be sold, but no new patrons may be admitted after the closing hour and all patrons must leave by one hour after the closing hour. (P&Z)

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 Staff visited the site on July 31, 2009 and determined that the applicant has the available space to accommodate one parking space at the rear of the property.
- R-1 **CONDITION AMENDED BY STAFF:** The applicant shall provide and maintain ~~seven~~ one off-street parking spaces behind the restaurant ~~to accommodate restaurant patrons and employees,~~ to the satisfaction of the Director of the Department Planning and Zoning. (P&Z) (T&ES)
- R-2 **CONDITION ADDED BY STAFF:** The applicant shall direct patrons to the availability of parking at nearby public garages and 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 Old Town Comprehensive Parking Study (2009). (T&ES)
- R-3 Deliveries shall be limited to one marked vehicle. The delivery vehicle may not park on the street at anytime. (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) (SUP2009-00017)
- R-5 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. (T&ES) (SUP2009-00017)
- 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) (SUP2009-00017)
- R-7 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP2009-00017)
- R-8 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES) (SUP2009-00017)

- 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) (SUP2009-00017)
- R-10 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) (SUP2009-00017)
- 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). (T&ES) (SUP2009-00017)
- 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. (T&ES) (SUP2009-00017)

Code Enforcement:

- F-1 No Comment

Health Department:

- F-1 No Comment

Parks and Recreation:

- 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 The applicant is seeking an "ABC On" license only. The Police Department has no objections.
- F-2 The Police Department has no comments or objections to the elimination of condition #8, which requires the provision of 7 off-street parking spaces behind the restaurant.



Sept. [scribble]

APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2009-0039

PROPERTY LOCATION: 1019 King Street

TAX MAP REFERENCE: 064.03-07-30 **ZONE:** KR

APPLICANT:
Name: King Thai Kitchen, Inc.

Address: 1019 King Street, Alexandria, VA 22314

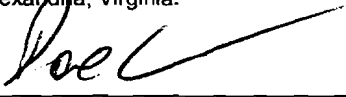
PROPOSED USE: Full-Service Restaurant

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>David Chamowitz</u>		<u>June 23, 2009</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>DLC.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 1019 King Street, I hereby
(Property Address)
 grant the applicant authorization to apply for the Restaurant use as
(use)
 described in this application.

Name: Randolph A. Payne Phone 757 336 3739
Please Print
 Address: 6258 Circle Drive, Chincoteague, VA 23336 Email: _____
 Signature: _____ Date: 23 June 2009

- 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.

Mr. Piroon Larpisal, 60/H6 Krisadanakorn 25, Soi Pradrumjai 31, BKK 10510, Thailand - 45%

Mr. Boriphat Prachakrich, 829 Quincy Street, NW, Apt B5, Washington, DC 20011 - 20%

Ms. Somsued Pajchimmakan, 829 Quincy Street, NW, Apt B5, Washington, DC 20011 - 20%

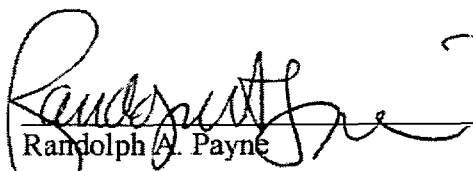
Mr. Intorn Peun-Ngarm, 122 Battle Street, SW, Vienna, VA 22180 - 15%

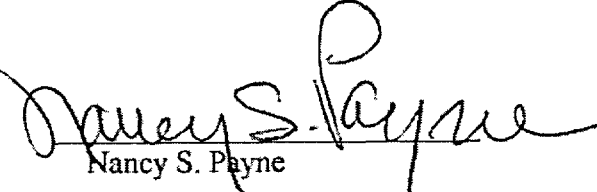
Randolph A. and Nancy S. Payne
6258 Circle Drive
Chincoteague Island, VA 23336
757.336.3739

June 25, 2009

To Whom it May Concern:

As the property owners of 1019 King Street, we hereby grant the Applicant authorization to apply for the Restaurant use as described in the application.


Randolph A. Payne


Nancy S. Payne

REVISED

AMENDED AS OF AUGUST 5, 2009

SUP # 2009-0039

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.)

In addition to the parking issue addressed previously, the Applicant notes that
the current restaurant as well as previous restaurants at this location have offered
delivery service, a matter which was not addressed by prior SUPs. The Applicant
intends to have one delivery vehicle, which will be parked on-site behind the restaurant.

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).
- No change from SUP #2009-0017
-
-

- B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).
- No change from SUP #2009-0017
-
-

6. Please describe the proposed hours and days of operation of the proposed use:
- | | |
|-----------------|--------------------|
| Day: | Hours: |
| Sunday - Sunday | 11 a.m. to 10 p.m. |
| _____ | _____ |
| _____ | _____ |

7. Please describe any potential noise emanating from the proposed use.
- A. Describe the noise levels anticipated from all mechanical equipment and patrons.
- No change from SUP #2009-0017
-
-
- B. How will the noise be controlled?
- No change from SUP #2009-0017
-
-

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

No change from SUP #2009-0017

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)

No change from SUP #2009-0017

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

No change from SUP #2009-0017

C. How often will trash be collected?

No change from SUP #2009-0017

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

No change from SUP #2009-0017

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:

Typical cleaning products found in a restaurant.

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

No change from SUP #2009-0017

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.

Beer, wine, and mixed drinks for on-premises sales

REVISED

AMENDED AS OF AUGUST 5, 2009

SUP # 2009-0039

PARKING AND ACCESS REQUIREMENTS

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

 1 Standard spaces
 0 Compact spaces
 0 Handicapped accessible spaces.
 0 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
 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? Behind building

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

No change from SUP #2009-0017

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

No change from SUP #2009-0017

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?

No change from SUP #2009-0017

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?

_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = 1,470 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: A rowhouse

End of Application

REVISED

SUP # 2009-0039

AMENDED AS OF AUGUST 5, 2009



APPLICATION

RESTAURANT

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

1. How many seats are proposed?
Indoors: 50 Outdoors: _____ Total number proposed: 50

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

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

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? 1
Will delivery drivers use their own vehicles? Yes _____ No
Where will delivery vehicles be parked when not in use?
Behind restaurant

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

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.

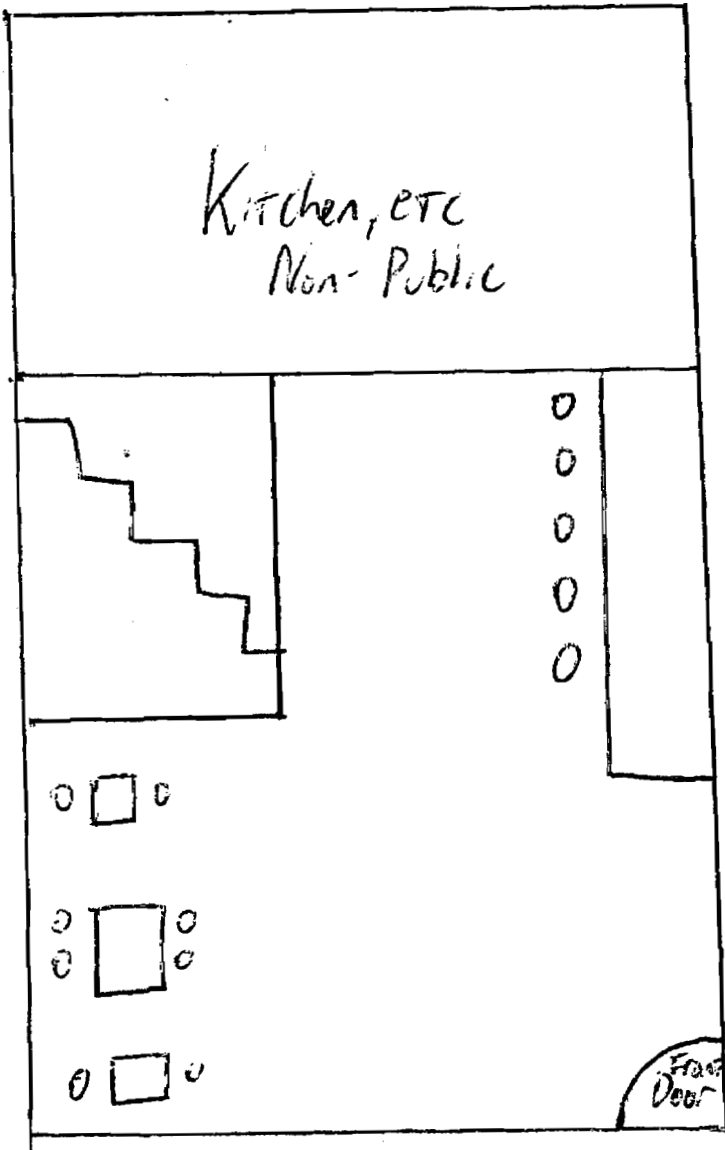
1. Maximum number of patrons shall be determined by adding the following:

	<u>45</u>	Maximum number of patron dining seats
+	<u>5</u>	Maximum number of patron bar seats
+	<u>0</u>	Maximum number of standing patrons
=	<u>50</u>	Maximum number of patrons

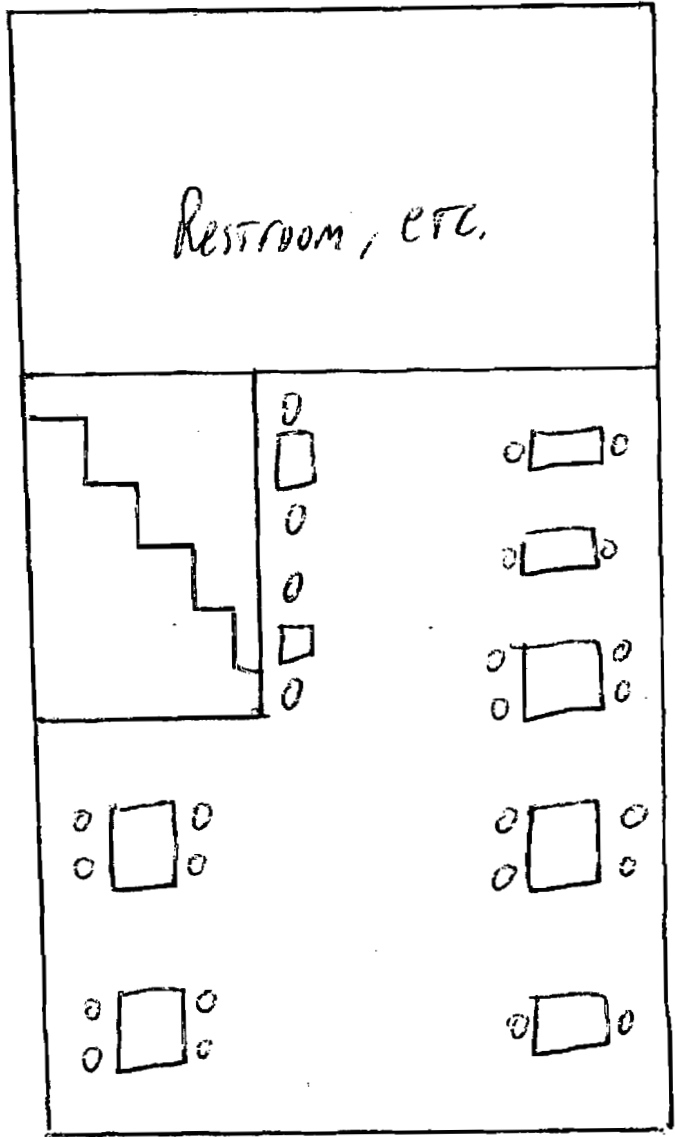
2. 5 Maximum number of employees by hour at any one time

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



1st Floor



2nd Floor

King Thai Kitchen, Inc.
1019 King St.



Sept.

APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2009-0039

PROPERTY LOCATION: 1019 King Street

TAX MAP REFERENCE: 064.03-07-30 **ZONE:** KR

APPLICANT:

Name: King Thai Kitchen, Inc.

Address: 1019 King Street, Alexandria, VA 22314

PROPOSED USE: Full-Service 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.

David Chamowitz

Print Name of Applicant or Agent

Signature

June 23, 2009

Date

307 N. Washington Street

Mailing/Street Address

703 836 5757

Telephone #

703 548 5443

Fax #

Alexandria, VA 22314

City and State

Zip Code

DLC.HCGK@Verizon.net

Email address

By unanimous consent, recommended approval
ACTION-PLANNING COMMISSION: _____ DATE: 9/11/09
CC approved PC recommendation 6-0 9/12/09
ACTION-CITY COUNCIL: _____ DATE: _____