



DOCKET ITEM #4
Special Use Permit #2010-0088
101 North Union Street #101

Application	General Data	
Consideration of a request to operate a restaurant.	Planning Commission Hearing:	March 1, 2011
	City Council Hearing:	March 12, 2011
Address: 101 North Union Street #101	Zone:	KR/King Street Retail
Applicant: Blue Zen VA, Inc, represented by Hanh Tran	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, MARCH 1, 2011: 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.



SUP #2010-0088 3/1/2011



I. DISCUSSION

The applicant, Blue Zen VA, Inc, represented by Hanh Tran, requests Special Use Permit approval to operate a restaurant at 101 North Union Street Unit #101.

SITE DESCRIPTION

The subject site is one lot of record with 115 feet of frontage on King Street, 105 feet of frontage on North Union Street, and a total lot area of approximately 12,075 square feet. A three-story office and commercial building is located on the site. Retail tenants are located on the bottom floor facing an arcade that provides pedestrian access between the corner of King & Union Streets and the waterfront. Office uses are located immediately above the first-floor retail. Icon Gallery, a retail art gallery, is currently located in the space the applicant proposes to operate its frozen yogurt shop.



The surrounding area is occupied by a mix of commercial, residential, and institutional uses. The Torpedo Factory Arts Center is located immediately adjacent to the site to the north. City-owned waterfront/marina property and the Old Dominion Boat Club are located immediately to the east along the Potomac River. Starbucks, Mai Thai, and Red Curry restaurants are located to the south across King Street. Retail uses and residential condominiums are located to the west and northwest across North Union Street.



PROPOSAL

The applicant proposes to operate an independently-owned, 768 square-foot frozen yogurt shop. Frozen yogurt, made on premises, will be sold along with related confections, coffee and other drinks. Additional elements of the applicant's proposal are as follows:

- Hours: 10:00am – 11:00pm daily
- Number of seats: 15 seats
- Type of Service: Dine-in and carry-out
- Alcohol: No alcohol service is proposed

- Entertainment: No live entertainment is proposed
- Delivery: No delivery service is proposed
- Noise: Minimal noise levels are anticipated
- Trash/Litter: Paper and plastic cups/utensil waste and other trash will be stored in the shared garbage room at 201 N. Union and collected daily

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.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the KR/King Street Retail Zone. Section 4-503(W) 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 commercial use.

II. STAFF ANALYSIS

Staff does not object to the applicant's proposal to operate a frozen yogurt shop. Despite some concern about a restaurant replacing a retail tenant, on balance, staff finds that the proposal is appropriate for this prominent corner in Old Town. It is a small restaurant use and should have a minimal impact on the surrounding area. It is also consistent with the Old Town Restaurant Policy, which requires a review of its impact regarding the balance of uses, parking, late night hours and alcohol, and litter.

Balance of Uses

The proposed restaurant would replace an existing retail use, raising concerns about maintaining the important balance between restaurant and retail uses. Staff also notes that among the variety of restaurants, retail shops, and institutional uses currently existing in this area, there are four other ice cream/frozen yogurt shops located nearby. Having too many of these businesses in the lower King Street area has the potential to negatively impact the balance of uses as a cumulative matter. However, this ice cream/yogurt shop is only 768 square feet and unlikely to impact the existing balance in a significant way. Although there are many restaurants in the immediate area, several retail tenants are also present nearby, such as other retail businesses facing the first-floor arcade in the building and along South Union Street.

On the positive side of the equation, this proposal is likely to increase pedestrian activity in this area, which could improve the condition of the existing first-floor arcade and help the existing retailers. The arcade is dark, uninviting, and disorienting, particularly for visitors. It serves as a visual barrier between King Street and the waterfront. Additional foot traffic from the proposed restaurant will help to make the arcade more active and inviting and could help to strengthen the connection between lower King Street and the waterfront. Additional activity also has the potential to draw more visitors to the Torpedo Factory Arts Center.

Parking

In regard to parking, staff believes that while there is some potential for neighborhood impacts, it is unlikely because the restaurant will have only 15 seats and is not a destination for motorists. Staff has also included standard condition language in this report (Condition #14) requiring the applicant to participate in any shared parking program that may be established in the area in the future.

Late Night Hours and Alcohol

The Old Town Restaurant Policy anticipates the possibility that a combination of late night hours and alcohol could create impacts on the surrounding neighborhood. However, this combination is not present in this case. No alcohol will be offered here and the proposed closing hour of 11:00pm is earlier than several restaurants in the area.

Litter

Generally speaking, restaurants using offering carry-out service have some potential for litter impacts. This impact is likely to be small here given the size of the restaurant and given that several trash cans are located immediately in front of the building on King and Union Streets. Staff has also included standard condition language requiring the applicant to pick up litter around the business at least twice a day and more often if necessary.

Staff concludes that the proposal is consistent with the Old Town Restaurant Policy and is a reasonable, low-impact use. It will be a positive addition to this corner of Old Town and will draw vitality into the existing first-floor arcade. Subject to the conditions contained in Section III of this 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 corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the restaurant shall be limited to between 10:00am and 11:00pm seven days/week. (P&Z)
3. The maximum number of indoor seats at the restaurant shall be 15. Additional 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)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. No live entertainment shall be permitted either inside the restaurant or in any future outdoor dining area. (P&Z)
6. No delivery service shall be available from the restaurant. (P&Z)
7. No alcohol service shall be permitted at the restaurant. (P&Z)
8. Meals ordered before the closing hour may be sold, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour and all patrons must leave by one hour after the closing hour. (P&Z)
9. 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)
10. No food, beverages, or other material shall be stored outside. (P&Z)
11. Trash and garbage shall be placed 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 or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
12. All 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)
13. 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. (PC) (P&Z)(T&ES)

14. 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 Strategy. (T&ES)
15. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
16. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
17. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
18. 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)
19. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and robbery readiness training for all employees. (Police)
20. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
21. 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, 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)

STAFF: Barbara Ross, Deputy Director, 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 This property is not located within a resource protection area. (T&ES)
- F-2 Floodplain Ordinance Exemptions: Historic Buildings & Non-substantial Improvements (T&ES)
- This project is located within a delineated 100-year floodplain defined by FEMA as a Zone AE: "Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply." The BFE for this project site is 10.5'.
 - Due to exemptions provided in the City of Alexandria's floodplain ordinance, this project is not subject to the floodplain regulations found in the ordinance. However, it is advised that project owners/operators become aware of the risks associated with the project location and it is recommended that project owners/operators located in known flood zones make improvements that protect the project from flood related damages.
General Floodplain information:
www.fema.gov
www.floodsmart.gov
www.msc.fema.gov
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
- R-2 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-3 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-4 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-5 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

- R-6 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)
- R-7 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 King Street Retail Strategy (Old Town Area Parking Study). (T&ES)
- 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)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 519-3486, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form.

- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maxi

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Six sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-3 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 508.
- C-4 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-5 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
 - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.

BAR:

F-1 101 North Union Street is located in the Old and Historic Alexandria Historic District and is under the jurisdiction of the Old and Historic Alexandria Board of Architectural Review (BAR). The application is for an SUP in order to operate a restaurant in the subject building. While no additional exterior alterations or demolition appears to be proposed for this building at 101 North Union Street, the applicant is reminded that any exterior changes to the building, which is visible from a public-right-of-way, including but not limited to installation of new signage including window decals, window replacements, roofing, repairs to the exterior masonry, exterior light fixtures, and any exterior demolition or encapsulation greater than 25 square feet requires approval by the Board of Architectural Review. It is the applicant's responsibility to inform BAR Staff should such issues develop.

Health:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 Permits must be obtained prior to operation.
- C-3 Five sets of plans of each facility must be submitted to and approved by this department prior to construction. Plans must comply with Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$200.00 fee for review of plans for food facilities.
- C-4 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

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 assessment 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 not seeking an A.B.C. permit. The Police Department concurs.



APPLICATION

SPECIAL USE PERMIT

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SPECIAL USE PERMIT # 2010-0088

PROPERTY LOCATION: 101 N. UNION ST #101 ALEXANDRIA VA 22314

TAX MAP REFERENCE: 075.01-04-03 **ZONE:** KR

APPLICANT:

Name: BLUE ZEN VA, INC.

Address: 101 North Union Street #101 (Torpedo Factory Bldg)
Alexandria Va 22314

PROPOSED USE: _____

Frozen Yogurt STORE

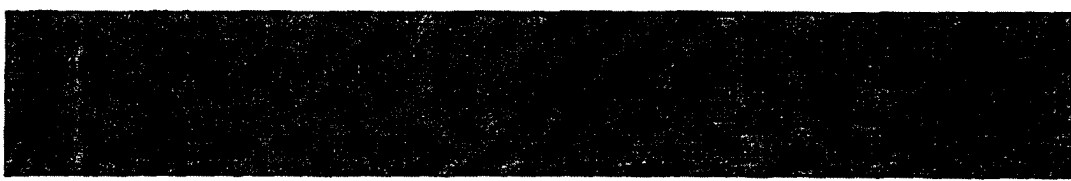
THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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>Han H Tran (Blue Zen)</u>	<u>[Signature]</u>	<u>12/25/10</u>
Print Name of Applicant or Agent	Signature	Date
<u>4926 Elm St</u>	<u>240-398-8176</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Bethesda Md 20814</u>	<u>TO LISA P 2 @ Yahoo. com</u>	
City and State	Zip Code	Email address



PROPERTY OWNER'S AUTHORIZATION

As the property owner of 601 W. UNION ST. ALEXANDRIA VA 22314, I hereby
(Property Address)
grant the applicant authorization to apply for the FROZEN YOGURT use as
(use)
described in this application.

Name: CARY S. BAKER Phone: 703-684-0222
Please Print
Address: 2011 W. UNION ST ALEXANDRIA VA. Email: CSBAKER@CCOLLS.COM.
Signature: [Handwritten Signature] Date: 12-17-10

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 of
- Other: Property Manager 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.

OWNERSHIP AND DISCLOSURE STATEMENT
Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. HANH TRAN	74926 ELM ST	33.33%
2. PHUC TRAN	BETHESDA MD	33.33%
3. HUONG TRAN	20814	33.33%

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 101 N. UNION ST (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. ALEXANDRIA	201 N. UNION ST	100%
2. WATERFRONT ASSO. LLC	ALEX. VA	
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. HANH TRAN	NONE	NONE
2. PHUC TRAN	↓	↓
3. HUONG TRAN		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

12/15/10 Hanh Tran [Signature]
Date Printed Name Signature

12/15/10 GIOM NGUYEN [Signature]
ESQ

Pg 3.

SUP # 2010-0088

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.

THE LAW OFFICE HAS LICENSE IN FAIRFAX, VA

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.)

MAKING YOGURT FROM MILK AND
REQUIRED INGREDIENTS UNDER
SUB ZERO TEMPERATURE CONDITION.

SELLING FROZEN YOGURTS
TO PUBLIC DURING ALL SEASONS

S K

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).
UNKNOWN DUE TO NEW LOCATION
FROM 10:00AM TO 11:00PM
- B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).
FOUR TO FIVE
9:30AM TO 11:30PM

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

Day: 7 DAYS PER WEEK Hours: 10:00AM TO 11:00PM

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

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.
MINIMUM
- B. How will the noise be controlled?
AS NEEDED

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

EXPECTED TO BE NONE

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)
PAPER BOXES, PAPER OR PLASTIC CUPS
AND SPOONS

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

C. How often will trash be collected?
FOLLOWING BUILDING SCHEDULE

D. How will you prevent littering on the property, streets and nearby properties?
STORE WILL PROVIDE TRASH CONTAINERS
BOTH INSIDE AND OUTSIDE THE STORE -

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?

NONE AT THIS TIME - STORE OWNER
WILL PROVIDE MEASURES AS REQUIRED
By LOCAL AUTHORITY

ALCOHOL SALES

13.

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

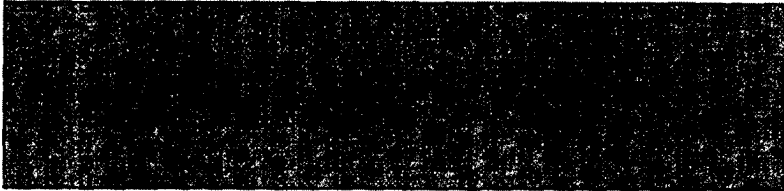
[] Yes No

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

PARKING AND ACCESS REQUIREMENTS

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

- NONE Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.



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?

PUBLIC METERED PARKINGS

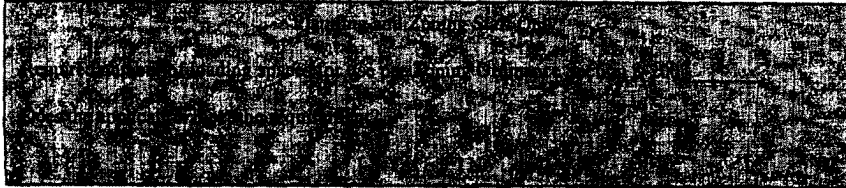
PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, 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? NONE



B. Where are off-street loading facilities located? FROM STREET

C. During what hours of the day do you expect loading/unloading operations to occur?
10:00 AM -> 12:00 AM

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

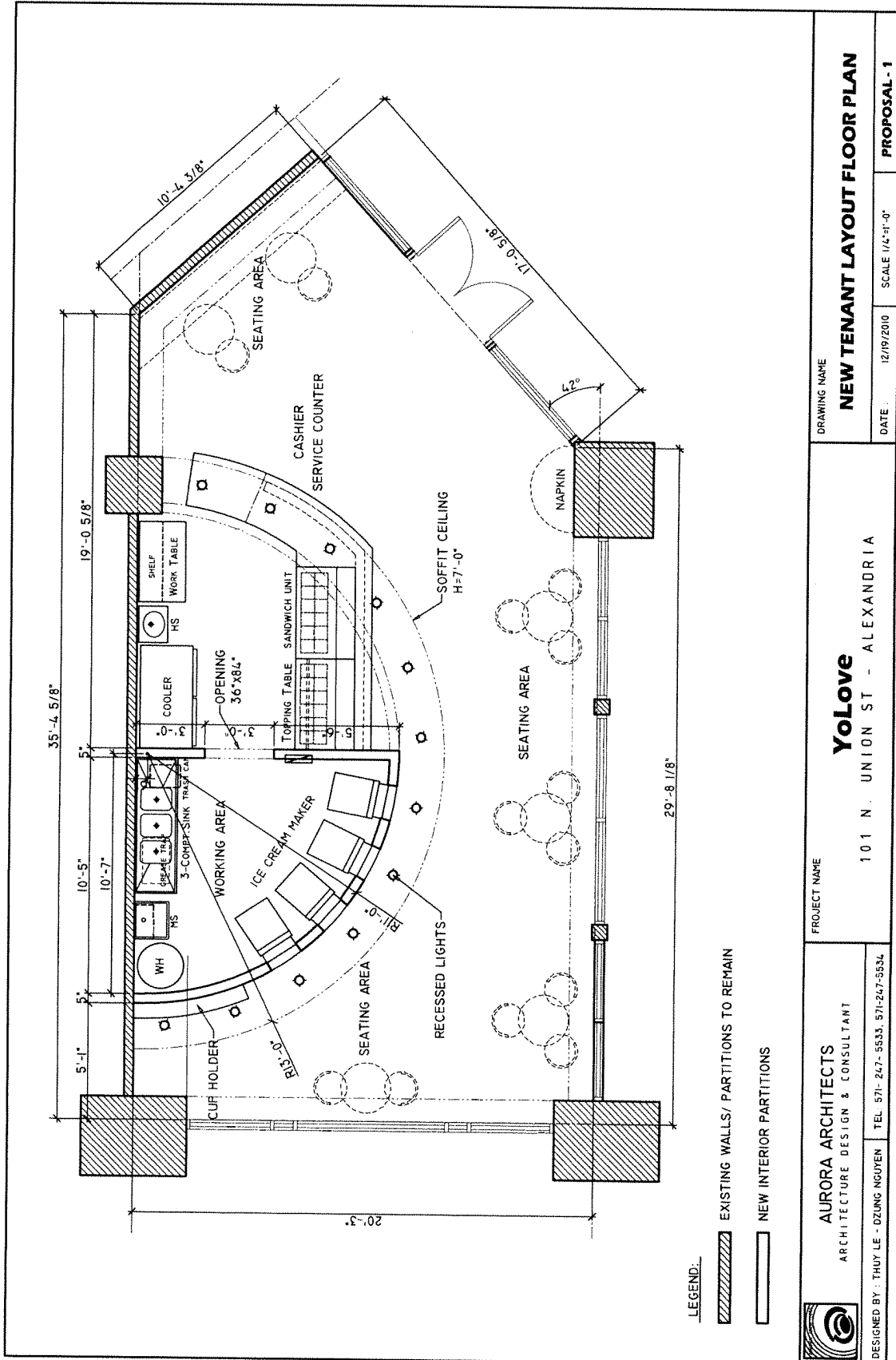
SITE CHARACTERISTICS

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?
768 sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ 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: TORPEDO ROW
 an office building. Please provide name of the building: _____
 other. Please describe: _____

End of Application



LEGEND:
 [Hatched Box] EXISTING WALLS/ PARTITIONS TO REMAIN
 [Solid Line Box] NEW INTERIOR PARTITIONS

 AURORA ARCHITECTS ARCHITECTURE DESIGN & CONSULTANT	PROJECT NAME YoLove 101 N. UNION ST - ALEXANDRIA	DRAWING NAME NEW TENANT LAYOUT FLOOR PLAN
	DESIGNED BY: THUY LE - DZUNG NGUYEN TEL: 571-247-5533, 571-247-5534	DATE: 12/19/2010 SCALE: 1/4"=1'-0"

SUP 2010-0088

BURNS & ASSOCIATES

ARCHITECTURAL
ENGINEERING
PLANNING &
INTERIOR DESIGN
201 SOUTH UNION STREET
ALEXANDRIA, VIRGINIA 22314
703.836.1234
WWW.BURNSANDASSOCIATES.COM

PROJECT DESCRIPTION:
REALCO

GENUS UNIT PROJECT
10 NORTH UNION STREET
ALEXANDRIA, VIRGINIA 22314

PROJECT NO: 29003
DATE: 03.13.09
DRAWN BY: A
CHECKED BY: OR
APPROVED BY: OR
REVISIONS:

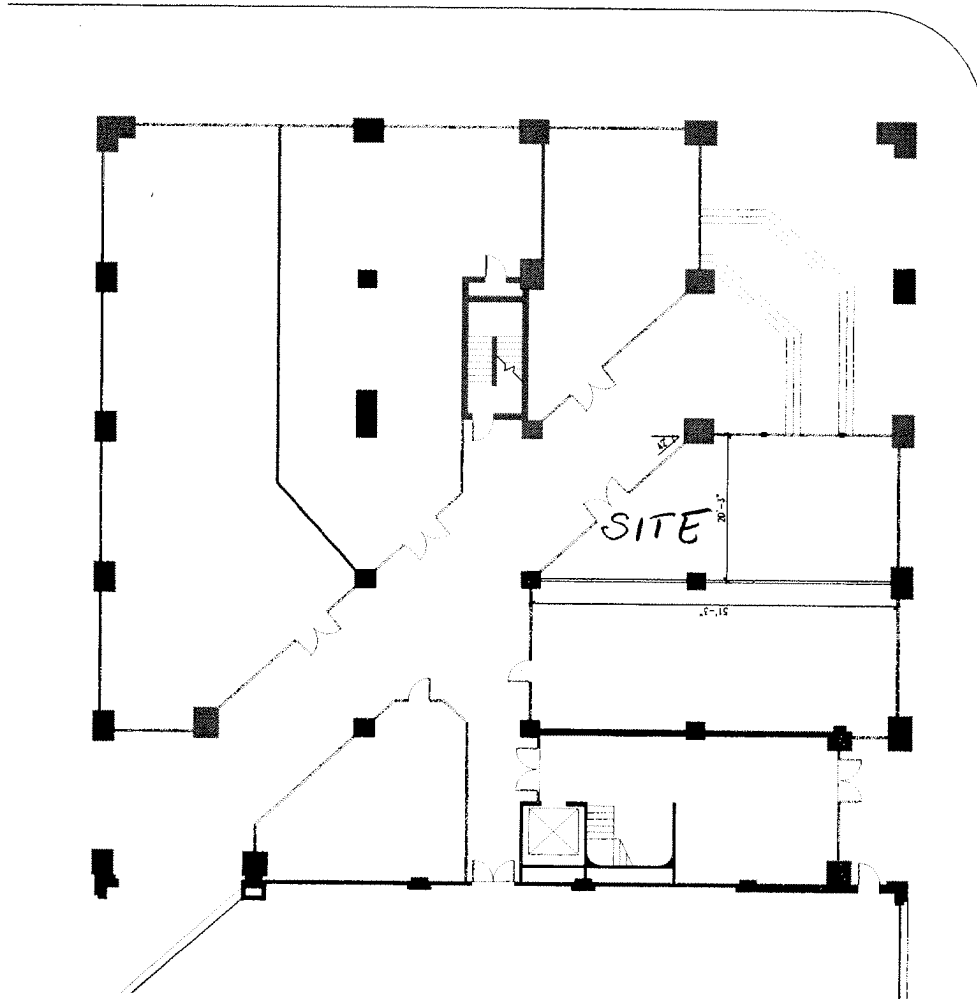
TITLE:
GROUND FLOOR PLAN

SCALE: AS SHOWN
SHEET:

A1.1

COPY OF THIS DRAWING IS ASSOCIATES
THIS DRAWING MAY NOT BE REPRODUCED
WITHOUT THE EXPRESSED WRITTEN
AUTHORIZATION OF BURNS & ASSOCIATES

KING STREET



UNION STREET

① GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



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: 15 Outdoors: 0 Total number proposed: 15

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:

Frozen YOGURTS

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? NONE

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:
$$\begin{array}{r} 15 \\ + \\ 5 \\ = 20 \end{array}$$

Maximum number of patron dining seats
Maximum number of patron bar seats
Maximum number of standing patrons
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

Mar



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2010-0088

PROPERTY LOCATION: 101 N. UNION ST #101 ALEXANDRIA VA 22314

TAX MAP REFERENCE: 075.01-04-03 ZONE: KR

APPLICANT:

Name: BLUE ZEN VA, INC.

Address: 101 North Union Street #101 (Torpedo Factory Bldg) Alexandria Va 22314

PROPOSED USE:

Frozen Yogurt STORE

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.

Hanh Tran (Blue Zen) [Signature] 12/25/10
Print Name of Applicant or Agent Signature Date
4926 Elm St 240-398-8176
Mailing/Street Address Telephone # Fax #
Bethesda Md 20814 ToLISA@2@yahoo.com
City and State Zip Code Email address



P.C Action: By unanimous consent recommended approval 3/11/11
CC Action: CC approved PC recommendation 6-0 3/12/2011