



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 500 John Carlyle St. Alexandria, VA 22314
TAX MAP REFERENCE: Coordinated Development District ZONE: CDD#1

APPLICANT

Name: Sung Wook Cho on behalf of Jemyrock, Inc.
Address: 800 John Carlyle St. #408 Alexandria, VA 22314

PROPERTY OWNER

Name: Post Carlyle Square
Address: 14401 Northside Parkway Suite 800 Atlanta GA 30327

SITE USE and property Restaurant

Existing business name: Italian Gourmet Deli & Market

THE UNDERSIGNED hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

THE UNDERSIGNED hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Sung wook Cho
Print Name of Applicant or Agent

[Signature]
Signature

800 John Carlyle St. #408
Mailing/Street Address

(571) 991-5007
Telephone #

Alexandria VA 22314
City and State Zip Code

bloodrot@naver.com
Email address

03/03/2014
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____	Fee Paid: \$ _____
Legal advertisement: _____	_____
ACTION - PLANNING COMMISSION _____	ACTION - CITY COUNCIL: _____

The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2011-0018

Date approved: 06 / 07 / 2011
month day year

Name of applicant on most recent special use permit Pukhraj Kapoor

Use Restaurant

2. Describe below the nature of the *existing operation in detail* so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

~~Restaurant and off-premises alcohol sales (only). Hours of operation is from 6:00 am to 9:00 pm daily. There are 20 indoor seats and 15 outdoor seats available. Average number of customers per day is 15 to 20. There are four (4) employees each day. Deliveries occur after 7:00 am three (3) to four (4) times a week in the nearby on-street loading space. There is an on-site garage for employees and public parking garage is available during limited hours.~~

4. Is the use currently open for business? Yes No

If the use is closed, provide the date closed. _____ / _____ / _____
month day year

5. Describe any proposed changes to the conditions of the special use permit:

No change proposed.

6. Are the hours of operation proposed to change? Yes No

If yes, list the current hours and proposed hours:

Current Hours:	Proposed Hours:
_____	_____
_____	_____
_____	_____
_____	_____

7. Will the number of employees remain the same? Yes No

If no, list the current number of employees and the proposed number.

Current Number of Employees:	Proposed Number of Employees:
_____	_____

8. Will there be any renovations or new equipment for the business? _____ Yes No
If yes, describe the type of renovations and/or list any new equipment proposed.

9. Are you proposing changes in the sales or service of alcoholic beverages? _____ Yes No
If yes, describe proposed changes:

10. Is off-street parking provided for your employees? Yes No

If yes, how many spaces, and where are they located?

There is an on-site garage available to employees.

Lease provides the tenant with the option to lease up to 2 parking spaces at \$125 per month for employees

11. Is off-street parking provided for your customers? Yes No

If yes, how many spaces, and where are they located?

Public parking is available in the Patent & Trademark Office parking garage across John Carlyle Street.

12. Is there a proposed increase in the number of seats or patrons served? Yes No

If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

Proposed:

13. Are physical changes to the structure or interior space requested? Yes No

If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? Yes No

If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Proposed:

15. The applicant is the (check one) Property owner Lessee

other, please describe: _____

16. The applicant is the (check one) Current business owner Prospective business owner

other, please describe: _____

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

The applicant, Jemyrock, Inc., is 100% owned and controlled by Sung Wook Cho.

Post Carlyle I, LLC 100% owner of property

FOR YOUR INFORMATION

Special Use Permits Eligible for Administrative Approval

Certain uses of land that have potentially negative impacts on surrounding properties require special use permit approval from City Council. The City Council may impose conditions on the operation of the special use in order to protect the health, safety and welfare of the surrounding area. For new uses and for intensifications or amendments of existing uses, the Planning Commission and City Council conduct public hearings and decide whether to approve the request. The Director of Planning and Zoning, however, may approve a special use permit administratively if it is only a change in ownership or a minor amendment of a previously approved special use permit.

Special Use Permit for Change of Ownership

If the existing special use permit for an operation restricts the ownership of the use, a prospective owner may not take ownership of the operation until he receives special use permit approval for the change of ownership. Pursuant to Section 11-503, the director may approve the change and transfer the special use permit to a new owner, if the following conditions apply:

- 1) The applicant is not requesting a change in the conditions of the special use permit;
- 2) there have been no substantiated violations of the special use permit conditions;
- 3) there are no changes proposed or anticipated in the operation of the use involved;
- 4) the director has concluded that no new conditions or no amendments to existing conditions are necessary; and
- 5) following notice of the application in a newspaper of general circulation in the City, no person has requested that the director forward the application to the Planning Commission or City Council.

If the application does not meet any one of the above conditions, it must be docketed for the next available Planning Commission and City Council public hearings. If the Director approves a special use permit for change in ownership, the new owner must sign an agreement stating that he/she will to continue to comply with the special use permit conditions.

Special Use Permit for Minor Amendment

Pursuant to Sections 11-509 and 11-511 of the zoning ordinance, the director may approve minor amendments to approved special use permits. Only changes that constitute no more than a minimal enlargement or extension of the special use permit or that are so insignificant they will have little or no zoning impact on the surrounding neighborhood are eligible for administrative approval. If a change will intensify the use, it requires Planning Commission and City Council approval. Changes that intensify a use include any increase in the following:

- 1) Hours of operation;
- 2) number of seats;
- 3) number of employees, visitors or customers; or
- 4) number of vehicle trips generated.

The Director may not administratively approve minor amendments if any of the following apply:

- 1) He/She has received written or oral complaints that the use is in violation of the zoning ordinance;
- 2) at the time the special use permit was approved, opposition was presented to the Planning Commission or City Council; or
- 3) new conditions or amendments to existing conditions are necessary.

Notice of the application is published in a newspaper of general circulation in the City and is sent to docket subscribers.

Approval Process

For both change in ownership and minor amendment special use permits, the approval process generally takes between four and six weeks from the time an application is submitted. During that time, staff will review the application, inspect the subject property for compliance with special use permit conditions and advertise the proposed change in the newspaper to provide an opportunity for citizens to comment on the change and, in the case of minor amendments, send notice to the Planning Commission and City Council members. If the Director determines that the Planning Commission and City Council must consider the application, he/she will docket the application for the next available Planning Commission and City Council hearings. At that time, the Director may require additional information regarding the application.



CITY OF ALEXANDRIA, VIRGINIA
DEPARTMENT OF PLANNING AND ZONING

RECEIPT

Applicant's Name Sung Wook Cho Telephone Number 571 991 5007
Mailing Address 800 John Carlyle St. Apt 402, Alex, VA 22314
Property Location 500 John Carlyle St

Account Numbers:

- 105777-9133 (DSUP/DSP/TMP SUP)
- 105804-9133 (BZA/Zoning/SUP)
- 105809-9133 (BAR/Hist. Pres.)

Application Type:

- Special Use Permits
- TMP SUP
- Prelim DSUP/DSP
- Final DSUP/DSP
- Rezoning
- Subdivisions
- Board of Zoning Appeals
- Board of Architectural Review
- Zoning Compliance Letter
- _____

Amount Paid

250.00

Code Enforcement Fees

- 380584-9024 (DSP) \$ 200.00
- 380584-9025 (SUP) \$ 75.00
- 380584-9026 (DSUP) \$ 75.00

105804-9135

Vacations

Encroachments

105108-2501-001008

Political Sign Bond

303390-9056

Historic Preservation Fines

105108-9131

Tax Maps

Copying Charges

Documents

GIS DVD

TOTAL

250.00

FOR INTERNAL USE ONLY

Date Received 3/12/14 Staff Name (Print) Ann Horowitz
 Cash Check Check Number 684 Check Date 3/4/14
 Credit: M/C, Visa Payer Sung Wook Cho
 (Please circle)



SHIN LAW
GROUP



March 4, 2014

City of Alexandria
Planning Commission
301 King Street, Room 2100
Alexandria, VA 22314

Attn: Anne

Re: Administrative Change of Ownership
Property Location: 500 John Carlyle St. Alexandria, VA 22314
Applicant: Jemyrock, Inc. (Sung Wook Cho)

Dear Planning Commission:

We are pleased to submit the attached application for administrative change of ownership on behalf of Jemyrock, Inc.

Enclosed you will find the completed application along with a check in the amount of \$250.00 to cover filing fees.

Please feel free to call our office for any questions you might have.

Thank you.

Sincerely yours,

Tae Alex Kwak
Attorney for Applicant

Ann Horowitz

From: Alex Kwak <alex@shinlegal.com>
Sent: Tuesday, March 11, 2014 11:25 AM
To: Ann Horowitz
Subject: Fwd: Additional info for Jemyrock SUP application
Attachments: SUP documents.pdf

Ann:

Are the responses from the landlord sufficient? If yes, I will prepare my responses on our letter head.

Thank you.

Alex

----- Forwarded message -----

From: Dianne Slotnick <Dianne.Slotnick@postproperties.com>
Date: Tue, Mar 11, 2014 at 10:54 AM
Subject: RE: Additional info for Jemyrock SUP application
To: Alex Kwak <alex@shinlegal.com>, Raj Kapoor <amanlala@hotmail.com>

Alex – I'm a bit confused by the questions below. I've been a part of three different SUP applications and have never been asked these questions before. I've attached Raj's SUP when he submitted in 2011.

1. The lease states that the tenant has the option to lease up to 2 parking spaces at \$125 per month for employees.
2. Customers have the ability to park on the street, and in any parking garage available (there are several within walking distance – not just the Patent Office)
3. Post Carlyle I, LLC is the owner of the space – 100%.

Let me know if you have any other questions.

From: Alex Kwak [<mailto:alex@shinlegal.com>]
Sent: Tuesday, March 11, 2014 10:22 AM
To: Raj Kapoor; Dianne Slotnick
Subject: Fwd: Additional info for Jemyrock SUP application

Raj:

Forwarded to is a list of questions that need to be addressed.

Could you guys help us answer the questions above?

Alex Kwak

----- Forwarded message -----

From: **Ann Horowitz** <ann.horowitz@alexandriava.gov>

Date: Mon, Mar 10, 2014 at 2:27 PM

Subject: Additional info for Jemyrock SUP application

To: "alex@shinlegal.com" <alex@shinlegal.com>

Hi Alex,

Please respond to the following questions and return to me so we can begin to process the application.

Thank you.

Ann

What is the proposed business name and type of restaurant?

Page 5, #10

How many spaces are available to employees in the garage?

Page 5, #11

How many spaces are available to customers in the Patent and Trademark Office parking garage?

Page 6, #17

Add the name of the property owner(s) and the percentage(s) of ownership in the property.

Ann Horowitz

Urban Planner, City of Alexandria

Department of Planning and Zoning

City Hall

301 King Street, Room 2100

Alexandria, VA 22314

703-746-3821 (direct line)

703-838-6393 (fax)

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Tae Alex Kwak, Esq.

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Fax (571) 405-6543



DOCKET ITEM #3

Special Use Permit #2011-0018
500 John Carlyle Street - Italian Gourmet Deli & Market

Application	General Data	
Consideration of a SUP amendment to allow off-premises alcohol at an existing restaurant.	Planning Commission Hearing:	June 7, 2011
	City Council Hearing:	June 25, 2011
Address: 500 John Carlyle Street (Parcel Address: 520 John Carlyle Street)	Zone:	CDD#1/ Coordinated Development District
Applicant: Pukhraj Kapoor	Small Area Plan:	Eisenhower East

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 Reviewer: Nathan Randall nathan.randall@alexandriava.gov

CITY COUNCIL ACTION, JUNE 25, 2011: City Council approved the Planning Commission recommendation with an amendment to condition #26 stating that “Supply deliveries, loading and unloading activities shall occur between the hours of 7a.m. - 7p.m.”.

PLANNING COMMISSION ACTION, JUNE 7, 2011: On a motion by Mr. Dunn, seconded by Mr. Jennings, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and with a new condition (#27) requiring the applicant to remove all tables and chairs from the outdoor dining area each night for after-hours storage inside the building. The motion passed on a vote of 5-0, with Mr. Wagner and Mr. Robinson absent.

Reason: The Planning Commission agreed with the staff analysis and with a neighbor’s request to require the applicant to bring tables and chairs from the outdoor dining area inside each night to prevent potential loitering issues.

Speakers:
 Ravi Miryala, representing the applicant, spoke in support of the request and answered questions from the Planning Commission.

Elizabeth Smith, neighbor, asked for clarification about trash receptacles near the site and asked the Planning Commission to limit loading/unloading hours to match those of the neighboring convenience store and to require the applicant to bring in tables and chairs from the outdoor dining area each night to prevent their after-hours use.



SUP#2011-0018

6/7/2011



I. DISCUSSION

The applicant, Raj Kapoor, requests a Special Use Permit amendment to allow off-premises alcohol sales at his existing restaurant and gourmet market at 500 John Carlyle Street.

SITE DESCRIPTION

The subject site is a 1,910 square-foot tenant space located on the ground level of the four-story Carlyle Square Condominium building, a mixed-use building containing retail uses on the ground floor and residential condominiums above. The site is located on one lot of record, known as Carlyle Block L, comprising 77,228 square feet of area. The property has frontage on John Carlyle Street, Emerson Lane, and Ballenger Avenue.



The surrounding area features a mix of commercial and residential uses. Other retail tenants on the same property include Jerry's Subs, ACKC Chocolates, Frizzles Salon, and 7-Eleven. Two office buildings with first-floor retail space, including a Starbucks franchise, are located to the west and northwest. A multi-story residential apartment, known as the Meridian at Carlyle, and residential townhouses are located to the north. The multi-story Carlyle Square Apartments are located to the east, facing Holland Lane. Carlyle Block O, which will feature multi-story residential buildings, is currently under construction to the south.

BACKGROUND

The Carlyle Master Plan was first approved by SUP in 1990, and has been amended several times since then, most recently in March 2010 (SUP#2009-0081). Staff administratively approved DSP#2001-0033 for the construction of Carlyle Block L in 2001. The former tenant in this space, Bruegger's bagel restaurant, was first approved by City Council in 2007 (SUP#2006-0124) and closed in June 2009. Staff administratively approved SUP#2010-0027 in June 2010 to change ownership of the business to the current applicant, Raj Kapoor, who has operated the Italian Gourmet Deli & Market in this space since that time.

On April 28, 2011, staff visited the subject property to determine if the business was in compliance with the conditions of its Special Use Permit. Staff found one violation of the SUP conditions, regarding the posting of public transportation information, which was promptly corrected.

PROPOSAL

The applicant proposes to add off-premises alcohol sales at his existing restaurant, which operates with a deli and gourmet market concept. Wine and beer sales are intended to compliment the ready-to-eat and gourmet market items, such as sauces and pasta, available at the

business. The applicant has included an earlier closing hour of 9:00pm as a part of this request, as opposed to the currently-approved 11:00pm. In practice, the applicant anticipates closing as early as 7:00pm most nights during the week. No other changes to the existing business are proposed. Additional elements of the applicant's proposal are as follows:

Approved Hours of Operation: 5:00am – 11:00pm daily

Proposed Hours of Operation: 6:00am – 9:00pm daily

Existing Number of Seats: 20 Indoor Seats
15 Outdoor Seats
35 Total Seats

Customers: Approximately 15-20 each day

Employees: Four each day

Alcohol: Off-premises alcohol sales (only) proposed

Live Entertainment: No live entertainment is proposed

Deliveries: Deliveries will occur after 7:00am three-four times/week in the nearby on-street loading space.

PARKING

The parking requirements for the subject building were specified in the Transportation Management Plan (Special Use Permit #2254) for the Carlyle development. The applicant has access to one parking space for employees in the on-site garage. Public parking is available in the Patent & Trademark Office parking garage across John Carlyle Street during limited hours.

ZONING

The subject property is located in the CDD#1/Coordinated Development District zone and is subject to the use restrictions contained in the most recent Carlyle Master Plan (SUP#2009-0081), which stipulates that in areas where retail uses are permitted, any restaurant without full service and with off-premises alcohol requires full Special Use Permit approval (Condition #102A).

II. STAFF ANALYSIS

Staff does not object to the applicant's request to offer off-premises alcohol sales at his existing restaurant and gourmet market. Staff does not believe that this business will be a destination for off-premises alcohol. Rather, the addition of wine and beer sales will complement the ready-to-eat and gourmet food items already available at the store. The amended closing hour of 9:00pm offered by the applicant should significantly reduce the potential for any neighborhood impacts from off-premises alcohol sales. Staff has also included a standard condition prohibiting the "single-sales" of alcohol as it has done at other locations offering off-premises alcohol in Alexandria.

Subject to the conditions contained in Section III of this report, staff recommends approval of the 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#2006-0124)
2. Seating shall be provided for no more than 68 patrons inside and outside. (P&Z) (SUP#2006-0124)
3. Outside dining facilities may be located on private property and shall not encroach onto the public right-of-way. The applicant shall ensure that pedestrian access is provided past the outdoor seating and shall clean the seating area at the close of each day of operation. (P&Z) (SUP#2006-0124)
4. The applicant may provide seating for up to 20 outdoor seats. Any outdoor seating areas, including umbrellas, shall not include advertising signage (P&Z) (SUP#2006-0124)
5. No live entertainment shall be provided at the restaurant. (P&Z) (SUP#2006-0124)
6. Delivery service shall be permitted to customers in the immediate area. (P&Z)(PC) (SUP#2006-0124)
7. The hours of operation shall be limited to between 6:00am and 9:00pm daily. (P&Z)
8. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP#2006-0124)
9. Off-premises alcohol service shall be permitted but no on-premises alcohol shall be allowed. 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. (P&Z) (Police)
10. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2006-0124)
 11. 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#2006-0124)
 12. 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#2006-0124)
 13. CONDITION DELETED BY STAFF (SUP#2010-0027)
 14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2006-0124)
 15. 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#2006-0124)
 16. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)(P&Z) (SUP#2006-0124)
 17. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health) (SUP#2010-0027)
 18. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees prior to operation. (Police) (SUP#2010-0027)
 19. 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)(P&Z) (SUP#2006-0124)
 20. 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. (P&Z) (SUP#2006-0124)
 21. CONDITION DELETED BY STAFF (SUP#2010-0027)

22. The applicant shall design both the exterior and interior portions of the space pursuant to the Carlyle Design Guidelines, to the approval of the Director of Planning and Zoning. (P&Z) (SUP#2006-0124)
23. The applicant shall prepare a design plan to include interior finishes, colors, materials, furniture, lighting and specifications, which shall be to the satisfaction of the Director of Planning and Zoning and shall include the following elements: (P&Z) (SUP#2006-0124)
 - a. No lighted signage in the windows is permitted.
 - b. Lighting fixtures in the dining area and the serving area shall not contain fluorescent bulbs, tubes, or other fluorescent lighting elements.
 - c. Furniture to be situated near the windows shall consist of wood tables and wood chairs with cloth upholstery.
 - d. Flooring within the dining area shall be ceramic tile.
 - e. Any tiling on the vertical surface of the cashier/service counter shall be a generally solid color and/or design.
 - f. Interior doors leading to or from the dining area shall be constructed of paneled wood.
 - g. Decorative wood interior trim shall include moldings and other detail, such as rosettes.
 - h. Menu boards, if any, shall not be backlit or have any internal lighting.
24. The Director of Planning and Zoning shall review the Special Use Permit one year after approval, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review 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)
25. ~~CONDITION DELETED BY STAFF - SUPERSEDED BY STATE LAW (SUP#2010-0027)~~
26. Supply deliveries, loading and unloading activities shall occur between the hours of 7a.m. - 7p.m. (City Council)
27. The applicant shall remove all tables and chairs from the outdoor dining area at the close of business each night and store them inside the building while the restaurant is closed. (PC)

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:

- R-1 (#14) Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP2010-00027)
- R-2 (#15) 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) (SUP2010-00027)
- R-3 (#16) Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2010-00027)
- R-4 (#26) Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (TES)
- R-5 (#19) 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) (TES) (SUP2010-00027)
- 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. (TES) (SUP2010-00027)
- 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). (TES) (SUP2010-00027)

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) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form.

Code Enforcement:

- F-1 No Comment

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 Six 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 Comments

Police Department:

- R-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.