

Exhibit No. 1

13A&B  
11-13-93

DOCKET ITEM  
MASTER PLAN AMENDMENT #93-001

PLANNING COMMISSION  
THURSDAY, NOVEMBER 4, 1993

**ISSUE:** Consideration of a resolution to amend the Old Town Small Area Plan chapter of the 1992 Master Plan by changing the policies with respect to restaurants.

**APPLICANT:** Department of Planning and Community Development

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**PLANNING COMMISSION ACTION, NOVEMBER 4, 1993:** On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the attached resolution (Attachment 1) to amend the Old Town Small Area Plan chapter of the Master Plan with the changes shown below and on Attachment 1. The motion carried on a vote of 6-0, Mr. Ragland absent.

On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the attached resolution (Attachment 2) to adopt the policies and criteria to guide the evaluation of restaurants under the revised Old Town restaurant policy included in the Master Plan, with the changes shown below and on Attachment 2. The motion carried on a vote of 6-0, Mr. Ragland absent.

**REASON:** The Planning Commission agreed with the staff analysis. The Commission also adopted the modifications recommended by the Old Town Civic Association.

**SPEAKERS:** Larry Robinson, representing Old Town Civic Association, recommended ten modifications to the Master Plan policy and several modifications to the guidelines for evaluating the revised Master Plan policy.

**STAFF RECOMMENDATION:** Staff recommends:

(A) Adoption of the attached resolution (Attachment 1) which would delete the section entitled "King Street East of Washington Street" on page 49 of the Old Town Small Area Plan chapter of the Master Plan and add the following text:

GOALS AND POLICIES AS AMENDED OR ADDED BY THE PLANNING COMMISSION

Struck-out words denote deleted text.

Underlined bold text denotes added text.

Goals of the Old Town Restaurant Policy

1. To ~~prevent a worsening of~~ lessen the on-street parking impact of restaurants in Old Town and adjacent areas;
2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
3. To control the spread of litter in Old Town.

Policies to attain the goals of the restaurant policy

City Council shall not approve a request for special use permit for any new restaurant, carryout or fast food establishment or an expansion of an existing restaurant, carryout or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. In the case of an expansion or other intensification, the entire operation of the establishment shall be taken into account in determining its impact upon the nearby residential neighborhoods. In making that determination, City Council shall consider the following factors:

- insert (D)*
- a) The availability of off-street parking.
  - b) The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
  - c) The extent to which the restaurant is open in the late night hours.
  - d) The extent to which alcohol (such as spirits, mixed drinks, wine, and beer) consumption will predominate over food consumption *and they would consider the number of bar seats, if any, and the standing areas in the vicinity of bars.*
  - e) The predicted extent of litter generated in nearby neighborhoods.
  - f) The cumulative impact of the proposal and the number of already established restaurants, carryouts, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area.
- bar seats*

City Council shall separately adopt criteria for determining the extent to which each of the factors is met.

**Bar Seats and Bar Service**

**It shall be the policy of City Council to discourage the addition of bar seats, or standing areas in the vicinity of bars.**

o/ - (d)

**Diversity**

The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

(B) That City Council adopt the following policies and criteria by resolution (Attachment 2) to guide the evaluation of restaurants under the revised Old Town restaurant policy included in the Master Plan. Indented below each criteria are ways of measuring each one.

**POLICIES AND CRITERIA AS AMENDED BY THE PLANNING COMMISSION**

~~Struck-out~~ words denote deleted text.

**Underlined bold** text denotes added text.

1. **Availability of Off-street Parking for Patrons**

City staff shall, at least once a year, publish a survey of off-street parking facilities and the extent of vacant spaces available in each during evening hours. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces, as determined by that survey, within 500 feet from the entrance to the restaurant.

Percent of patron parking that can be accommodated off-street:

- \_\_\_\_\_ 100%
- \_\_\_\_\_ 75-99%
- \_\_\_\_\_ 50-75%
- \_\_\_\_\_ 1-50%
- \_\_\_\_\_ No parking can be accommodated off-street

2. **Parking Management Plan**

Applications for special use permits for restaurants shall be accompanied by a Parking Management Plan (PMP) in which the applicant indicates what parking demand it will generate at different hours of the day by virtue of its proposal and what steps it proposes to reduce the impact of its parking demand upon nearby areas. Applicants shall consider such

measures as validated parking or valet parking for patrons, and off-street parking or parking or transit subsidies for employees.

The Plan must show how employees who drive will be accommodated off the street at least in the evenings and on week-ends:

- All
- 75-99%
- 50-74%
- 1-50%
- None

Predicted Impact of the Restaurant on Parking Supply at the Evening Peak, Weekend Peak, and Daytime Peak.

The peak evening impact upon neighborhoods shall be estimated from the parking management plan submitted by the applicant:

- No parking impact predicted
- Less than 20 additional cars in neighborhood
- 20-40 additional cars
- More than 40 additional cars

3. Extent of Patrons and Employees at Late Night Hours

The application will indicate the proposed hours of operation. The seating capacity can must be determined and the standing capacity of the restaurant can must be estimated. This will identify the likely maximum number of patrons.

- Maximum number of patron seats
- Maximum number of spaces for standing patrons
- Maximum number of employees by hour at any one time
  
- Closes by 8:00 p.m.
- Closes after 8:00 p.m. but by 10:00 p.m.
- Closes after 10:00 p.m. but by midnight
- Closes after midnight

[Closing time means when the restaurant is empty of patrons.]

4. Alcohol Consumption

City staff will attempt to identify the nature of the operation and the likely extent of alcohol (such as spirits, mixed drinks, wine and beer) consumption in both the two hours and the four hours before closing based on information drawn from the applicant.

- High ratio of alcohol to food
- Balance between alcohol and food
- Low ratio of alcohol to food

- \_\_\_\_\_ Number of bar seats proposed
- \_\_\_\_\_ Number of standing patrons that can be accommodated in bar area

5. Litter

City staff will attempt to identify the predicted extent of litter based on comparable operations in other locations. (The extent to which an establishment offers carryout food purchase, as opposed to being likely to be purchased primarily for home consumption, shall be a major consideration in predicting the extent of litter it may generate.)

- \_\_\_\_\_ No or little litter expected.
- \_\_\_\_\_ Substantial litter expected.
- No-carryout
- Carryout-likely-primarily-for-home-consumption
- Carryout-likely-for-immediate-consumption

Litter reduction plan

Restaurants featuring carryout service for immediate consumption will be required to indicate what steps it will take to reduce the amount of litter generated by sales in that restaurant.

- No-or-little-litter-expected
- Substantial-litter-expected

## DISCUSSION

### Referral

On September 28, 1993, City Council held a work session on the issue of the Old Town restaurant policy. In its legislative session, Council approved the restaurant policy listed above in section (A), and referred the proposal to the Planning Commission for inclusion in the Master Plan (Attachment 3).

Council also asked staff to provide more detailed criteria for evaluating restaurants under the factors listed in the Old Town restaurant policy. Those criteria, prepared by staff, are listed above as recommendation (B).

### Background

On May 21, 1989, City Council adopted the Old Town Small Area Plan as an amendment to the Master Plan by ordinance (Attachment 4). That Plan included the following policies regarding restaurants:

#### King Street East of Washington Street

1. No additional restaurants should be allowed east of Fairfax Street, add few if any, east of Washington Street.
2. No additional fast food or carry out establishments should be allowed east of Washington Street.
3. The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

Since the date of adoption of that plan, Council has considered 74 requests for special use permits for restaurants in Old Town (Attachment 5). It soon became clear that application of the Old Town restaurant policy raised a number of issues including:

- 1) What is included under the definition of restaurant? (Some had difficulty categorizing ice cream parlors or espresso bars as restaurants.)
- 2) Is a facility which sells packaged sandwiches in a form ready to eat considered a restaurant?
- 3) What is a carry-out as distinct from a non-carry out restaurant? (Virtually every restaurant will provide food to carry out.)

- 4) Is an expansion of an existing restaurant a new restaurant of the kind prohibited in the area east of Fairfax Street?
- 5) Does a bakery become a restaurant if it provides seats?
- 6) Should different kinds of eating facilities be differentiated by the degree of impact on the community?

Frustration with the existing restaurant policy may have reached its peak in June, 1992, when City Council, at the behest of the Old Town Civic Association, voted to turn down the application by Olsson's Bookstore to install a small coffee shop for the convenience of its patrons, even though nearly everybody conceded that the proposed coffee shop would have little or no impact in Old Town. Following the vote, Mayor Ticer requested the Old Town Civic Association to meet with staff to come up with a suitable definition of restaurant that would distinguish high impact restaurants from low impact facilities (Attachment 6).

Staff met with representatives of the Old Town Civic Association and the Inner City Civic Association through the Fall of 1992 in an attempt to differentiate between high and low impact restaurants. On December 23, 1993, staff produced a draft policy (See Attachment 3a.) and sent it out for public discussion prior to sending it to the Planning Commission for consideration. That draft was based on the concept of differentiating restaurants by size, based on the belief that many of the problems of most concern to occupants of residential areas were caused by larger destination restaurants.

At a staff presentation and discussion of the draft on January 27, 1993, representatives of the Old Town restaurants expressed concern that they had not been involved in the process, and requested a deferral in the introduction of the policy in order to allow them to review and comment on the draft. In the subsequent months, the restaurant representatives met with representatives of Old Town and the Inner City Civic Association in an attempt to find a common position. On April 19, the groups jointly released a draft of a proposal (Attachment 3b) the main feature of which was to prohibit the addition of any restaurant seats which would exceed 350 seats on any block segment (both sides of the street for one block), or which would exceed 1050 seats on three contiguous block segments.

City Council held a work session with the neighborhood and restaurant representatives on May 15 and at its legislative session on May 25 Council expressed reservations about the joint proposal. Council asked the staff to work with the neighborhood and restaurant representatives to prepare a report to Council in the Fall on: 1) definitions of restaurant that grouped types of restaurants by impacts they create, 2) Council's desire for more flexibility in making decisions about restaurants, and 3)

Council's concern about increasing the number of bar seats (Attachment 7).

On July 20, 1993, City staff released a draft revision to the Old Town restaurant policy based on the positions expressed by Council and sent the draft to the two groups for review and comment. The groups met with City staff on July 26 and stated that they preferred their own joint proposal (350/1050).

The City Manager sent the staff draft to Council on September 23 (see Attachment 3) and on September 28, 1993, City Council approved the City Manager's recommendation, referring the matter to the Planning Commission for incorporation in the Master Plan, and asked staff to develop criteria for quantifying the issues Council had agreed to consider in evaluating restaurant proposals.

#### Rationale for the City Manager's recommendation.

The policy adopted in the Master Plan did not specify what kinds of facilities were or were not to be allowed in Old Town because there are so many types of food serving establishments included in the definition of restaurant (i.e. ice cream stores, coffee stores, carry-outs). Further, the policy focused on types of facilities rather than their likely impacts. Subsequent policy formulations, in attempting to deal with ambiguities in the current restaurant policy, were very complex and difficult to administer, and they failed to give discretion to the Planning Commission and City Council to exercise judgment about specific proposals. Further, the proposal put forward by the restaurant and neighborhood representatives could, by limiting the number of restaurant seats, establish an unfair advantage for existing restaurants.

The policy revision recommended by the City Manager focuses on the possible problems posed by new or expanded restaurants, particularly, parking impacts, customer rowdiness and vandalism, and litter, and requires that Council approve a special use permit only if it finds that the request will not significantly impact nearby residential neighborhoods. Council will be required to consider the availability of off-street parking, the predicted impact on parking supply, the extent of late night hours, the prominence of alcohol consumption in the establishment, and the likely extent of litter generation. City Staff is recommending that these considerations be written into the Old Town Small Area Plan Chapter of the Master Plan.

The current restaurant policy for Old Town covers only the area east of Washington Street; the proposed revised policy is extended to all proposed restaurants located in the Old Town small area plan area, not just those east of Fairfax or Washington Streets.

This will provide additional protection to areas west of Washington Street.

In response to the request for more specificity about how to quantify the factors which the Planning Commission and Council must consider in reviewing a request for a special use permit for a restaurant, staff has prepared detailed specific criteria listed above in part (B) of the staff recommendation. Because of the need to continue to refine these criteria, staff recommends that they not be embedded in the Master Plan where they will be difficult to amend, but rather should be adopted by City Council by resolution to guide the process of evaluating requests for special use permits for restaurants in Old Town.

In order to address the impacts of automobiles generated by the proposed restaurant, each special use permit would be accompanied by a parking management plan in which the applicant indicates what parking demand it will create and how it proposes to reduce the impact of that parking demand on nearby areas. This places the burden of considering parking management options on the applicant, and the City can evaluate whether the proposed plan is adequate. Applicants may consider such measures as validated parking and valet parking for patrons, and parking or transit subsidies for employees.

Staff further recommends that the following Old Town Small Area Plan policy be maintained under its own heading titled "Diversity:"

#### Diversity

The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

This policy will continue to address the concern of citizens that new restaurants will drive out other uses and reduce the diversity which makes Old Town so attractive.

The Old Town Civic Association has recommended two additional policies for inclusion within the Old Town Small Area Plan (see Attachment 7):

1. A prohibition against bar seats.
2. A prohibition against serving alcohol to standing patrons.

City Staff supports this position. The most serious problems created by Old Town restaurants, aside from parking, are caused by late drinking and the proposed policies address that issue.

Only 45% of the sales of restaurants for the entire day are required to be food, and the ABC considers wine and beer to be food (only distilled beverages count as alcohol), so ABC regulations provide little protection.

If the Planning Commission agrees with this position it may wish to add the following language to the Old Town Small Area Plan:

In addition, it shall be the policy of City Council to discourage the addition of bar seats, or stand- ing areas in the vicinity of bars.

**STAFF:** Sheldon Lynn, Director, Planning and Community Development

**ATTACHMENTS**

1. Draft resolution for adoption by Planning Commission
2. Draft resolution for adoption by City Council regarding restaurant criteria
3. Council referral to Planning Commission and City Manager's docket memo to Council [the attachments to this memo are listed separately below]
- 3a. City Staff draft proposal 12/23/93
- 3b. Proposal by representatives of restaurants and neighborhoods 4/19/93
- 3c. Revised Staff proposal following guidance from City Council 7/20/93
4. Page 49 of Old Town Small Area Plan Chapter of Master Plan
5. List of SUP requests heard by Council since adoption of the Old Town Small Area Plan (5/31/89).
6. Docket Action Sheet 6/13/92 Council Meeting
7. Docket Action Sheet 5/25/93 Council Meeting
8. Letter from Old Town Civic Association

RESOLUTION NO. MP-93-

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, the Department of Planning and Community Development has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on November 4, 1993 with all public testimony and written comment considered; and

WHEREAS, the Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the **OLD TOWN** section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the **OLD TOWN** section of the 1992 Master Plan; and
3. The proposed amendment shows the Commission's long range recommendations for the general development of the **OLD TOWN**; and
4. Based on the foregoing findings and all other facts and circumstances of which the Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the **OLD TOWN** section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to the **OLD TOWN** section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

- A. Delete the Section entitled King Street East of Washington Street from page 49 of the Old Town Small Area Plan Chapter of the Master Plan.
- B. Add the following text to the Old Town Small Area Plan Chapter of the Master Plan:

GOALS AND POLICIES AS AMENDED OR ADDED BY THE PLANNING COMMISSION

~~Struck-out~~ words denote deleted text.

Underlined bold text denotes added text.

Goals of the Old Town Restaurant Policy

- 1. To ~~prevent-a-worsening-of~~ lessen the on-street parking impact of restaurants in Old Town and adjacent areas;
- 2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
- 3. To control the spread of litter in Old Town.

Policies to attain the goals of the restaurant policy

City Council shall not approve a request for special use permit for any new restaurant, carryout or fast food establishment or an expansion of an existing restaurant, carryout or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. In the case of an expansion or other intensification, the entire operation of the establishment shall be taken into account in determining its impact upon the nearby residential neighborhoods. In making that determination, City Council shall consider the following factors:

- a) The availability of off-street parking.
- b) The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- c) The extent to which the restaurant is open in the late night hours.
- d) The extent to which alcohol (such as spirits, mixed drinks, wine, and beer) consumption will predominate over food consumption.
- e) The predicted extent of litter generated in nearby neighborhoods.

**f. The cumulative impact of the proposal and the number of already established restaurants, carry-outs, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area.**

City Council shall separately adopt criteria for determining the extent to which each of the factors is met.

**Bar Seats and Bar Service**

**It shall be the policy of City Council to discourage the addition of bar seats, or standing areas in the vicinity of bars.**

**Diversity**

The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

ADOPTED THE 4TH DAY OF NOVEMBER, 1993.

\_\_\_\_\_  
William B. Hurd, Chairman

ATTEST: \_\_\_\_\_  
Sheldon Lynn, Secretary

RESOLUTION NO.-----

WHEREAS the City Council has adopted revised policies with respect to restaurants in Old Town as an amendment to the Old Town section of the Alexandria Master Plan; and

WHEREAS is desirable to adopt policies and guidelines to be used by staff, the Planning Commission and City Council in applying the revised Old Town restaurant policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alexandria that:

1. The following guidelines and policies are hereby adopted in their entirety.
2. This resolution shall take effect immediately upon its adoption.

POLICIES AND CRITERIA AS AMENDED BY THE PLANNING COMMISSION

~~Struck-out~~ words denote deleted text.

Underlined bold text denotes added text.

1. Availability of Off-street Parking for Patrons  
City staff shall, at least once a year, publish a survey of off-street parking facilities and the extent of vacant spaces available in each during evening hours. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces, as determined by that survey, within 500 feet from the entrance to the restaurant.

Percent of patron parking that can be accommodated off-street:

- \_\_\_\_\_ 100%
- \_\_\_\_\_ 75-99%
- \_\_\_\_\_ 50-75%
- \_\_\_\_\_ 1-50%
- \_\_\_\_\_ No parking can be accommodated off-street

2. Parking Management Plan  
Applications for special use permits for restaurants shall be accompanied by a Parking Management Plan (PMP) in which the applicant indicates what parking demand it will generate

at different hours of the day by virtue of its proposal and what steps it proposes to reduce the impact of its parking demand upon nearby areas. Applicants shall consider such measures as validated parking or valet parking for patrons, and off-street parking or parking or transit subsidies for employees.

The Plan must show how employees who drive will be accommodated off the street at least in the evenings and on weekends:

- All
- 75-99%
- 50-74%
- 1-50%
- None

Predicted Impact of the Restaurant on Parking Supply at the Evening Peak, Weekend Peak, and Daytime Peak.

The peak evening impact upon neighborhoods shall be estimated from the parking management plan submitted by the applicant:

- No parking impact predicted
- Less than 20 additional cars in neighborhood
- 20-40 additional cars
- More than 40 additional cars

3. Extent of Patrons and Employees at Late Night Hours

The application will indicate the proposed hours of operation. The seating capacity can must be determined and the standing capacity of the restaurant can must be estimated. This will identify the likely maximum number of patrons.

- Maximum number of patron seats
- Maximum number of spaces for standing patrons
- Maximum number of employees by hour at any one time
  
- Closes by 8:00 p.m.
- Closes after 8:00 p.m. but by 10:00 p.m.
- Closes after 10:00 p.m. but by midnight
- Closes after midnight

[Closing time means when the restaurant is empty of patrons.]

4. Alcohol Consumption

City staff will attempt to identify the nature of the operation and the likely extent of alcohol (such as spirits, mixed drinks, wine and beer) consumption in both the two





City of Alexandria, Virginia ATTACHMENT 3

301 King Street, Suite 2100  
Alexandria, Virginia 22314



Patricia S. Tyler  
Mayor  
William C. Cleveland  
Vice Mayor

Beverly I. Jett, CMC  
City Clerk and Clerk of Council

October 4, 1993

(703) 838-4550  
Fax (703) 838-6433

Members of Council  
Kerry J. Donley  
T. Michael Jackson  
Redella S. Pepper  
Lonnie C. Rich  
David G. Spect

Mr. William Hurd  
Chair, Planning Commission  
301 King Street, Room 2100  
Alexandria, Virginia 22314

Re: Docket Item #21, September 28, 1993 -- Revised  
Restaurant Policy for Old Town

Dear Mr. Hurd:

At the Regular Meeting of City Council held on September 28, 1993, Council referred to the Planning Commission the above-named item for its review.

Please refer to the enclosed action sheet for additional information.

Sincerely,

Beverly I. Jett, CMC  
City Clerk and Clerk of Council

Enclosures

cc: Sheldon Lynn

Home Town of George Washington and Robert E. Lee

16a

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

19. Consideration of a Budget Transfer to Provide Predevelopment Monies for Housing Development Projects.

WITHOUT OBJECTION, City Council noted the deferral of this item.  
Council Action: \_\_\_\_\_

20. Consideration of Monthly Financial Report for the Period Ending August 31, 1993.

City Council received the Financial Report for the period ending August 31, 1993.  
Council Action: \_\_\_\_\_

21. Consideration of a Revised Restaurant Policy for Old Town.

Councilman Speck stated that Council had a work session earlier this evening to discuss this issue. The Manager's recommendation is to refer this to the Planning Commission for its review which would require a public hearing, and then its action back to Council would require a subsequent public hearing. He indicated that there are going to be numerous opportunities for discussion and debate.

The City Manager stated that the Committee is going to work with staff in developing the specificity that was discussed in the work session before it comes back to public hearing before Council.

City Council approved the City Manager's recommendations and added, as noted in the discussion earlier this evening, that we would think it would be helpful for as much detail as possible on the criteria that will be used in considering the various policies and beefing up some of the details in the parking management plan to include some of the language that we have been using in recent special use permits to make clear what some of our expectations are as it goes to the Planning Commission. (Please refer to the City Manager's Memorandum dated September 23, 1993, for the Draft revision to Old Town Restaurant Policy.)

Council Action: \_\_\_\_\_

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Jackson brought Council up-to-date on an item that occurred last summer when the Virginia Railway Express incurred engine trouble and they broke down. He stated that the DASH staff noticed the activity taking place on the tracks. When

City of Alexandria, Virginia

21  
9-28-93

MEMORANDUM

DATE: SEPTEMBER 23, 1993  
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
FROM: VOLA LAWSON, CITY MANAGER  
SUBJECT: PROPOSED REVISIONS TO RESTAURANT POLICY IN THE OLD TOWN SMALL AREA PLAN CHAPTER OF THE MASTER PLAN

ISSUE: Proposed revisions to the restaurant policy contained in the Old Town Small Area Plan Chapter of the Master Plan.

RECOMMENDATION: That City Council adopt following proposed revision to the Old Town Small Area Plan Chapter of the Master Plan and refer it to the Planning Commission for inclusion in the Master Plan:

DRAFT REVISION TO OLD TOWN RESTAURANT POLICY

GOALS OF THE RESTAURANT POLICY

1. To prevent a worsening of the on-street parking impact of restaurants in Old Town and adjacent areas;
2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
3. To control the spread of litter in Old Town.

POLICIES TO ATTAIN THE GOALS

1. City Council shall not approve a request for special use permit for any new restaurant, carryout or fast food or an expansion of an existing restaurant, carry out or fast food, unless it finds that the request does not significantly impact nearby residential neighborhoods. In making that determination, City Council shall consider the following factors:

- a) The availability of off-street parking.
  - b) The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
  - c) The extent to which the restaurant is open in the late night hours.
  - d) The extent to which alcohol consumption will predominate over food consumption.
  - e) The predicted extent of litter generated in nearby neighborhoods.
2. Applications for special use permits for restaurants shall be accompanied by a Parking Management Plan (PMP) in which the applicant indicates what parking demand it will generate by virtue of its proposal and what steps it proposes to reduce the impact of its parking demand upon nearby areas. Applicants shall consider such measures as validated parking or valet parking for patrons, and off-street parking or parking or transit subsidies for employees.

#### Diversity

The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

BACKGROUND: On May 21, 1989, City Council adopted the Old Town Small Area Plan as an amendment to the Master Plan by ordinance. That Plan specified regarding restaurants:

#### King Street East of Washington Street

1. No additional restaurants should be allowed east of Fairfax Street, and few if any, east of Washington Street.
2. No additional fast food or carry out establishments should be allowed east of Washington Street.
3. The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

Subsequent to the adoption of those policies, City Council heard several requests for new eating facilities including expansions of Radio Free Italy and Ecco, live entertainment in the Firehook Bakery, and a coffee bar in Olsson's Bookstore. Each of those requests involved a discussion about how each restaurant related

to the Old Town restaurant policy. Council asked staff to bring forward possible revisions to the adopted plan provision and the Planning Director sent a draft proposal to neighborhood and business groups for their comments (Attachment 1). That proposal focused on controlling larger restaurants (over 30 seats) which staff believes cause many of the problems of most concern in the residential areas.

At a public meeting on the proposed changes on January 27, 1993, representatives of the Old Town restaurants were concerned that they had not been involved in the formulation of the revisions and asked for a delay in the discussions to allow for review by affected restaurants. In the subsequent months, the restaurant representatives met among themselves and with neighborhood representatives in an attempt to find a common position, and on April 19 released a draft of a joint proposal (Attachment 2), the main feature of which was to prohibit the addition of restaurant seats on any block segment (both sides of the street for one block) which had 350 seats, or which had 1050 seats on three contiguous block segments.

City Council had a work session with the neighborhood and restaurant representatives on May 15 and in response to some reservations about the new proposal. On May 25, Council requested that staff work with the neighborhood/restaurant representatives to prepare a report to Council in the fall on: 1) definitions of restaurant that grouped types of restaurants by impacts they create, 2) Council's desire for more flexibility in making decisions about restaurants, and 3) Council's concern about increasing the number of bar seats in restaurants in the Old Town area.

City staff prepared a draft revision to the Old Town restaurant policy (Attachment 3) based on the positions expressed by Council and sent the draft to representatives of the Old Town and Inner City Civic Associations and Old Town restaurants for discussion at a meeting with City staff on July 26. At that meeting, the restaurant and neighborhood representatives said they preferred their original proposal (no additional restaurant seats beyond 350 in a block face and 1050 in three contiguous block faces). They did indicate a willingness to consider changes to the numbers in the 350/1050 formula, but they stated that they wanted a formula that would bind Council to specific criteria rather than leave Council with discretion to be applied on a case by case basis.

## DISCUSSION

The policy adopted in the Master Plan, did not specify what kinds of facilities were or were not to be allowed in Old Town because there are so many types of food serving establishments included in the definition of restaurant (i.e. ice cream stores, coffee

stores, carry-outs). Further, the policy focused on facilities rather than their likely impacts. Subsequent policy formulations, in attempting to deal with ambiguities in the current restaurant policy, were very complex and difficult to administer, and they failed to give discretion to the Planning Commission and City Council to exercise judgment about specific proposals. I am also concerned that the proposal put forward by the restaurant and neighborhood representatives could establish an unfair advantage for existing restaurants.

The policy revision I am recommending focuses on the possible problems posed by new or expanded restaurants, particularly, parking impacts, customer rowdiness and vandalism, and litter, and requires that Council approve a special use permit only if it finds that the request will not significantly impact nearby residential neighborhoods. Council will be required to consider the availability of off-street parking, the predicted impact on parking supply, the extent of late night hours, the prominence of alcohol consumption in the establishment, and the likely extent of litter generation.

In order to address the impacts of automobiles generated by the proposed restaurant, each special use permit would be accompanied by a parking management plan in which the applicant indicates what parking demand it will create and how it proposes to reduce the impact of that parking demand on nearby areas. This places the burden of considering parking management options on the applicant, and the City can evaluate whether the proposed plan is adequate. Applicants may consider such measures as validated parking and valet parking for patrons, and parking or transit subsidies for employees.

The current restaurant policy for Old Town covers only the area east of Washington Street; I recommend that the revised policy be extended to all proposed restaurants located in the Old Town small area plan area, not just those east of Fairfax or Washington Streets. This will provide additional protections to areas west of Washington Street.

I further recommend that the following Old Town Small Area Plan policy be maintained under its own heading titled "Diversity:"

#### Diversity

The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

This policy will continue to address the concern of citizens that new restaurants will drive out other uses and reduce the diversity which makes Old Town so attractive.

I recommend that City Council adopt the policy and send it to the

Planning Commission for inclusion in the Old Town Small Area Plan Chapter of the Master Plan. Amendments to the Master Plan will require public hearings by the Planning Commission and City Council prior to final adoption by Council by ordinance.

I want to thank all of the neighborhood and restaurant representatives who have worked together over the last 9 months to address this complex and difficult issue. I particularly want to recognize the efforts and leadership of neighborhood representatives Charlie Huettner, Sarah Becker, and Larry Robinson, and restaurant representatives George Ellmore, Gordon King, Michael Anderson, Ralph Capobianco, Bryan Watson, and Dick Snow.

**STAFF:** Sheldon Lynn, Director, Planning and Community Development.

**ATTACHMENTS:**

1. Planning Director draft proposal of Planning Director to restaurant and neighborhood representatives
2. Civic Association/Business Partnership to Improve Old Town, 4/19/93
3. Draft Revision to Old Town Restaurant Policy based on positions discussed by Council on 5/25/93
4. City Attorney opinion of 3/19/93 re. restaurant hours of operation

12/23/92

## STAFF PROPOSAL FOR AMENDING THE OLD TOWN SMALL AREA PLAN

[Explanatory commentary is shown in brackets]

1. LIMITATION ON NEW OR INTENSIFIED RESTAURANTS

There shall be no net new restaurants that have more than 30 seats and no intensifications of existing restaurants to beyond a total 30 seats in the area east of Alfred Street, between Princess and Wolfe Streets; there shall be few such restaurants between Alfred and West Streets.

[Existing restaurants can be replaced at the same level of intensity; new restaurants of under 30 seats will be allowed; intensification beyond 30 seats will be prohibited east of Alfred Street.]

2. FAST FOOD RESTAURANTS

There shall be no net new fast food establishments or intensifications of existing fast food establishments east of West Street and north of Wolfe Street, except within the existing food courts (Small Mall and Food Pavillion).

[Vacant fast food restaurants can be replaced at the same level of intensity; no new fast food restaurants will be allowed.]

A fast food restaurant is:

A restaurant in which food and beverages are prepared in advance or in an assembly line manner and are sold in disposable or edible containers.]

[Note: All new restaurants listed above will require SUPs.]

Fa

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3. BAR SEATS AND STANDING AREAS

In Old Town north of Wolfe Street:

- a. there shall be no bar seats or bar standing area in any new restaurant;
- b. there shall be no increase in the number of bar seats or bar standing area in existing restaurants;
- c. where there are no bar seats in existing restaurants, there shall be no new bar seats or bar standing area.

[This is substantially the same policy enunciated by City Council on May 12, 1992.]

4. EMPLOYEE PARKING

Any special use permit for a new restaurant or any intensification of an existing restaurant shall require provision of and requirement that all employees who drive use off-street parking facilities, until such time as Council adopts a comprehensive revision to the CBD parking standards.

[The last phrase obviates the necessity of amending the Master Plan if Council adopts a comprehensive parking standard in the zoning ordinance.]

5. ACTION TO RETAIN A MIX OF RESTAURANT

The City shall do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

[This implies a presumption that Council will reject additional new restaurants on a block where more than 50% of the ground floor space is occupied by restaurants.]

DRAFT

April 19, 1993

## OLD TOWN SMALL AREA PLAN

## CIVIC ASSOCIATION/BUSINESS PARTNERSHIP TO IMPROVE OLD TOWN

The Old Town area civic associations and the business community have reached a historic agreement to form a partnership to develop a plan for reasonable expansion of restaurants in Old Town Alexandria while addressing the concerns of residents. The Old Town Civic Association (OTCA), the Inner City Civic Association and Old Town Businesses have jointly agreed to the following:

1. The Old Town Small Area Plan will initially be modified to limit new or expanded restaurants within the area covered by the Old Town Small Area Plan to a maximum of 350 seats per block (both sides of the street for one block) and 1050 seats for any 3 contiguous blocks. Under this limitation, new restaurants should not be approved and existing restaurants should not be permitted to expand if the current number of seats on that block is equal to or greater than 350 seats. On blocks where the total number of seats are less than 350 seats (or 1050 seats within 3 contiguous blocks) new restaurants or existing restaurant expansion may be approved up to that limit. The purpose of this limitation is to preserve the mix of shops and restaurants within Old Town and to keep restaurant expansion in check while the partnership deals with long term issues affecting business and residents. Restaurants which go out of business may be replaced by new restaurants with the same intensity of use.

2. The formation of a partnership task force comprised of Old Town Civic Association, Inner City Civic Association and the business community representatives to develop solutions to the following issues:

a. Area of Consideration: The entire area within the Old Town Small Area Plan should be addressed with specific reference to the King Street and Washington Street corridors.

b. Definition of Restaurant:

c. Definition of Seats:

d. Bars:

e. Fast Food:

f. Expansion of Existing Restaurants:

g. Intensity of Use:

h. Employee Parking: We have preliminarily agreed that all business community and City employees should be required to park off the public streets.

i. Patron Parking:

j. Trash:

k. Rowdiness: The partnership has begun meeting with the Alexandria police to improve enforcement to discourage rowdiness in lower King and Union Streets. As part of these discussions the business community will encourage restaurants which are open after 10PM to post a sign reminding patrons as they depart to be considerate of people residing nearby. OTCA and the business community have agreed to notify the police of undesirable activity as it occurs so that the police can document and correct problems as they occur.

l. Noise:

m. Vagrancy:

n. Limitation on Restaurant Seats: This will be a review of the 350 seat limitation based on the results of the actions taken to mitigate the preceding issues.

3. The Partnership agrees to report their recommendations to address these issues of mutual concern to the City no later than December 1994.

July 20, 1993

**DRAFT REVISION TO OLD TOWN RESTAURANT POLICY  
 BASED ON POSITIONS DISCUSSED BY COUNCIL AT THE MAY 25, 1993  
 COUNCIL MEETING**

GOALS OF THE OLD TOWN RESTAURANT POLICY

1. To prevent a worsening of the on-street parking impacts of new restaurants in areas with high concentrations of restaurants.
2. To reduce occurrences of late night rowdiness.
3. To control the spread of litter in Old Town.
4. To maintain a mix of uses along King Street and nearby areas.

POLICIES TO ATTAIN THE GOALS

1. Definition

Food serving establishments shall be divided into two separate categories:

- a. Low Impact Restaurant: an establishment serving food in a form for immediate consumption that (1) does not have in excess of 30 seats, and (2) does not serve alcoholic beverages after 8:00 p.m.

[Examples of low impact restaurants include Baskin Robbins, Starbucks, Cippolina's, and Dunkin Donuts. These establishments are likely to produce little or no impact on the residential neighborhoods aside from litter. The Tea Room is another example of restaurant with little impact although it has 40 seats.]

- b. Restaurant: an establishment serving food in a form ready for immediate consumption that does not qualify as a low impact restaurant.

2. New Food Service Establishments

- a. Low impact restaurants shall be allowed in Old Town, subject to approval of a special use permit.
- b. Restaurants may be allowed in Old Town only after City Council takes into account the following factors and approves a special use permit:
  - (1) The density of existing restaurants in the immediate vicinity (e.g. whether there are 350 restaurant seats on the block or 1050 on three contiguous block segments).
  - (2) The availability of off-street parking.
  - (3) The proposed hours of operation, especially in the late night hours.
  - (4) The predicted extent of late night drinking as separate from food service.
  - (5) The predicted impact of the restaurant on nearby residential neighborhoods.

3. Expansion of Existing Restaurants

- a. If there were no bar seats, there shall be no new bar seats.
- b. If there were bar seats, there shall be no additional bar seats.
- c. Council shall also take into account the factors listed above in 2b (1-5).

4. Parking

- a. New and expanded low impact restaurants shall provide parking for all employees after 6:00 p.m.
- b. New and expanded restaurants shall provide:
  - (1) Parking for all employees after 6:00 pm
  - (2) One parking space for each new four seats or validated parking for patrons.

To further these ends, this plan recommends the following policies

King Street East of Washington Street

1. No additional restaurants should be allowed east of Fairfax Street, and few, if any, east of Washington Street.

[A major new restaurant has already been approved for the waterfront behind the Torpedo Factory, additional restaurant development could threaten the lively mix of commercial activities and could impact nearby residential areas]

2. No additional fast food or carry out establishments should be allowed east of Washington Street.

[With the addition of several new eating establishments in the pavilion behind the Torpedo Factory, the supply of these uses will be extensive and additional establishments should be discouraged]

3. The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area

[The small scale of shops and restaurants and the general absence of chain establishments are some of the characteristics which distinguish Alexandria from suburban shopping areas and should be maintained]

Washington Street

Washington Street is a street which still retains some of its historic and memorial character, and the City should take steps to try to retain as much as possible of the existing character of diverse, small scale activities including retail and residential uses. City Council has already taken steps to reduce the heights of new development. Where new office buildings are proposed, the City should encourage ground floor retail activity and should encourage buildings of a small or mixed scale (i.e., non-monolithic structures in townhouse design) compatible with nearby historic areas.

Waterfront

The Waterfront Plan calls for continuous public access along the waterfront; this goal has substantially been achieved. The plan calls for an extensive waterfront open space/recreation zone and this has been enacted. The major remaining issue for the waterfront is the development of the private parcels on or near the water.

The waterfront is an important resource and the quality of the development of the remaining private parcels will have a major impact on the future character of the waterfront. The waterfront plan and the W-1 zone call for mixed use development, but since the zoning allows many uses, the results have been and could continue to be all office development. This would be contrary to the intent of the plan which called for a mix of uses and a diversity of activities, producing a lively waterfront.

This plan recommends the following policies:

1. The zoning of the remaining development parcels should be CRMU (commercial-residential mixed use) which calls for limiting the densities in developments not including housing. This zone is similar to the W-1 zone, but attempts to put some teeth into the requirement to include residential.

Page No. 1  
08/26/93

SUPs FIR RESTAURANTS SINCE  
ADOPTION OF OLD TOWN SMALL AREA PLAN

<u>291</u>	<u>APPLICANT</u>	<u>ADDRESS</u>	<u>USE</u>	<u>CL</u> <u>DATE APPROVAL</u>
1712 B	BARCOS GEORGE	815 KING	RESTAURANT	09/15/90 B
2000 B	LEE'S FAMILY INC	907 KING	RESTAURANT	08/12/91 B
2359	BOLTER BUTCH-BAD	9019 KING	RESTAURANT	03/26/90 B
2557	ZINAH BAKAN	815 KING	RESTAURANT	02/22/92 B CARRY-OUT
2548	KING HEURT DELI LOZINYAK JOHN	1828 KING	RESTAURANT	01/25/92 B CARRY-OUT
	INC			
2176 A	HOLIDAY INN OF OLD TOWN GADSBY ASSOCIATES	480 KING	RESTAURANT	02/24/90 B
1248 B	PERECTLY FRANK BAD THY	211 KING	RESTAURANT	04/13/91 B
1983 C	KI'S CORP	1018 KING	RESTAURANT	04/21/90 B CARRY-OUT
2000 A	PAPAJONN'S RESTAURANT HERBAS INC	907 KING	RESTAURANT	12/15/90 B
1611 A	SINCEWIZ GILES	808 KING	RESTAURANT	11/18/89 B
1420 A	BILBO BAGGINS RESTAURANT ARMLINO MICHAEL	210 QUEEN	RESTAURANT	09/15/90 B
1867 A	ECCO OF ALEXANDRIA	220 N LEE	RESTAURANT	03/16/91 B
1940 A	MARCO FOODS ANTONELLI MICHAEL	1118 KING	RESTAURANT	09/14/91 B
2249 A	GW'S RESTAURANT LINDENAN LAWRENCE	1319 KING	RESTAURANT	05/12/90 B
2249 B	GW'S RESTAURANT LINDENAN LAWRENCE	1319 KING	RESTAURANT	11/17/90 B
2355 A	CEN RESTAURANT DEVELOPMENT COR	1120 KING	RESTAURANT	06/16/90 B
2355 B	CEN RESTAURANT DEVELOPMENT COR	1120 KING	RESTAURANT	05/18/91 B
2360	J J NEILERT & ASSOC	704 KING	RESTAURANT	03/24/90 B
2360 A	MATWANDI AHMAD	704 KING	RESTAURANT	03/16/91 B

2374	BEU AND JERRY'S SNOW ADVERTISING INC	103 S UNION	RESTAURANT	04/21/90	B
2411	ARMAND'S CHICAGO PIZZERIA J M INC	111 KING	RESTAURANT	06/26/90	B DELIVERY
2438	SOUTH AUSTIN GRILL LTD PTM	803 KING	RESTAURANT	10/13/90	B
2470	CIPOLLINA'S CIPOLLINA ANTHONY	106 N LEE	RESTAURANT	03/16/91	B CARRY-OUT
2472	EGG ROLL HOUSE II KIM YAEKYUN	1026 KING	RESTAURANT	03/16/91	B
2473	CAVANAUGH JOHN	900 KING	RESTAURANT	03/16/91	B
2482	ELMENDORF MICHAEL	102 S PATRICK	RESTAURANT	04/13/91	B
2486	GREENBERG ERIC	808 KING	RESTAURANT	04/13/91	B
2488	COMMONWEALTH COURT CATERING ADAMS ROBERT	1101 KING	RESTAURANT	05/18/91	B
2493	HILE'S ICE CREAM SARA HILE	817 S WASHINGTON	RESTAURANT	05/18/91	B CARRY-OUT
2493 A	HILE'S ICE CREAM SARA HILE	817 S WASHINGTON	RESTAURANT	10/12/91	B CARRY-OUT
2494	DINNERTAINMENT LTD	222 N LEE	RESTAURANT	05/18/91	B
2501	CHINA KING TOWN INC	701 KING	RESTAURANT	09/16/91	B CARRY-OUT
2530	FIREHOOK CHUITO FARMS	106 N LEE	RESTAURANT	10/12/91	B
2532	BACON VIVIEN	119 S ROYAL	RESTAURANT	10/12/91	B
1653 A	WALTERS SHERRY	801 N FAIRFAX	RESTAURANT	11/06/89	B
2346	SULAIMANI AMAN	600 MONTGOMERY	RESTAURANT	06/16/90	B
2545	FILLMORE INC	951 N FAIRFAX	RESTAURANT	01/25/92	B
2355 C	FITZGERALD'S RESTAURANT DEN FIRST LTD PTM	1120 KING	RESTAURANT	06/23/92	B
2576	OLSSON'S BOOKS AND RECORDS OLSSON ENTERPRISES	106 S UNION	RESTAURANT	06/13/92	B
2557 A	DIVISION ENTERPRISES INC	815 KING	RESTAURANT	06/13/92	B CARRY-OUT
1898 B	TRATTORIA DAFRANCO RESTAURANT DAFRANCO TRATTORIA	305 S WASHINGTON	RESTAURANT	06/13/92	B
1712 C	DFOUNY LEBANESE RESTAURANT ABIACD INC	815 KING	RESTAURANT	05/16/92	B

2507	BALJARTAN B B	900 KING	RESTAURANT	01/09/92	8 CARRY-OUT
2273	CAPITAL PIZZA	900 N WASHINGTON	RESTAURANT	07/31/89	8 CARRY-OUT
2355	GEN RESTAURANT	1120 KING	RESTAURANT	02/24/90	8
2412	SKYLIGHT INC	100 KING	RESTAURANT	05/25/90	8
2445	KING ST RESTAURANT	704 KING	RESTAURANT	01/22/91	8
2536	GRIND N BREW	631 KING	RESTAURANT	11/16/91	8
2547	GLISSON ENT	106 S UNION	RESTAURANT	12/11/91	8
2612	MARVELOUS MARKET MARVELOUS MARKET	222 N LEE	RESTAURANT	10/17/92	8 CARRY-OUT
2486 A	FRENCH QUARTER	8 KING	RESTAURANT	06/09/92	8
2600	CAVAUGHN'S AT FIREHOUSE SQUARE CAVANAUGH JOHN W	906 KING	RESTAURANT	09/12/92	8
2191 A	SANIOTIS WICK	704 KING	RESTAURANT	11/22/89	8
2176 B	HOLIDAY INN OF OLD TOWN GADSBY ASSOCIATES LTD PTNS II	480 KING	RESTAURANT	02/23/91	8
2493 B	ALEXANDRIA SEAFOOD HOUSE INC	817 S WASHINGTON	RESTAURANT	03/21/92	8
2494 B	DINNERTAINMENT LTD	222 N LEE	RESTAURANT	01/28/92	8
2494 A	DINNERTAINMENT LTD	222 N LEE	RESTAURANT	12/14/91	8
2452 B	TERMEH BASOUL	1024 CAMERON	RESTAURANT	10/17/92	8
2532 A	BACON VIVIEN	119 S ROYAL	RESTAURANT	10/17/92	8
2644	600 KING ST ASSOCIATES	602 KING	RESTAURANT	01/23/93	8
2676	DUNKIN' DONUTS, A B PATEL	602 KING	RESTAURANT	04/17/93	8
2677	YA ALI INC	951 N FAIRFAX	RESTAURANT	05/15/93	9 CARRY-OUT
1945 C	FOOD COURT ALEXANDRIA WATERFRONT ASSOC	5 CAMERON	RESTAURANT	04/17/93	8
2501 A	CHINA KING TOWN	701 KING	RESTAURANT	03/20/93	8
2650	STARBUCKS COFFEE	532 KING	RESTAURANT	01/23/93	8
1867 B	CAFE ECCO ECCO OF ALEXANDRIA	220 N LEE	RESTAURANT	05/15/93	8

1898 C	TRATTORIA DA FRANCO RESTAURANT	305 S WASHINGTON	RESTAURANT	06/12/93	8
	TRATTORIA DA FRANCO				
2530 A	FIREHOOK FIREHOOK BAKERS LTD	106 N LEE	RESTAURANT	06/12/93	8
2703	LE AI BA	115 N WASHINGTON	RESTAURANT	06/12/93	8
1940B	Richard & Nan Shearer	1118 King	restaurant	10/16/93	
2532B	Vivien M. Bacon (Tea Cozy)	119 S Royal	restaurant	10/16/93	
1620C	Harry Hart (Bilbo Baggins)	206 Queen	restaurant	10/16/93	
2714	Robert Dirmeyer (Mancini's)	320 King	restaurant	10/16/93	
2482A	Michael Elmendorf (coffee house)	102-106 S Patrick	restaurant	10/16/93	

5.

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

13. Public Hearing and Consideration of the Proposals for the Cameron/Columbus Street Parking Lot and Selection of a Developer. (#19 5/12/92) (RETAINED ITEM)

City Council selected Realco as the preferred developer for continued negotiations and provided staff guidance in terms of the continued negotiations. Some of the items that you brought up [such as] percentage of gross as opposed to percentage of net; in terms of the financial package that prior to any contract being signed or presented to Council that a commitment of financing be presented to the City; that compliance with the Board of Architectural Review and all other building codes be set forth as we would expect; and that the concerns that were submitted by Christ Church also be included in terms of the continued negotiations during the summer months and then bring back to Council in the fall; and added another item to the negotiations to very thoroughly examine the parking structure from the standpoint of security and safety.

Council Action: \_\_\_\_\_

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

14. SUP #2576  
Public Hearing and Consideration of a request for a Special Use Permit to operate a restaurant (tea room) located at 106 South Union Street; zoned I-2, Industrial. Applicant: Olsson Enterprises, Inc., t/a Olsson's Books and Records, by William J. McClusky, Jr. (#7 5/16/92)

COMMISSION ACTION: Recommend Approval 4-2

Mayor Ticer requested the Old Town Civic Association to work with staff to come up with a suitable definition of restaurant that would be an ancillary use, a no negative affect type use definition that we could live with.

City Council denied the Special Use Permit.

Council Action: \_\_\_\_\_

15. ENCROACHMENT #92-004  
Public Hearing and Consideration of a request for encroachment into the public right-of-way for the construction of signs located at 101-201 North Union Street; zoned I-2, Industrial. Applicant: Alexandria Waterfront Associates, by Gary Baker. (#21 5/16/92)

COMMISSION ACTION: Recommend Approval 4-2

WITHOUT OBJECTION, City Council noted the withdrawal.  
Council Action: \_\_\_\_\_

16. (a) MASTER PLAN ADOPTION

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

29. Discussion of Possible Methods to Modify Council's Policy with Respect to New Restaurants in Old Town.

City Council: (1) requested Staff to work with the restaurant/neighborhood task force to prepare a report for Council by this fall on: (a) definitions which distinguish between restaurants with large potential neighborhood impacts, small restaurants with limited neighborhood impacts, and eating establishments which should not be considered restaurants (see Attachment 1 to the City Manager's memorandum for possible examples); (b) Council's desire for some flexibility in the restaurant policy to allow Council more discretion in making decisions about the desirability of specific proposals; and (c) Council's concern about increasing the number of bar seats (see Attachment 2 for the adopted Council policy); and (2) authorized the City Manager to invite a representative of eating establishments (as distinguished from restaurants) to join the joint working group. The group will consist of one Old Town Civic Association representative, one Inner City Civic Association representative, one representative from a larger restaurant and one from a smaller restaurant.

The City Manager will meet, in an informal way, with the group and at least one member of Council, to help facilitate the task force with the dilemma posed by Council's need for discretion in making these decisions.

Council Action: \_\_\_\_\_

## REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None.

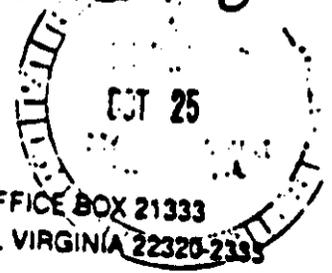
## ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Council Member Rich announced that Project New Course is having a meeting tomorrow night at Baptist Temple Church at 8 o'clock. The City Manager and several members of the senior staff will be there to talk about entrepreneurial management, what the City government is doing and what citizens can do to participate in that. The public is invited and would be welcome to attend to "quiz your local leadership."

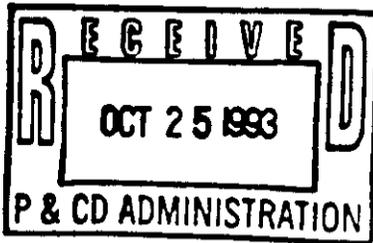
(b) Councilman Speck received the consensus of Council for him and Councilman Jackson to form a subcommittee with a couple of members from staff to meet over the course of the summer to explore the naming of a City facility to memorialize two of Alexandria's distinguished public servants, Leroy Bendheim and Armistead Boothe, and to report back to Council in the fall with some specific suggestions.

# The Old Town Civic Association

ATTACHMENT 8



POST OFFICE BOX 21333  
ALEXANDRIA, VIRGINIA 22320-2333



October 25, 1993

To: Vola Lawson, City Manager  
Sarah Becker, Inner City Civic Association  
Charles Huettner, Residential Representative on Restaurant  
Committee  
Restaurant Representatives on Restaurant Committee:  
Michael Anderson  
Ralph Capobianco  
George Elmore  
Gordan King  
Dick Snow  
Brian Watson

From: Larry Robinson, Old Town Civic Association

Subject: OTCA Position Statement on Modification of the Old Town  
Small Area Plan Restaurant Policy

Attached is a policy position adopted by the Board of the Old Town Civic Association with reference to the draft Old Town Small Area Plan Restaurant Policy.

The OTCA Board has met numerous times over many hours to try to arrive at a policy that would alleviate some of the current problems facing residents on the heavily impacted blocks near the commercial district, allow growth of existing restaurants and introduction of new restaurants where appropriate to the benefit of restauranteurs, provide readily available short-term parking for patrons of retail operations and offices, and maintain Alexandria as a desirable and attractive place for shoppers, tourists, diners, and residents. We believe that the initiatives outlined in the attached will accomplish these goals.

I look forward to discussing these suggestions with you at this evening's meeting.

Attachment

10259301.d

OTCA Position Statement on Modification of the Old Town  
Small Area Plan Restaurant Policy

Introduction

The current Old Town Small Area Plan Restaurant policy is not working. The problems the policy was designed to correct have only worsened in recent years. While the Old Town Civic Association generally endorses the staff recommendations outlined in the City Manager's October 18, 1993 memorandum to the Restaurant Committee (the "Staff Proposals"), we have concluded that the proposed Small Area Plan modifications are too vague and cannot solve existing problems. In response, the Association recommends the following changes and initiatives to alleviate the problems the restaurant policy was designed to correct, and thereby improve the Old Town business and residential environment.

Recommendations

Small Area Plan

While it is difficult to write any Small Area Plan restaurant policy statement that provides discretion and also has specificity, we recommend that the standards in the Staff Proposals be made more specific. We also propose the following additions to the Small Area Plan:

1. The wording for the first goal in the Staff Proposals should be revised:  

"To reduce the use of on-street parking by employees and patrons of Old Town restaurants and other businesses."
- 2.\* A prohibition against any new bar seats.
- 3.\* A prohibition against serving alcohol to standing patrons.
4. Every Old Town business special use permit must include a plan requiring that all employees who drive to work use off-street parking. Each business must ensure adherence to its plan.
5. The City must define highly impacted areas and take that into consideration when evaluating special use permit applications.

---

\* This recommendation should also be implemented by an ordinance.

## Other Initiatives

The following additional initiatives, when taken as a package along with the previous recommendations, are intended to preserve the ambiance of Old Town, while allowing future restaurant and retail development.

### Against Late Night Rowdiness and Neighborhood Disturbances

1. Impose a uniform earlier closing hour for all Old Town bars and restaurants, preferably 11 p.m. on Sundays through Thursdays and midnight on weekends. To allow diners to finish their meals and to ensure an orderly winding down of business, Council could permit a "grace period" of up to one hour.
2. Provide an overnight restriction, as part of the parking program, that would let residents opt (on a block-by-block basis) for parking limited to in-district residential permit holders after 11:00 p.m. and before 7:00 a.m. This would discourage the utilization of residential blocks by those who are causing the late-night noise, vandalism, drunkenness, and other problems.

### Parking

Council should pass an ordinance allowing a one-hour parking option for residential streets in the Special Parking District and certain designated blocks west of Washington Street. This would encourage commuters and other longer-term parkers to use off-street parking while allowing short visits to merchants and office buildings. The option would be limited in practical terms to the most heavily impacted blocks. In addition, parking enforcement should be added between 11 p.m. and 2 a.m. on the six designated blocks west of Washington Street.

10/26/93

**Changes Suggested by the Old Town Civic Association  
to Proposed Old Town Small Area Plan Resolution  
and Accompanying Guidelines Resolution**

ATTACHMENT 1

RESOLUTION NO. MP-93-

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, the Department of Planning and Community Development has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on November 4, 1993 with all public testimony and written comment considered; and

WHEREAS, the Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the OLD TOWN section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the OLD TOWN section of the 1992 Master Plan; and
3. The proposed amendment shows the Commission's long range recommendations for the general development of the OLD TOWN ; and
4. Based on the foregoing findings and all other facts and circumstances of which the Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the OLD TOWN section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to the OLD TOWN section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

A. Delete the Section entitled King Street East of Washington Street from page 49 of the Old Town Small Area Plan Chapter of the Master Plan.

B. Add the following text to the King Street Small Area Plan Chapter of the Master Plan:

Goals of the Old Town Restaurant Policy

10

1. To ~~prevent a worsening of~~ lessen the on-street parking impact of restaurants in Old Town and adjacent areas;
2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
3. To control the spread of litter in Old Town.

Policies to attain the goals of the restaurant policy

City Council shall not approve a request for special use permit for any new restaurant, carryout or fast food establishment or an expansion of an existing restaurant, carryout or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. (In the case of an expansion or other intensification, the entire operation of the establishment shall be taken into account in determining its impact upon the nearby residential neighborhoods.) In making that determination, City Council shall consider the following factors:

1

- a) The availability of off-street parking.
- b) The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- c) The extent to which the restaurant is open in the late night hours.
- d) The extent to which alcohol (spirits, mixed drinks, wine, and beer) consumption will predominate over food consumption.
- e) The predicted extent of litter generated in nearby neighborhoods.

2

- f) The number of already established restaurants, carryouts, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area.

3

City Council shall separately adopt criteria for determining the extent to which each of the factors is met.

Bar Seats and Bar Service

It shall be the policy of City Council to prohibit the addition of bar seats, or standing areas in the vicinity of bars.

Diversity

The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

ADOPTED THE 4TH DAY OF NOVEMBER, 1993.

William B. Hurd, Chairman

ATTEST:

Sheldon Lynn, Secretary

RESOLUTION NO.-----

WHEREAS the City Council has adopted revised policies with respect to restaurants in Old Town as an amendment to the Old Town section of the Alexandri Master Plan; and

WHEREAS is desirable to adopt policies and guidelines to be used by staff, the Planning Commission and City Council in applying the revised Old Town restaurant policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alexandria that:

1. The following guidelines and policies are hereby adopted in their entirety.
2. This resolution shall take effect immediately upon its adoption.

GUIDELINES AND POLICIES FOR EVALUATING PROPOSALS  
FOR RESTAURANTS IN OLD TOWN

1. Availability of Off-street Parking for Patrons  
City staff shall, at least once a year, publish a survey of off-street parking facilities and the extent of vacant spaces available in each during evening hours. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces, as determined by that survey, within 500 feet from the entrance to the restaurant.

Percent of patron parking that can be accommodated off-street:

- \_\_\_ 100%
- \_\_\_ 75-99%
- \_\_\_ 50-75%
- \_\_\_ 1-50%
- \_\_\_ No parking can be accommodated off-street

2. Parking Management Plan  
Applications for special use permits for restaurants shall be accompanied by a Parking Management Plan (PMP) in which the applicant indicates what parking demand it will generate at different hours of the day by virtue of its proposal and what steps it proposes to reduce the impact of its parking demand upon nearby areas. Applicants shall consider such measures as validated parking or valet parking for patrons, and off-street parking or parking or transit subsidies for employees.

5

Predicted Impact of the Restaurant on Parking Supply at the Evening Peak, Weekend Peak, and Daily Peak

The peak evening impact upon neighborhoods shall be estimated from the parking management plan submitted by the applicant:

- No parking impact predicted
- Less than 20 additional cars in neighborhood
- 20-40 additional cars
- More than 40 additional cars

6

3. Extent of Patrons and Employees at Late Night Hours  
 The application will indicate the proposed hours of operation. The seating capacity can must be determined and the standing capacity of the restaurant can must be estimated. This will identify the likely maximum number of patrons.

- Maximum number of patron seats
- Maximum number of spaces for standing patrons
- Maximum number of employees by hour at any one time
- Closes by 8:00 p.m.
- Closes after 8:00 p.m. but by 10:00 p.m.
- Closes after 10:00 p.m. but by midnight
- Closes after midnight

7

4. Alcohol Consumption  
 City staff will attempt to identify the nature of the operation and the likely extent of alcohol (spirits, mixed drinks, wine and beer) consumption in both the two hours and the four hours before closing based on information drawn from the applicant.

- High ratio of alcohol to food
- Balance between alcohol and food
- Low ratio of alcohol to food
- Number of bar seats proposed
- Number of standing patrons that can be accommodated in bar area

9

5. Litter  
 City staff will attempt to identify the predicted extent of litter based on comparable operations in other locations. (The extent to which an establishment offers carryout food that is likely to be consumed immediately or shortly after purchase, as opposed to being likely to be purchased primarily for home consumption, shall be a major consideration in predicting the extent of litter it may generate.)

- No or little litter expected
- Substantial litter expected
- ~~No carryout~~
- ~~Carryout likely primarily for home consumption~~
- ~~Carryout likely for immediate consumption~~

Litter reduction plan

Restaurants featuring carryout service for immediate consumption will be required to indicate what steps it will take to reduce the amount of litter generated by sales in that restaurant.

- ~~No or little litter expected~~
- ~~Substantial litter expected~~



Exhibit No. 2

*City of Alexandria, Virginia*

13A & B

11-13-93

MEMORANDUM

DATE: NOVEMBER 11, 1993  
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL  
THRU: VOLA LAWSON, CITY MANAGER *Vola Lawson*  
FROM: SHELDON LYNN, DIRECTOR *Sheldon Lynn*  
PLANNING AND COMMUNITY DEVELOPMENT  
SUBJECT: CORRECTION TO DOCKET ITEM 13A & B

---

One line of text recommended by the Old Town Civic Association was omitted from pages 5 and 16 of docket item 13A & B and should be added.

The attached pages show the corrected text with the omitted line added.

Also attached is an executed copy of the Planning Commission Resolution.

Attachment: Corrected pages 5 and 16.  
Corrected pages 11, 12 and 13.

- \_\_\_\_\_ Number of bar seats proposed
- \_\_\_\_\_ Number of standing patrons that can be accommodated in bar area

5. Litter

City staff will attempt to identify the predicted extent of litter based on comparable operations in other locations. (The extent to which an establishment offers carryout food that is likely to be consumed immediately or shortly after purchase, as opposed to being likely to be purchased primarily for home consumption, shall be a major consideration in predicting the extent of litter it may generate.)

OMITTED  
LINE  
ADDED →

- \_\_\_\_\_ No or little litter expected.
- \_\_\_\_\_ Substantial litter expected.
- ~~-----No-carryout~~
- ~~-----Carryout-likely-primarily-for-home-consump-tion~~
- ~~-----Carryout-likely-for-immediate-consumption~~

Litter reduction plan

Restaurants featuring carryout service for immediate consumption will be required to indicate what steps it will take to reduce the amount of litter generated by sales in that restaurant.

- ~~-----No-or-little-litter-expected~~
- ~~-----Substantial-litter-expected~~

hours and the four hours before closing based on information drawn from the applicant.

- \_\_\_\_\_ High ratio of alcohol to food
- \_\_\_\_\_ Balance between alcohol and food
- \_\_\_\_\_ Low ratio of alcohol to food
  
- \_\_\_\_\_ Number of bar seats proposed
- \_\_\_\_\_ Number of standing patrons that can be accommodated in bar area

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City staff will attempt to identify the predicted extent of litter based on comparable operations in other locations. (The extent to which an establishment offers carryout food that is likely to be consumed immediately or shortly after purchase, as opposed to being likely to be purchased primarily for home consumption, shall be a major consideration in predicting the extent of litter it may generate.)

OMITTED  
LINE  
ADDED



- \_\_\_\_\_ No or little litter expected.
- \_\_\_\_\_ Substantial litter expected.
- ~~-----No-carryout~~
- ~~-----Carryout-likely-primarily-for-home-consump-tion~~
- ~~-----Carryout-likely-for-immediate-consumption~~

Litter reduction plan

Restaurants featuring carryout service for immediate consumption will be required to indicate what steps it will take to reduce the amount of litter generated by sales in that restaurant.

- ~~-----No-or-little-litter-expected~~
- ~~-----Substantial-litter-expected~~

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Patricia S. Ticer MAYOR  
On behalf of the City Council  
of Alexandria, Virginia

ATTEST:

\_\_\_\_\_  
Beverly I. Jett, CMC City Clerk

RESOLUTION NO. MP-93-

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, the Department of Planning and Community Development has analyzed the proposed revision and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendment was held on November 4, 1993 with all public testimony and written comment considered; and

WHEREAS, the Commission finds that:

1. The proposed amendment is necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the OLD TOWN section of the City; and
2. The proposed amendment is generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the OLD TOWN section of the 1992 Master Plan; and
3. The proposed amendment shows the Commission's long range recommendations for the general development of the OLD TOWN; and
4. Based on the foregoing findings and all other facts and circumstances of which the Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendment to the OLD TOWN section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendment is hereby adopted in its entirety as an amendment to the OLD TOWN section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

- A. Delete the Section entitled King Street East of Washington Street from page 49 of the Old Town Small Area Plan Chapter of the Master Plan.
- B. Add the following text to the Old Town Small Area Plan Chapter of the Master Plan:

**GOALS AND POLICIES AS AMENDED OR ADDED BY THE PLANNING COMMISSION**  
Struck-out words denote deleted text.  
**Underlined bold** text denotes added text.

**Goals of the Old Town Restaurant Policy**

1. To ~~prevent-a-worsening-of~~ **lessen** the on-street parking impact of restaurants in Old Town and adjacent areas;
2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
3. To control the spread of litter in Old Town.

**Policies to attain the goals of the restaurant policy**

City Council shall not approve a request for special use permit for any new restaurant, carryout or fast food establishment or an expansion of an existing restaurant, carryout or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. **In the case of an expansion or other intensification, the entire operation of the establishment shall be taken into account in determining its impact upon the nearby residential neighborhoods.** In making that determination, City Council shall consider the following factors:

- a) The availability of off-street parking.
- b) The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- c) The extent to which the restaurant is open in the late night hours.
- d) The extent to which alcohol **(such as spirits, mixed drinks, wine, and beer)** consumption will predominate over food consumption.
- e) The predicted extent of litter generated in nearby neighborhoods.

f. The cumulative impact of the proposal and the number of already established restaurants, carry-outs, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area.

City Council shall separately adopt criteria for determining the extent to which each of the factors is met.

Bar Seats and Bar Service

It shall be the policy of City Council to discourage the addition of bar seats, or standing areas in the vicinity of bars.

Diversity

The City should do whatever possible to retain a mix of restaurants and shops providing a diversity of goods and services in the King Street area.

ADOPTED THE 4TH DAY OF NOVEMBER, 1993.

  
\_\_\_\_\_  
William B. Hurd, Chairman

ATTEST:

  
\_\_\_\_\_  
Sheldon Lynn, Secretary

13  
11-13-93

Received by CC Exhibit No. 3

future

November 10, 1993

Dear Mayor Tiger:

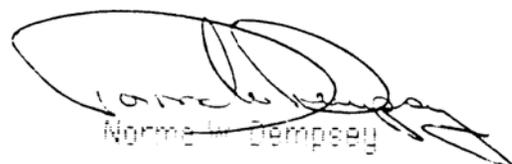
Thank you so much for taking the time last week to meet with us. We felt it was very important for you to realize that:

- (1) the residential community leadership is unified on the issues of Old Town parking and late-night drinking;
- (2) there is continued concern that local business simply isn't doing anything meaningful to help the parking situation;
- (3) the proposed amendments to the Old Town Small Area Plan do nothing to alleviate the existing parking and late-night drinking problems which 300 residents petitioned Council to address two years ago as a prerequisite for changing the Plan;
- (4) the parking problems of two years ago continue unabated for some impacted blocks as acknowledged in the City Staff Parking Report;
- (5) the proposed amendments provide no assurance of S.U.P. compliance or Council review authority for parking management plans if such plans prove ineffective;
- (6) Council's 1968 initiative in bringing the sale of alcohol by the glass to Alexandria imposes a correlative requirement to protect the residential community from any adverse consequences;
- (7) the effectiveness of Park and Shop, the Alternative Transportation Plan and any other business and City initiatives is contingent upon additional on-street parking regulations which serve to encourage use of alternatives;

We thank the City and Council for the increased enforcement, extended permit hours, employe \$1.00 parking and parking maps but further restrictions are necessary if the City is "to promote the health, safety and welfare of the residents of the City of Alexandria..." and "to protect the established character of existing residential neighborhoods...and the social...well-being of the residents" (Zoning Code 1-102). Please implement an ordinance for two residential parking options: (1) a one-hour parking restriction to increase parking turnover and (2) a residential-only restriction at 11:00 p.m. to coincide with the City's presently unenforceable noise ordinance.

  
Anna Moore

  
Marthe Clubb

  
Norman Dempsey



13ab  
11-13-93

Jack K. Henes  
Name  
404 PRINCE ST  
Address  
26 YEARS  
Years lived at the above address

The quality of life on my residential block has deteriorated as Council has intensified the commercial and late-night entertainment uses of the King Street Corridor and the waterfront. Problems I now experience that I didn't before are:

- Loud arguments, yelling, singing
- Jumping of beer, wine, liquor bottles on street + sidewalk
- historic markers / plaques house markers ripped off front of 404 + 402 Prince
- IN SUMMER / warmer months: music from automobiles "radio turned very high"
- autos ramming back + forth into parked cars

It is my view that shorter hours for SERVING alcohol during evening will improve this situation

- ① "No GRID LOCK" - Residential
- ② Vandalism: Broken, Stolen, Discarded
- ③ Geostation: Another ?? YOUTH

Jack Henes  
Sign 404 Prince  
11 Nov 93  
Date

When the Holiday Inn used to have rock + roll bands, dancing and "stand up" drinking, the noise in the street, public drunkenness and arguments were very irritating to residents. On one occasion 3-4 years ago, I went to the Holiday to observe the situation, noticed a 15YR. old I knew drinking beer in the disco... no ID check. doors open to the street, no supervision. I'm ~~glad~~ pleased that there is no longer a Disco on the H. INN, I hope the Council will use wise judgment to limit further expansion of this type of business

sent to  
em, P.F. 11/13/93  
11/22

**Anna M. Moore**  
206 Wolfe Street  
Alexandria, Virginia 22314  
(703) 683-2861

November 17, 1993



Councilwoman Del Pepper  
City of Alexandria  
City Hall  
301 King Street  
Alexandria, Virginia 22314

Dear Del:

As you requested on Saturday, attached is a copy (Attachment I) of my remarks made regarding docket item #13, the Small Area Plan. I think the issues you were interested in are the following:

1. **Park and Shop** - Although we are happy that a comprehensive Park and Shop plan which has been promised for years may finally be a reality, there are two serious problems. There is no obligation on the part of businesses to buy more than one book of stamps. This leads us to believe that this program may be very short-lived. Also, the attendants at many garages listed in the Park and Shop program leave at 11 p.m. making it impossible for patrons to get their discounted parking.
2. **Advertising** - Last year the business representatives to the Parking Committee pledged in writing (Attachment II) that they would begin advertising off-street parking through TV, print, and radio ads as well as table tents in the restaurants. They made similar promises to Council. We have never seen any of this materialize.
3. **Employee Parking** - The City has made parking available to business employees for \$1 per night yet they still do not use it in significant numbers. According to Tom O'Kane an estimated 400 restaurant employees (not including shop employees) come to work in Old Town every night. That is 12,000 employees per month. As you can see

from the attached charts provided by the City at our November 1 Parking Committee meeting (Attachments IIIa & b), the most that ever used this service was 3,175 in October of 1992 and this has now dwindled to 2,142 for October of 1993. Not a very good record of the commitment given to the Parking Committing in writing and in Council testimony over a year ago.

I was very disappointed that Kathy Snyder of the Chamber of Commerce was totally unable to respond to the above issues. From past experience, I don't think we can expect to see any improvement in business' performance. This is why it is imperative that the City provide protections for residents so that we do not have to depend on the whim of business.

Anything you can do to ease the problems for the residents in the very near future would be appreciated. Residents are fed up. We have waited long enough already and are being asked to wait again until January. Remedies by the Council must be found immediately. Business is obviously not going to do it.

Sincerely,



Anna M. Moore

cc: Mayor Patricia S. Ticer  
Members of Council  
Vola Lawson, City Manager  
Kathy Snyder, President & CEO,  
Alexandria Chamber of Commerce  
Larry Robinson, Old Town Civic Association  
Downtown Residential Alliance

**TESTIMONY OF  
ANNA M. MOORE  
BEFORE ALEXANDRIA CITY COUNCIL  
NOVEMBER 13, 1993**

- I. Good morning, Madam Mayor, Members of Council, Madam City Manager. My name is Anna Moore and I live in the 200 block of Wolfe Street and I am the Old Town Civic Association representative to the Old Town Parking Committee.
  
- II. Two years ago more than 300 residents signed a petition asking the City Council to continue the Old Town Small Area Plan controls on restaurant growth until Council resolved the worsening parking problem. At the public hearing many residents spoke not only of parking problems but of increasing problems associated with restaurant/bar activity such as rowdiness, vandalism, trash like liquor bottles and beer cans, and especially late-night noise. These problems can be addressed through the Small Area Plan that is before you now. We now have another petition of 244 names requesting some relief from these problems, which have not been solved, through an option for one hour parking restrictions and/or 11 p.m. resident-only to coincide with the 11 p.m. noise ordinance.
  
- III. The residents believe we are entitled to these modest protections especially in light of the poor performance of the business community to follow through on their commitments. In October of last year, the business representatives presented the Parking Committee with a list of measures they would be taking in order to promote off-street parking. Among the most important were:
  - A. A commitment to form and publicize a Park and Shop validated parking program. Unfortunately, all we ever saw of this was a two-month Christmas promotion called Old Town Dollars that added the discount for parking at the last minute. One year later, we still do not have a Park and Shop program up and running and this year's Old Town Dollars promotion doesn't include the parking discount. The business community has shown us a proposal for a Park and Shop program but it still has not materialized. In addition, this program has serious problems before it even gets started.

1. First, there is no obligation on the part of the businesses to buy more than one book of 100 stamps. In other words, this could be just another two-month Christmas promotion that will end like last year's Old Town Dollars.
  2. Many of the garages that are listed to participate in the Park and Shop program close at 11 p.m. This means that if someone comes into the garage just before 11 p.m., he will be required to pay in advance. Then when he gets his parking ticket validated and returns to the parking lot to get his discounted parking there will be no one there to give him the discount. How many times do you think someone will use this kind of Park and Shop program?
- B. Much to the amazement and irritation of Old Town residents, businesses in the Central Business District have an exemption from providing off-street parking for their customers in spite of the fact that there is a surplus of unused off-street parking available in the evening hours. Residents must make arrangements every time they have a guest--we even pay for our guest passes; the residents' version of Park and Shop. Why doesn't business have to do the same?
- C. Right at this point, let me make a very important distinction about the business community. Most Old Town residents support and patronize the shops and merchants on King Street and do not see these as the source of the problem. It is the restaurants and restaurant/bars that are the source of the problem and the kind of behavior that they encourage and promote.
- D. But let me return to the promises made by business. They agreed to actively publicize off-street parking in their ads in print, direct mailings, and on radio and television. They were also to display table tents with parking information--this lasted about two months. Where are they now? With the exception of the Cameron Street Shops which advertised off-street parking last year in their TV ad, only one restaurant makes a vague reference to convenient offstreet parking nearby. This same restaurant has a full page ad in the current issue of The Old Town Crier with information on parking in very fine print.

Look at these two publications--there has been no organized advertising campaign to promote off-street parking.

- E. Business also promised to make it a condition of employment that employees agree to park off-street in the City lots for \$1 per evening or make some other arrangements. The City has reported that there are roughly 12,000 restaurant employees per month in Old Town east of Washington Street. However, as you can see from the chart prepared from numbers provided by the City most they ever got off the streets was around 3,000 or 1/4 of the actual number of restaurant employees October 1992. One year later this has dropped to a low of about 2,000 or 1/6 of the total number of employees, with about 10 percent of these being from the Art League. The residents know where these employees park--residents see these restaurant employees every day walking back and forth to move their cars on the streets. Some of them even have a system where two go at the same time and switch places. Residents also see restaurant employees changing clothes in the middle of the street when their shifts end.

VI. The City can easily give us the protections we need. We now have before us some very modest proposals to accomplish this. The City already provides "individualized" protections for almost every other section of Alexandria. Here are just two examples:

- A. For instance, on North Fayette Street, from 4:30 p.m. to 6:30 p.m. you cannot enter going south on Fayette. This is to protect the residential neighborhood from commuter traffic. We don't have that protection here in Old Town even though we have substantial commuter traffic on our residential streets.
- B. On both Echols Avenue and Fillmore Street just off Seminary Road, are signs posted No Thru Trucks and No Commercial Busses. We don't have this in Old Town even though we are plagued with busses.

VII. The City makes special on-street provisions for all sorts of City needs. Here are just three examples:

- A. First, at the corner of Princess and North Fairfax Streets in a

residential parking permit area, there are signs posted reading "No Parking 12 noon to 2 pm. Monday, Towing Enforced." This is to accommodate the U.S. Marshalls.

- B. Second, on the entire length of King Street from Washington Street to the River are signs posted reading "No Parking 2:30 a.m. to 7 a.m." and "No parking 3 a.m. to 8 a.m." This is to accommodate the city street cleaners.
- C. Third, businesses which are located on our residential streets have loading zones which they use for a reserved parking spot in addition to a loading zone. Is their business more important than the residents' ability to unload groceries and children?
- D. When are we going to give the residents of Old Town the protections they need to live in peace and quiet in their homes?

VIII. I would just like to make two final points:

- A. The City Staff seems to think that a reason that we have a parking problem here in Old Town is that we didn't build the Queen/Lee lot. This is absolutely not true. We don't have a shortage of off-street parking, especially in the evenings. Bob Morrison, who opened a three-part garage just catty-corner to the Queen/Lee site has just closed two-thirds of this garage for lack of use. We don't have a lack of off-street parking--we have a lack of use of off-street parking.
  - B. The restaurant business is not suffering financially. The City Manager has reported that the meals tax revenue to the City has gone up every quarter in the last year. Also, just try to get a reservation on a Friday or Saturday night in the restaurants on King Street.
- IX. In light of business' complete failure to follow through on their commitments, you should approve the option for one-hour restrictions on residential streets 8 a.m. to 11 p.m. and the 11 p.m. resident-only to coincide with the City's 11 p.m. noise ordinance. Perhaps this will give the residents some increased chance to gain access to their homes and promote peace and quiet in the late evenings.

## OLD TOWN BUSINESS ASSOCIATION BUSINESS COMMUNITY INITIATIVES

### Park & Shop

Park & Shop Proposal to garage operator's representative ready to go. - Jan 1  
Old Town Dollars for discount parking from 10/24 to 12/24 - now

### Radio

Consideration of use and funding for an AM information band utilizing highway signs to instruct travelers and visitors to tune to a certain station for parking information.

**Direct Mail** - Nov. 1. + 50,000 - Dec. 5

Information coupon (attached to Old Town Dollar) to be mailed to 90,000 homes in Alexandria that informs them of current restrictions and locations of parking facilities.

### Retail/Restaurant Package

BEEP Poster to be redesigned and reprinted. A coordinated parking map to be displayed with it. Table tents to be printed. within 2 weeks.

**Employee Parking** - in effect now -

Deo. Elmore.  
Diana Remewood

A memo is ready for distribution to all businesses regarding parking for employees and promoting business in the Central Business District. A statement to employees regarding mandatory parking program to be distributed to all restaurant employees beginning next week. A person or persons will be designated to receive information from the City regarding use of Courthouse Square lot. They will also complete a monthly survey of all restaurants that will illustrate where their employees are parking. This will serve as a regular reminder of the importance of this program as well as a way to pass information. Employee parking program to be established immediately at MetroPark (Morrison House garage) for employees of the 14 restaurants between Washington & Henry Streets.

**Cable TV** ?

Information being gathered to find out requirements on Public Service Announcements on Jones Intercable.

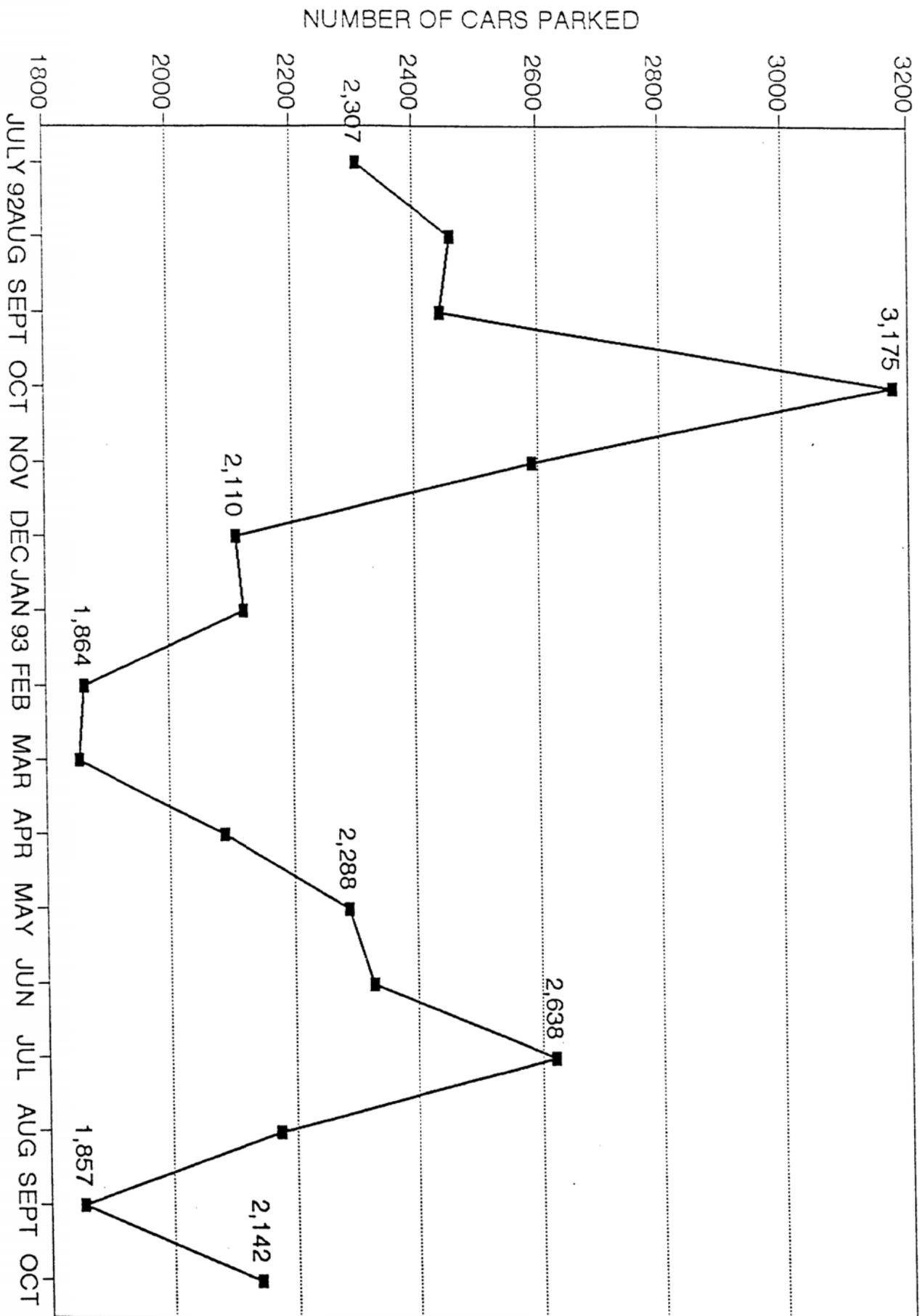
### Advertising

Both local papers have been contacted asking their sales staff to suggest that advertisers include this line "Located Near Convenient Garage Parking" in their advertising.

Print -  
Gazette will print something ...

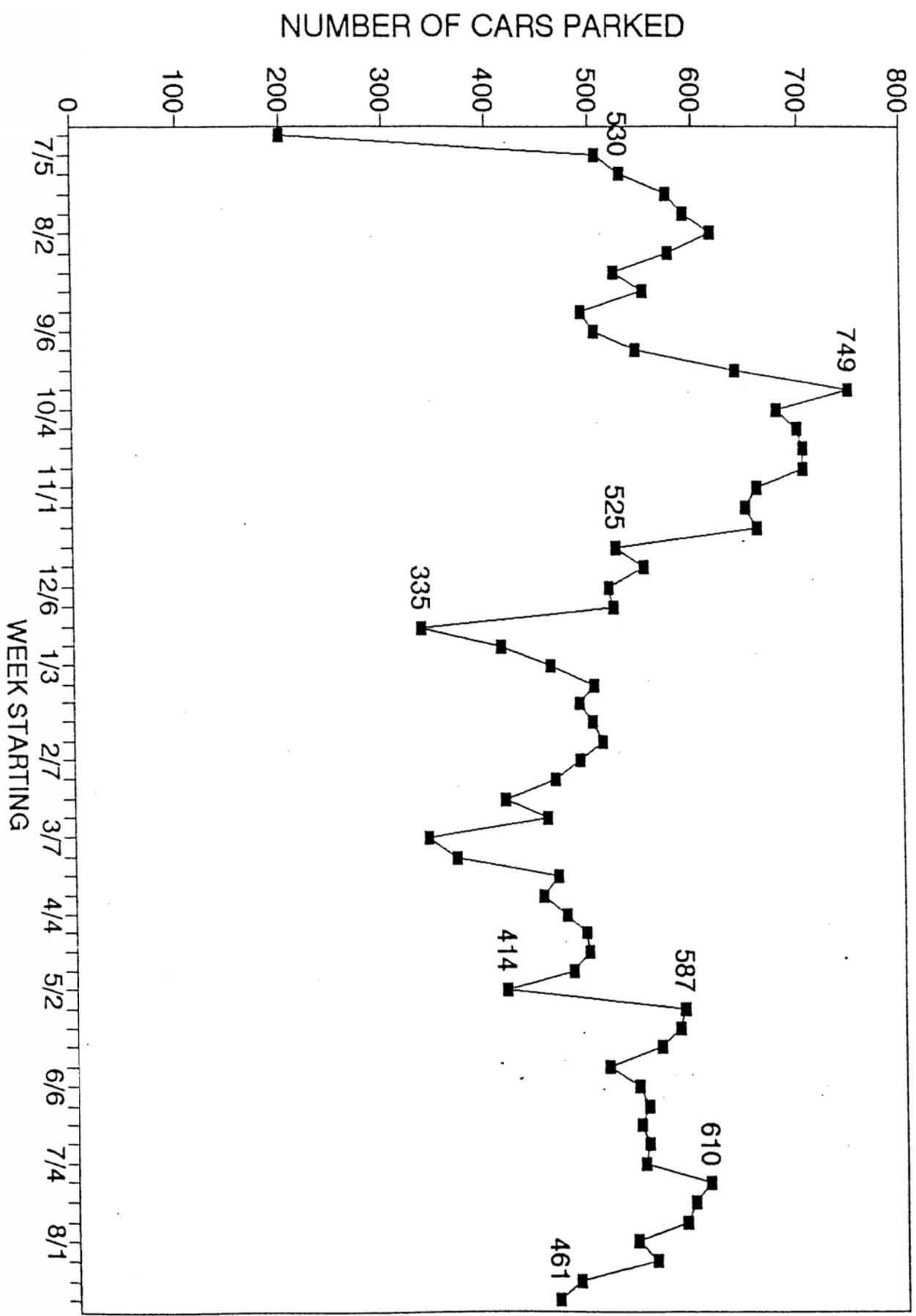
Oct. 1992

# RESTAURANT/RETAIL EMPLOYEE PARKING TOTAL MONTHLY EMPLOYEE PARKERS



*parking committee meeting  
9/27/93*

# RESTAURANT/RETAIL EMPLOYEE PARKING PARKERS PER WEEK



13A+B  
11-13-93

Telephone message to City Council:

Mrs. Joan Hartman Moore and her husband, Arnold, who live at 424 Princess Street, called to say that they wrote to you last month but are unable to attend Saturday's PH because they will be out of town.

They are more concerned about the number of businesses going out of business in Old Town Alexandria--and more restrictions will just end in more closed businesses. They didn't move to Old Town to not be able to have anyone visit them at home.

They are volunteering to help in any way they can to defeat having any additional restrictions placed on Old Town businesses.

SS  
11/12/93

**PHONE-O-GRAM**® for: *City Council* <sup>13A+B</sup>/<sub>11-13-93</sub>

*Mrs. Belden, 204 N. Royal Street*

<input checked="" type="checkbox"/> Telephoned	<input type="checkbox"/> Returned your call	<input type="checkbox"/> Came in
<input type="checkbox"/> Will call again	<input type="checkbox"/> Please return the call	<input type="checkbox"/> See me

Message: *Urges your support of the OTCA and DRA initiative to preserve and save our historic Alexandria.*

Phone: \_\_\_\_\_ Date *11/12* Time \_\_\_\_\_ By *S*

Telephone message to the Mayor and Council:

Deborah Patterson, 525 North Alfred Street, was unable to attend the public hearing on Saturday. She would like you to support the DRA plan, and that you should try to limit nonresident parking to one hour at all times.

SS

11/15/93

WHEREAS, the City Council has adopted revised policies with respect to restaurants in Old Town as an amendment to the Old Town section of the Alexandria Master Plan; and

WHEREAS, it is desirable to adopt policies and guidelines to be used by staff, the Planning Commission and City Council in applying the revised Old Town restaurant policy;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Alexandria that:

1. The following guidelines and policies are hereby adopted in their entirety.
2. This resolution shall take effect immediately upon its adoption.

POLICIES AND CRITERIA AS AMENDED BY CITY COUNCIL

1. Availability of Off-street Parking for Patrons

City staff shall, at least once a year, publish a survey of off-street parking facilities and the extent of vacant spaces available in each during evening hours. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces, as determined by that survey, within 500 feet from the entrance to the restaurant.

Percent of patron parking that can be accommodated off-street:

- \_\_\_\_\_ 100%
- \_\_\_\_\_ 75-99%
- \_\_\_\_\_ 50-75%
- \_\_\_\_\_ 1-50%
- \_\_\_\_\_ No parking can be accommodated off-street

2. Parking Management Plan

Applications for special use permits for restaurants shall be accompanied by a Parking Management Plan (PMP) in which the applicant indicates what parking demand it will generate at different hours of the day by virtue of its proposal and what steps it proposes to reduce the impact of its parking demand upon nearby areas. Applicants shall consider such measures as validated parking or valet parking for patrons, and off-street parking or parking or transit subsidies for employees.

The Plan must show how employees who drive will be accommodated off the street at least in the evenings and on weekends:

- \_\_\_\_\_ All
- \_\_\_\_\_ 75-99%
- \_\_\_\_\_ 50-74%
- \_\_\_\_\_ 1-50%
- \_\_\_\_\_ None

Predicted Impact of the Restaurant on Parking Supply at the Evening Peak, Weekend Peak, and Daytime Peak.

The peak evening impact upon neighborhoods shall be

standing capacity of the restaurant must be determined and the  
will identify the likely maximum number of patrons.

- \_\_\_\_\_ Maximum number of patron seats
- \_\_\_\_\_ Maximum number of spaces for standing patrons
- \_\_\_\_\_ Maximum number of employees by hour at any one time
  
- \_\_\_\_\_ Closes by 8:00 p.m.
- \_\_\_\_\_ Closes after 8:00 p.m. but by 10:00 p.m.
- \_\_\_\_\_ Closes after 10:00 p.m. but by midnight
- \_\_\_\_\_ Closes after midnight

[Closing time means when the restaurant is empty of patrons.]

4. Alcohol Consumption

City staff will attempt to identify the nature of the operation and the likely extent of alcohol (such as spirits, mixed drinks, wine and beer) consumption in both the two hours and the four hours before closing based on information drawn from the applicant.

- \_\_\_\_\_ High ratio of alcohol to food
- \_\_\_\_\_ Balance between alcohol and food
- \_\_\_\_\_ Low ratio of alcohol to food
  
- \_\_\_\_\_ Number of bar seats proposed
- \_\_\_\_\_ Number of standing patrons that can be accommodated in bar area

5. Litter

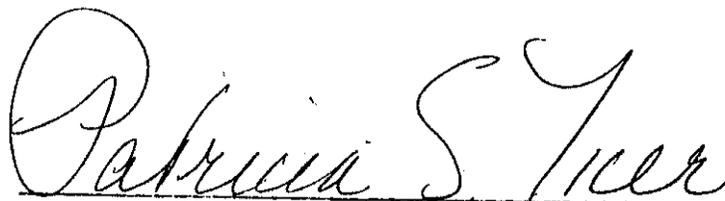
City staff will attempt to identify the predicted extent of litter based on comparable operations in other locations. (The extent to which an establishment offers carryout food that is likely to be consumed immediately or shortly after purchase, as opposed to being likely to be purchased primarily for home consumption, shall be a major consideration in predicting the extent of litter it may generate.)

- \_\_\_\_\_ No or little litter expected
- \_\_\_\_\_ Substantial litter expected

Litter reduction plan

Restaurants featuring carryout service for immediate consumption will be required to indicate what steps it will take to reduce the amount of litter generated by sales in that restaurant.

ADOPTED: November 13, 1993



PATRICIA S. TICOR  
MAYOR  
On behalf of the City Council  
of Alexandria, Virginia