

DOCKET ITEM #6

Special Use Permit #2012-0049

4370 King Street – Delicious Restaurant

(Parcel Address: 4368 King Street)

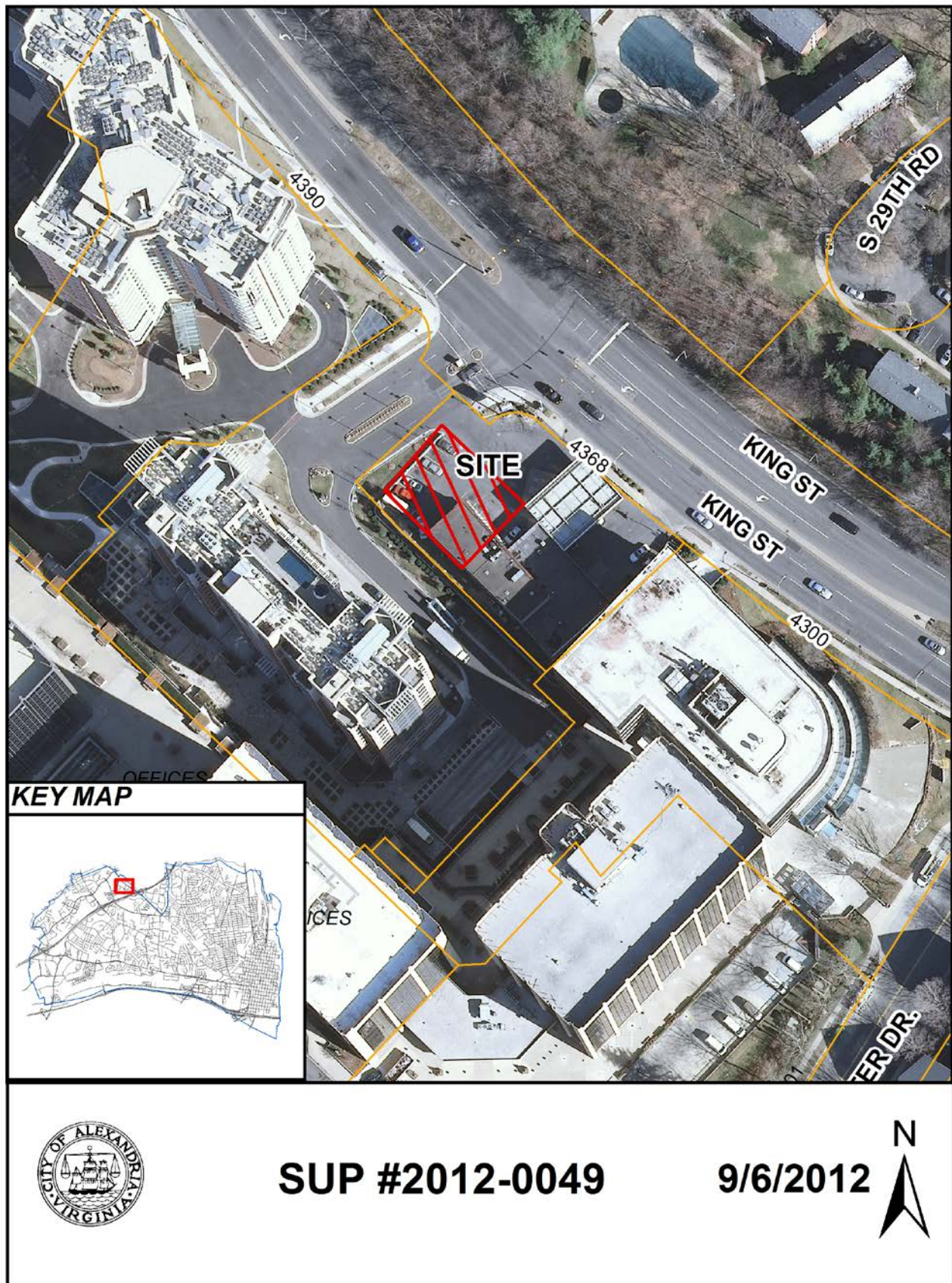
Application	General Data	
Consideration of a request to operate a restaurant.	Planning Commission Hearing:	September 6, 2012
	City Council Hearing:	September 15, 2012
Address: 4370 King Street (Parcel Address: 4368 King Street)	Zone:	OCM (100) / Office Commercial Medium (100)
Applicant: Abass Abutaa by Danny Khammar, agent	Small Area Plan:	Alexandria West

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

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

PLANNING COMMISSION ACTION, SEPTEMBER 6, 2012: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.



I. DISCUSSION

The applicant, Abass Abutaa by Danny Khammar, agent, requests Special Use Permit approval to operate a restaurant at 4370 King Street.

SITE DESCRIPTION

The subject site is one lot of record with approximately 205 feet of frontage on King Street, 125 feet of depth, and a total lot area of 22,500 square feet. The property is improved with a one and two-story 8,000 square-foot commercial building that is divided into two tenant spaces. The eastern portion of the building is occupied by an automobile service station, with four pumps covered by a canopy and accessory automobile repair. The western portion of the building, currently vacant, is the location for the proposed restaurant.



The surrounding area is comprised of a mix of residential and commercial uses. A three-building office complex, which includes a health and athletic club and a retail market, is located immediately to the southeast. Halstead Tower, a multi-story residential condominium, is located to the southwest. The Alexander multi-story residential apartment building is located to the northwest. Fairlington Village apartments are located to the north/northeast across King Street.

BACKGROUND

A gas station has operated at this site since at least 1950, and was most recently approved by SUP in 2002. Cavalier Auto Supply operated in the subject tenant space next-door to the gas station for many years prior to 1995, when City Council first approved a restaurant known as "Steak Around." Following the closure of that business, City Council approved SUP#2003-0102 in January 2004 for a pizza restaurant. Staff administratively approved two changes of ownership, one in 2006 and the other in 2007 (SUP#2007-0039). The most recent restaurant at the site closed more than two years ago and the SUP has expired.

PROPOSAL

The applicant proposes to operate a 2,000 square-foot restaurant serving gourmet carry-out food for breakfast, lunch, and dinner. No seats, no alcohol and no live entertainment are proposed. The applicant expects to offer both automobile and pedestrian delivery service of food to customers. Additional elements of the applicant's proposal are as follows:

Hours of Operation:

7:00am – 11:00pm seven days/week

Type of Service:

Carry-out, delivery

<u>Alcohol:</u>	No alcohol service
<u>Live Entertainment:</u>	No live entertainment will be offered
<u>Delivery:</u>	Food will be delivered to customers either by foot or using up to three delivery vehicles.
<u>Noise:</u>	No exceptional noises anticipated
<u>Odors:</u>	No odors anticipated
<u>Trash/Litter:</u>	Trash stored behind the building will be picked-up five times/week. Staff will be assigned to patrol for litter as part of their routine duties.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OCM(100) / Office Commercial Medium (100) zone. Section 4-1003 of the Zoning Ordinance allows restaurants in the OCM(100) zone with a Special Use Permit when the business does not qualify for administrative approval. The restaurant does not qualify for administrative approval because it does not offer full service and proposes more than one delivery vehicle.

The proposed use is consistent with the Alexandria West Small Area Plan chapter of the Master Plan which designates the property for commercial uses.

PARKING

According to Section 8-200(A)(16) of the Zoning Ordinance, a restaurant without seats in this location shall provide 1.2 parking spaces for every 210 square feet of tenant space. This 2,200 square-foot restaurant is therefore required to provide 13 parking spaces. The applicant satisfies this parking requirement with 32 on-site parking spaces that are shared with the adjacent automobile service station.

II. STAFF ANALYSIS

Staff supports the applicant's request to operate a carry-out restaurant in this location, which has been occupied by restaurants intermittently for the last 15 years. No alcohol or live entertainment is proposed under the current request, which eliminates potential problems that can sometimes arise from these restaurant features. Since the proposed restaurant is one of the only food-related uses in this immediate area and is within walking distance of several multi-story residential apartments, it can be seen as a neighborhood-supporting use that may help to reduce residents' dependence on automobiles. It will also occupy tenant space that has been vacant for more than two years.

Staff does not anticipate significant negative neighborhood impacts from this use. Although residences are located in the vicinity, these residential buildings are buffered from the proposed restaurant by driveways. Staff has included several standard conditions in this report regarding matters such as litter, trash, and odors. Condition language prohibiting alcohol and live entertainment (Conditions #5 and 6) are also recommended given that neither of these features will be a part of the restaurant. Staff has also included Condition #7 to limit the number of delivery vehicles to three, as indicated in the application, and required that they be parked off-street when they are stationed at the restaurant between deliveries.

Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the restaurant shall be limited to between 7 a.m. and 11 p.m. daily. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. No seating shall be allowed at the restaurant. (P&Z)
5. No alcohol sales shall be allowed at the restaurant. (P&Z)
6. No live entertainment shall be permitted at the restaurant. (P&Z)
7. No more than three delivery vehicles shall be used to deliver food to customers. The delivery vehicles must park in off-street parking spaces when at the restaurant. (P&Z) (T&ES)

8. Meals ordered before the closing hour may be sold, but no new patrons may be admitted and all patrons must leave by one hour after the closing hour. (P&Z)
9. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
10. No food, beverages, or other material shall be stored outside. (P&Z)
11. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
12. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
13. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
15. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
16. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
17. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
18. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and robbery readiness training for all employees. (Police)
19. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
20. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit

conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

Staff Note: In accordance with Section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a Special Use Permit by City Council or the Special Use Permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- R-1 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-2 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
- R-3 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-4 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
- R-5 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-6 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
- R-7 Not more than three delivery vehicles may be used to deliver food to customers. The delivery vehicles must park in off-street parking spaces when at the restaurant. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (AUP2007-00003)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

Code Enforcement:

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at ken.granata@alexandriava.gov or 703-746-4193.
- C-1 Building and trades permits are required for this project. Six sets of *construction documents* sealed by a *Registered Design Professional* that fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s)
- C-2 Prior to the application for new Certificate of Occupancy, the applicant shall submit a building permit for a change of use. Drawings prepared by a licensed architect or professional engineer shall accompany the permit application. The plans shall show proposed conditions and provide data by the design professional which details how the proposed use will comply with the current edition of the Virginia Uniform Statewide Building Code for the new use in the area of structural strength, means of egress, passive and active fire protection, heating and ventilating systems, handicapped accessibility and plumbing facilities.
- C-3 Alteration to a building/structure shall comply with the Uniform Statewide Building Code (USBC).
- C-4 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-5 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof.
- C-6 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-7 Certification is required from the owners or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-8 The current use is classified as (A-2) Assembly; the proposed use is (M) Mercantile. Change of use, in whole or in part, will require a certificate of use and occupancy and compliance with including but not limited to: limitations of exit travel distance,

emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.

- C-9 Awnings must comply with all applicable requirements of USBC. Retractable and fixed awnings must have a minimum 7 foot clearance from a sidewalk to the lowest part of the framework or any fixed portion of any retractable awning is required. Retractable awnings must be securely fastened to the building and can not extend closer than 24 inches in from the curb line.
- C-10 Fixed awnings must be designed and constructed to withstand wind or other lateral loads and live loads required by the USBC. Structural members must be protected to prevent deterioration.
- C-11 Exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.
- C-12 Toilet Rooms for Persons with Disabilities:
 - (a) Water closet heights must comply with USBC 1109.2.2
 - (b) Door hardware must comply with USBC 1109.13
- C-13 Toilet Facilities for Persons with Disabilities: Larger, detailed, dimensioned drawings are required to clarify space layout and mounting heights of affected accessories. Information on door hardware for the toilet stall is required (USBC 1109.2.2).
- C-14 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-15 The following code requirements apply where food preparation results in the development of grease laden vapors:
 - (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
 - (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.
- C-16 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
 - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.

- C-17 Electrical wiring methods and other electrical requirements must comply with USBC and NFPA 70, 2008.

Health:

- F-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual or location to another.
- F-2 Plans shall be submitted to the Health Department through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.
- F-3 Plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food and Food Handling Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.
- F-4 Facilities engaging in the following processes may be required to submit a HACCP plan: Smoking as a form of food preservation; curing food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; and sprouting seeds or beans.
- F-5 A Certified Food Manager shall be on-duty during all operating hours.
- F-6 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
- F-7 Wood flooring in eating areas shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent. In many cases, original wooden flooring in historical structures may not be suitable for food service facilities.

Parks and Recreation:

- F-1 No comments received

Police Department:

- R-1 The applicant is to contact the Community Relations / Crime Prevention Unit of the Alexandria Police Department at 703-746-1920 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations / Crime Prevention Unit of the Alexandria Police Department at 703-746-1920 regarding a robbery readiness program for all employees.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2012-0049

PROPERTY LOCATION: 4370 King Street Alex VA
(Parcel Address: 4368 King St)

TAX MAP REFERENCE: 012.01-01-19 **ZONE:** OCM (100)

APPLICANT: Abass Abutaa
Name: _____

Address: 4370 King St. Alex VA

PROPOSED USE: RESTAURANT (TAKE OUT)

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

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Abass Abutaa Danny Khammar Chris Pluta 6/26/12
Print Name of Applicant or Agent Signature Date
4730 King Street
Mailing/Street Address
Alexandria Va 22302
City and State Zip Code
703.623.3673
Telephone # Fax #
dannykhammar@hotmail.com
Email address

ACTION-PLANNING COMMISSION: _____ **DATE:** _____

ACTION-CITY COUNCIL: _____ **DATE:** _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 4370 King Street, I hereby
 (Property Address)
 grant the applicant authorization to apply for the gourmet take out (dba delicious) use as
 (use)
 described in this application.

Name: Abass Abutaa King Enterprises of VA LLC Phone: 703.623.3673
 Please Print
 Address: 4370 King Street, Alexandria VA 22302 Email: dannykhammar@hotmail.com
 Signature: [Signature] Date: 6/26/12

- 1.** Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ **Required floor plan and plot/site plan attached.**

☐ **Requesting a waiver. See attached written request.**

- 2.** The applicant is the (check one):

☒ Owner

☐ Contract Purchaser

☐ Lessee or

☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Mr. Abass Abutaa 100% ownership

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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

Name	Address	Percent of Ownership
1. Mr. Abass Abutaa	4370 King Street	100%
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 4370 King Street, Alexandria va (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Mr. Abass Abutaa	4370 King Street	100%
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose **any** business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity below and "None" in the corresponding fields)**

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

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

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

06/26/12

Abass Abutaa

Date

Printed Name

Signature

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ **Yes.** Provide proof of current City business license

☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

see attached sheets

~~The opening of Delicious will enhance the area with its upscale canopy and with potted plants on the front and side of the building side walk.~~

~~The picture is of the proposed signage. Unaware that the upper light box signs were not permitted they will be removed. The top view is of the side of the building, the lower view is the front of the building. Large planters in the front and side will enhance the area. The picture also shows the close proximity to one of the apartment buildings.~~



4370 King Street, Alexandria Va 22302

The Delicious Brand:

The Delicious brand is a modified version of the following: Einstein Bagel, Panera, Stone Hut Pizza and La Madeline. Delicious will be an upscale take out with a varied menu that will enable people to order and or visits multiple times a week. The easy walking proximity to more than 1000 upscale apartments and several office buildings will provide immediate sales and at the same time reduce, some of the car traffic, with daily delivery service being offered. Delicious is attached to the Liberty Gas station which will generate immediate sales without affecting the traffic congestion and flow on Rt7.

Mr. Abbas Abutaa is both the owner of the property as well as the attached Liberty Gas station. Mr Abutas will also in own the gourmet take out; Delicious. Mr Abutaa is also the owner of Bailey Center on Payne Street, in Falls Church.

4370 King Street previously was a take out. The basic service and menu the same, but now more upscale in presentation and offerings. The equipment, layout and hours of operation are the same as the previous tenant(s).

To maximize sales and minimize congestion delivery will be offered to the walking buildings by hand carts. Cars will be used for delivery when not in walking distance. This will enable an easier flow for the take out.

Delicious will open daily from 7 am to 11pm. Depending on sales and regulations possible longer hours, on the weekends, may be petitioned for.

Trash removal will be Monday to Friday with the majority of the deliveries being made Monday to Thursday to insure that there will not be excessive trash on the weekends.

The opening of Delicious will eagerly employee between 10 to 12 full and part time employees.

The planned building enhancements and menu offerings will be a great addition to the area both service wise and street image.

The opening of Delicious will enhance the area with its upscale canopy and with potted plants on the front and side of the building side walk.



The picture is of the proposed signage. Unaware that the upper light box signs were not permitted they will be removed. The top view is of the side of the building, the lower view is the front of the building. Large planters in the front and side will enhance the area. The picture also shows the close proximity to one of the apartment buildings.

USE CHARACTERISTICS

4. The proposed special use permit request is for (*check one*):

- ☐ a new use requiring a special use permit,
☐ an expansion or change to an existing use without a special use permit,
☐ an expansion or change to an existing use with a special use permit,
☒ other. Please describe: same useage from existing business more than 18 months old.. gourmet take out/delivery

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect?

Specify time period (i.e., day, hour, or shift).

25 people per hour average including take out

B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

6am to 2pm 3 people
2pm to 5pm 2 people
5 to 11pm 5 people (2 drivers)

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

Day:

sunday to monday

Hours:

7 am to 11pm

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

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

normal kitchen equipment; no noise

B. How will the noise be controlled?

no noise

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

there will be no odors

~~trash will be contracted to be picked up 5 times a week~~

recycle bins will be used in the back fenced in area

9. Please provide information regarding trash and litter generated by the use.

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

traditional restaurant trash, food waste and paper/packageing storage material

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

~~estimate 5 bags of trash per day as all foods will be to go or delivered, no side seating~~

- C. How often will trash be collected?

trash will be contracted to be picked up 5 times per week

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

as part of daily duties, side walk and parking will be monitered for litter as well
as scheduled shift cleaning

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[] Yes.

[✓] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

oven/grill de greaser will be stored no more than 2 -3 gallons at a time

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

lighted parking lots

clear windows for visibility

security locks on back doors

fire and burgler alarm install

ALCOHOL SALES

13.

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

☐ Yes ☒ No

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

there will be no alcohol sales on the property, now nor or petitioned for the future

PARKING AND ACCESS REQUIREMENTS

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

14 Standard spaces
 _____ Compact spaces
 _____ Handicapped accessible spaces.
 _____ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A _____

Does the application meet the requirement?

☐ Yes ☐ No

- B. Where is required parking located? (*check one*)

☐ on-site

☐ off-site

If the required parking will be located off-site, where will it be located?

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

☐ **Parking reduction requested; see attached supplemental form**

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? 1

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?

☐ Yes ☐ No

- B. Where are off-street loading facilities located? there is no off street loading ... business is set in side the property with ample room for deliveries

- C. During what hours of the day do you expect loading/unloading operations to occur?
due to the nature of the business more deliveries will be made early morning or mid to late afternoon

- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
the projected volume and the extra large inhouse storage will enable deliveries to be less frequent and larger. maximum 3 deliveries per day monday to friday

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
street modifications have been upgraded do to the number of new residential neighbors

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No
 Do you propose to construct an addition to the building? ☐ Yes ☒ No
 How large will the addition be? _____ square feet.
18. What will the total area occupied by the proposed use be?
2000 sq. ft. (existing) + 00 sq. ft. (addition if any) = 2000 sq. ft. (total)
19. The proposed use is located in: (check one)
☐ a stand alone building
☐ a house located in a residential zone
☐ a warehouse
☐ a shopping center. Please provide name of the center: _____
☐ an office building. Please provide name of the building: _____
☒ other. Please describe: adjoining a gas station with separate entrance and facade

End of Application

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APPLICATION

RESTAURANT

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

1. How many seats are proposed?

Indoors: 0

Outdoors: 0

Total number proposed: 0

2. Will the restaurant offer any of the following?

Alcoholic beverages (**SUP only**) Yes ☒ No ☒

Beer and wine — on-premises Yes ☒ No ☒

Beer and wine — off-premises Yes ☒ No ☒

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

Gourmet TAKE OUT
SERVING BREAKFAST, lunch, Dinner

4. The restaurant will offer the following service (check items that apply):

☐ table service

☐ bar

☒ carry-out

☒ delivery

5. If delivery service is proposed, how many vehicles do you anticipate? 12-3 depending on shift

Will delivery drivers use their own vehicles? ☒ Yes ☐ No

Where will delivery vehicles be parked when not in use?

BETWEEN DELIVERIES
HAND CART DELIVERY FOR NEIGHBORHOOD BUILDINGS

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?

☐ Yes ☒ No

If yes, please describe:

NONE

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Parking impacts. Please answer the following:

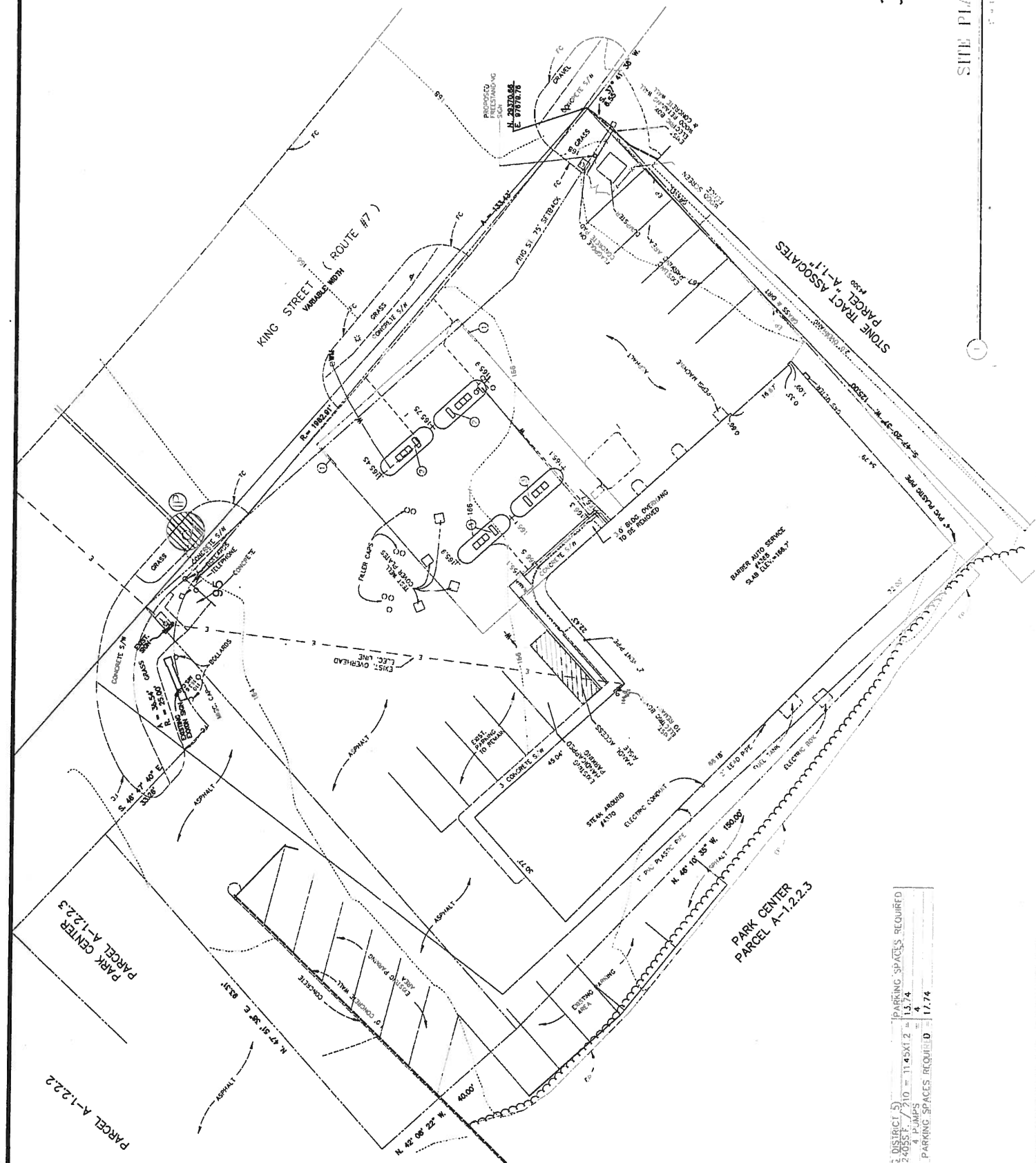
1. What percent of patron parking can be accommodated off-street? (check one)
☐ 100%
☐ 75-99%
☐ 50-74%
☐ 1-49%
☒ No parking can be accommodated off-street
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
☒ All
☐ 75-99%
☐ 50-74%
☐ 1-49%
☐ None
3. What is the estimated peak evening impact upon neighborhoods? (check one)
☒ No parking impact predicted
☐ Less than 20 additional cars in neighborhood
☐ 20-40 additional cars
☐ More than 40 additional cars

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

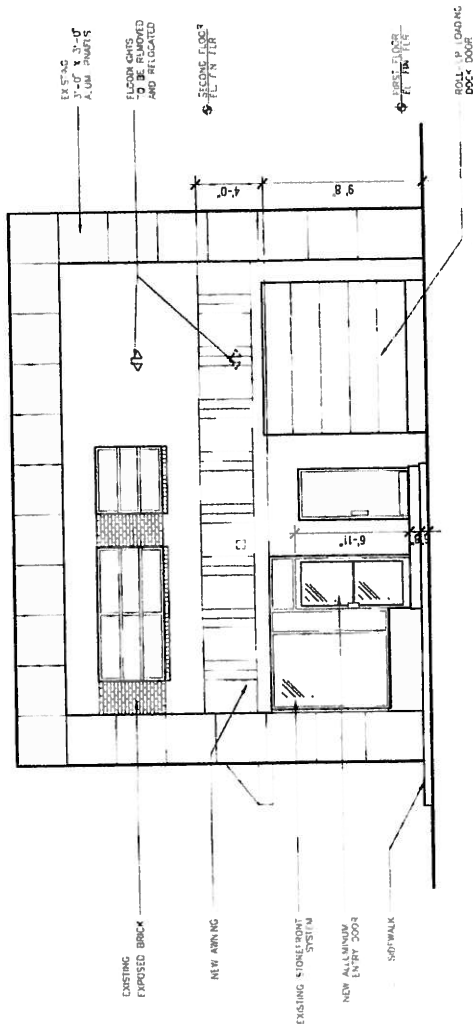
DAILY SHIFT SIDE WALK + PARKING LOT CLEANING

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

1. Maximum number of patrons shall be determined by adding the following:
☒ Maximum number of patron dining seats
+ ☒ Maximum number of patron bar seats
+ ☒ Maximum number of standing patrons
= ☒ Maximum number of patrons
2. 313 Maximum number of employees by hour at any one time
3. Hours of operation. Closing time means when the restaurant is empty of patrons. (check one)
☐ Closing by 8:00 PM
☐ Closing after 8:00 PM but by 10:00 PM
☒ Closing after 10:00 PM but by Midnight
☐ Closing after Midnight
4. Alcohol Consumption (check one)
☒ NONE High ratio of alcohol to food
☐ Balance between alcohol and food
☐ Low ratio of alcohol to food



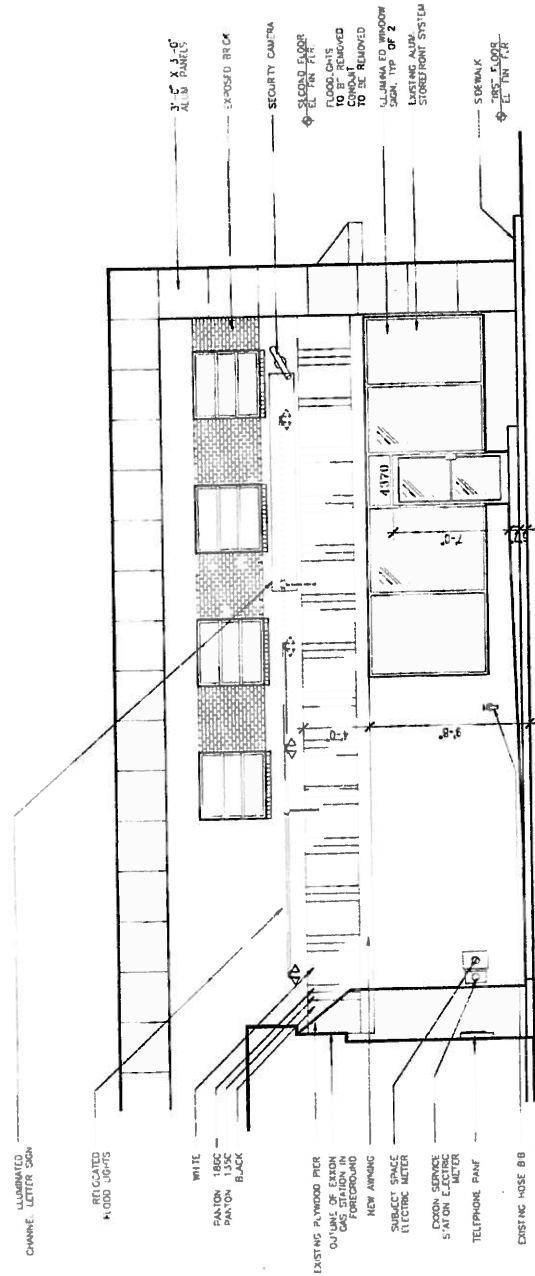
BEAN'S PARKING (PARKING DISTRICT 3)	PARKING SPACES REQUIRED
STEAK AROUND	114
SERVICE STATION	60
TOTAL PARKING SPACES REQUIRED	174



WEST ELEVATION

1/4" = 1'-0"

2

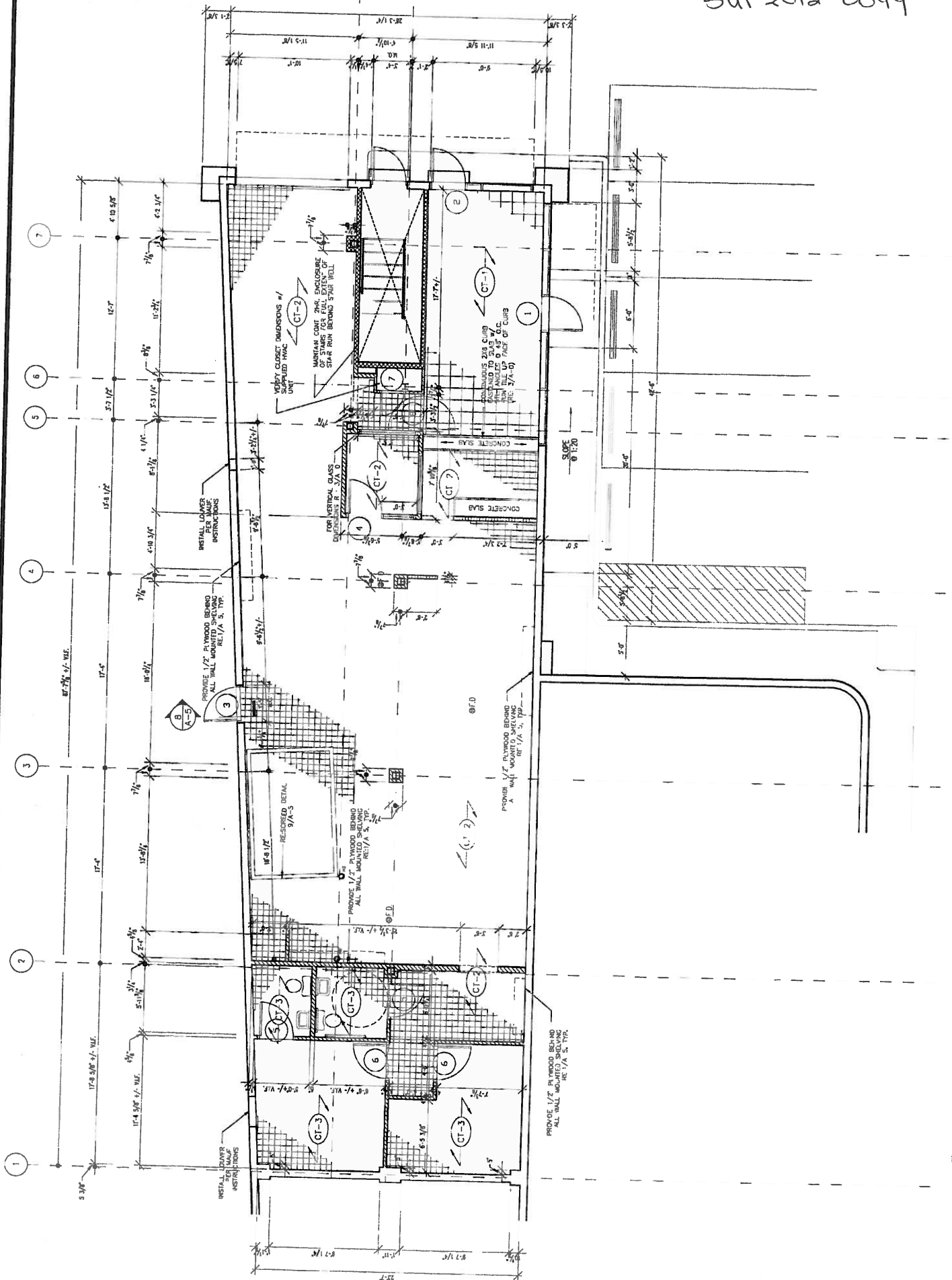


NORTH ELEVATION

1/4" = 1'-0"

1

SUP 2012-0049



DIMENSION PLAN FINISH FLOOR PLAN