



Docket Item #4

Special Use Permit #2014-0016

1512 King Street – Subway Restaurant

Application	General Data	
Consideration of a request to amend a previously approved Special Use Permit to change a condition regarding internal menu boards.	Planning Commission Hearing:	May 6, 2014
	City Council Hearing:	May 17, 2014
Address: 1512 King Street (Parcel address: 1508 King Street)	Zone:	KR/King Street Retail
Applicant: R. P. Kapani	Small Area Plan:	King Street Metro Station/ Eisenhower Avenue

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: Ann Horowitz, ann.horowitz@alexandriava.gov

PLANNING COMMISSION ACTION, MAY 6, 2014: On a motion by Commissioner Dunn, seconded by Commissioner Lyman, the Planning Commission recommended approval of the request, subject to an amendment to Condition 3-A, and in compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 6-0, with Commissioner Hyra absent.

Reason: The Planning Commission agreed with staff analysis and clarified Condition 3-A regarding the approval of fluorescent tube lighting inside the restaurant.

Speakers:

No individuals requested to speak regarding this docket item.



I. DISCUSSION

The applicant, R. P. Kapani, requests consideration to amend a previously approved Special Use Permit to change a condition regarding internal menu boards.

SITE DESCRIPTION

The Subway restaurant is located in a 1,250 square foot tenant space that is part of a two-story building in Old Town. A mixture of commercial, office, and residential uses surround the restaurant. The 8,316 square foot building, sited on a 4,920 square foot lot, is divided into three ground floor commercial spaces and three second floor residential apartments. The property fronts King Street for approximately 78 feet and is zoned KR/King Street Retail.



BACKGROUND

The restaurant opened in 2005 after the approval of Special Use Permit #2003-0114 in 2004. The SUP conditions established exterior and interior design requirements for the tenant space in order to maintain the urban, historic character of King Street. As part of the design-related conditions, the applicant was required to substitute the standard Subway franchise interior features with higher quality finishes and materials, similar to those applied in “Subway Cafés.” In particular, Condition 3-G prohibited the installation of internally illuminated menu boards depicting photographs of menu items.

A September 2010 inspection revealed the violation of Condition 10, related to the proper handling of trash and garbage, which was corrected immediately. On March 31, 2014, staff observed violations of SUP conditions that included window signage, litter, and employee education of SUP conditions. The applicant subsequently remedied these violations. Interior menu boards featuring pictures of food were also found. Ten individual panels, each measuring thirty inches high by seventeen inches wide, are displayed together in a fourteen foot menu board. The menu board is externally lit by individual light fixtures installed above the sign.

PROPOSAL

The applicant requests approval for the installation of an eight-panel, non-illuminated menu board that includes photographs of food. This installation would be similar to other Subway Cafes at 1800 Duke Street and 320 King Street. Each of the eight panels measure approximately two square feet and would be assembled in one sixteen foot horizontal row or divided into two separate rows.

The proposed menu board would replace the existing menu board, which is installed above the food counter on the west wall, and would not be internally illuminated. Individual lighting fixtures would light the panels from the front.

Characteristics of the existing restaurant operation which will continue are:

<u>Number of Seats:</u>	36
<u>Hours of Operation:</u>	6 a.m. – 12 midnight, daily
<u>Type of Service:</u>	Dine-in and carry out
<u>Customers:</u>	200 each day
<u>Employees:</u>	No more than four at any one time
<u>Alcohol:</u>	No alcohol service
<u>Live Entertainment:</u>	No live entertainment
<u>Delivery:</u>	No delivery
<u>Noise:</u>	Mechanical equipment is located at the rear of the property and away from residential properties.
<u>Odors:</u>	Restaurant ventilation equipment in use.
<u>Trash and Litter:</u>	Two trash bags a day are filled with cardboard boxes and refuse. Two 96-gallon trash containers are located at an alley on the east side of the building. Trash is collected twice a week.

ZONING/MASTER PLAN DESIGNATION

Pursuant to Section 6-702(A)(2)(k) of the Zoning Ordinance, the restaurant is permitted in the KR/King Street Retail zone that allows restaurants as a ground floor use with Special Use Permit approval. The restaurant operation is consistent with the land use goals of the King Street Metro Station/Eisenhower Avenue Small Area Plan, which designates the area for a mix of office, hotel, residential, and retail uses.

PARKING

According to Section 8-400(B)(4), freestanding restaurants in the King Street Transit Parking District, where the restaurant is located, must provide one off-street parking space for each ten seats with an exemption for carry out restaurants. With 36 seats, the restaurant would normally be required to provide four off-street parking spaces. The applicant, however, was granted a four space parking reduction as part of its previous SUP in 2004.

II. STAFF ANALYSIS

The SUP design conditions placed on national chain restaurants have succeeded in preserving the unique retail character of King Street by minimizing the garish design that is often synonymous with franchises located in suburban strip malls. Conditions applied to chain restaurants have consistently included high quality finishes, such as wood furniture, ceramic flooring, and paneled wood doors, trim, and moldings. Although good interior design conditions are essential to maintaining King Street's unique character, staff recommends that the applicant's request to slightly amend Condition 3-G of SUP#2003-0114 to allow photographs of menu items on the restaurant's internal menu boards would not adversely affect the quality of the commercial environment in the area.

Since SUP#2003-0114 was approved, three King Street restaurants have been authorized with conditions for high quality interior design that allow for the placement of food item photographs on internal menu boards: Subway Café Restaurant at 320 King Street (SUP#2010-0039), Yogiberry at 711 King Street (SUP#2011-0074), and Nando's at 702-704 King Street (SUP#2011-0089). As with this applicant's request, these restaurants have SUP conditions that restrict the use of internally illuminated menu boards.

It is clear that the high quality interior design incorporated in these restaurants has proven to benefit the King Street corridor. The condition amendment to include photographs of food on internal menu boards, however, has not been found to negatively impact the overall visual quality of the interior spaces. Staff, therefore, has proposed to amend Condition 3-G in this report to be consistent with the language used for the aforementioned restaurants on King Street. Other important conditions remain that are associated with the high quality of interior finishes. The amended language removes the reference to photographs of menu items while maintaining

the prohibition of internal illumination.

For consistency with other chain restaurant interior design conditions, Condition 3-A has been amended to dissuade the applicant from using fluorescent tube lighting. Additionally, several conditions have been amended and added to reflect current and standard SUP language that apply to the restaurant's current operation. For example, amended language regarding Conditions 2, 6, 22, and 23 regulating outdoor seating, hours of operation, live entertainment, and delivery service have been added. Conditions 18 and 20 have been amended to reflect modern standard language to encourage public transportation.

Staff recommends approval of the Special Use Permit request subject to the conditions included in Section III of this report.

III. RECOMMENDED CONDITIONS

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

1. **CONDITION AMENDED BY STAFF:** The special use permit shall be granted to the applicant only or to any ~~business or entity~~ corporation in which the applicant has a controlling interest. (P&Z) (~~SUP#2003-0114~~)
2. **CONDITION AMENDED BY STAFF:** Seating shall be provided for no more than 36 patrons. No outdoor seating shall be permitted at the restaurant. (P&Z) (~~SUP#2003-0114~~)
3. **CONDITION AMENDED BY STAFF AND PLANNING COMMISSION:** The applicant shall ~~prepare~~ maintain a the design plan for both interior and exterior areas, to include interior finishes, colors, materials, furniture, lighting and specifications, which shall be to the satisfaction of the Director of Planning and Zoning and shall include the following elements: (P&Z) (PC) (~~SUP#2003-0114~~)

Exterior

- a. Cover the existing masonry under the windows with cementitious stucco covering in medium to dark earth tone color. The masonry piers between the display windows shall be covered with a different material or lighter color to harmonize with the remainder of the building facade.
- b. Install awnings over all windows and doors of subject and adjacent (1510 King) spaces with dark green material.
- c. Limit sign area to awning valance as depicted in photos with this application.
- d. No lighted signage in the windows is permitted.
- e. Existing store windows shall be replaced with new clear plate glass. The new exterior door shall be constructed of wood.
- f. The window and door trim and the storefront frames shall be painted a dark color and downspouts shall be colored to minimize their appearance.

Interior

- a. Lighting shall be soft, with pendant fixtures similar to Subway Café, and ~~with no may avoid the use of~~ fluorescent lighting tubes if approved by the Director of Planning and Zoning.
- b. Furniture, including lounge chairs to be situated near the windows, shall consist of wood tables and chairs with cloth covering, similar to Subway Café.
- c. Flooring shall be ceramic tile.
- d. Tiling on the vertical surface of the cashier/service counter shall be a

- generally solid color and/or design.
 - e. Interior doors shall be solid six panel wood.
 - f. Decorative wood interior trim shall include moldings and other details, such as rosettes.
 - g. Menu boards shall be of plain design, similar to those approved for the ~~Subway Café at 1800 Duke Street, without pictures of menu items or internal lighting,~~ not be backlit or have any internal lighting.
 - h. Refrigerator cases and similar items shall not be placed in visually prominent locations.
5. No live entertainment shall be provided at the restaurant. (P&Z) (T&ES)
(SUP#2003-0114)
6. **CONDITION AMENDED BY STAFF:** The ~~closing~~ hours of operation of the restaurant shall be ~~no later than~~ limited to between 6:00 a.m. and 12:00 midnight, daily.
(P&Z) ~~(SUP#2003-0114)~~
7. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
(SUP#2003-0114)
8. No alcoholic beverages shall be sold. (P&Z) (SUP#2003-0114)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2003-0114)
10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on-site outside of those containers. (P&Z) (SUP#2003-0114)
11. **CONDITION AMENDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (T&ES) ~~(SUP#2003-0114)~~
12. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2003-0114)
13. 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 and Environmental Services. (T&ES) (SUP#2003-0114)

14. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2003-0114)
15. **DUPLICATE CONDITION DELETED BY STAFF:** ~~Prior to opening the business, the applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and a robbery awareness program for all employees. (Police) (SUP#2003-0114)~~
16. Meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z) (SUP#2003-0114)
17. The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all SUP provisions and requirements, as part of that training. (P&Z) (SUP#2003-0114)
18. **CONDITION AMENDED BY STAFF:** The applicant shall require that employees who drive to ~~work~~ 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. (P&Z) (T&ES) ~~(SUP#2003-0114)~~
19. **CONDITION AMENDED BY STAFF:** The applicant is to contact the ~~Crime Prevention~~ Community Relations Unit of the Alexandria Police Department at ~~703-838-4520~~ 703-746-6838 regarding a security survey for the business and a robbery awareness program for all employees. ~~(Police) (SUP#2003-0114) (P&Z)~~
20. **DUPLICATE CONDITION DELETED BY STAFF:** ~~The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP#2003-0114) (T&ES)~~
21. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, 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) ~~(SUP#2003-0114)~~

22. **CONDITION ADDED BY STAFF:** No live entertainment shall be permitted at the restaurant. (P&Z)
23. **CONDITION ADDED BY STAFF:** No delivery service shall be available from the restaurant. (P&Z)

STAFF: Alex Dambach, Division Chief, Department of Planning and Zoning;
Ann Horowitz, 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 granting of a Special Use Permit by City Council or the Special Use Permit shall become void.

CITY DEPARTMENT COMMENTS

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

Transportation and Environmental Services

- 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.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 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.
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.

Code Enforcement

- F-1 The review by Code Administration for special use permit 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, Plan Review Services Division Chief at ken.granata@alexandriava.gov or 703.746.4192.
- C-1 Request for sign install requires a building permit per USBC.
- C-2 In accordance with Section 36-99 of the Code of Virginia, the USBC shall prescribe building regulations to be complied with in the construction and rehabilitation of buildings and structures, and the equipment therein.
- C-3 Construction documents shall show the dimensions, material and required details of construction, including loads, stresses and anchors.
- C-4 Wall signs attached to exterior walls of solid masonry, concrete or stone shall be safely and securely attached by means of metal anchors, bolts or expansion screws of not less than 3/8 inch diameter and shall be embedded at least 5 inches.

- C-5 Alterations to the existing structure and/or installation of equipment requires construction/alteration permits. Six sets of architectural quality drawings shall accompany the permit applications that fully detail the construction/alteration as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

Health

- C-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.
- C-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.
- C-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.
- C-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.
- C-5 Certified Food Managers must be on duty during all hours of operation.
- C-6 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
- S-1 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.

Police Department

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business. This is to be completed prior to opening for business.

- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- F-1 The applicant is not requesting an A.B.C permit. The Police Department concurs with this.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2014-0016

PROPERTY LOCATION: 1512 KING STREET, ALEXANDRIA, VA 22314

TAX MAP REFERENCE: 063.04-09-20 ZONE: KR

APPLICANT:

Name: R.P. KAPANI

Address: 27087 ROAN COURT, CHANTILLY, VA 20152

PROPOSED USE: SIT-IN/CARRY OUT RESTAURANT -
"SUBWAY" FRANCHISE #36022.

☒ **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.

R.P. KAPANI
Print Name of Applicant or Agent
27087 ROAN COURT
Mailing/Street Address
CHANTILLY, VA 20152
City and State Zip Code

R. Kapani
Signature
1/6/14
Date
(u) 703-753-5427
Telephone #
703-753-7500
Fax #
PKAPANI@HOTMAIL.COM
Email address

ACTION-PLANNING COMMISSION: _____ DATE: _____
ACTION-CITY COUNCIL: _____ DATE: _____

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 1506 1512 KING STREET ALEX. VA I hereby
(Property Address)
 grant the applicant authorization to apply for the RESTAURANT use as
(use)
 described in this application.

X Name: Spencer Hopkins Phone 410 263 0447
Please Print
 V Address: POB 947 Annapolis MD 21404 Email: N/A
 X Signature: [Signature] Date: 1/26/14

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.

X	<u>48%</u>	<u>SPENCER HOPKINS</u>	ADDRESS SAME AS ABOVE
	<u>48%</u>	<u>MARGARET HOPKINS</u>	
	<u>4%</u>	<u>HOPKINS LEGACY TRUST</u>	

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of _____, I hereby
(Property Address)
grant the applicant authorization to apply for the _____ use as
(use)
described in this application.

Name: _____ Phone: _____
Please Print
Address: _____ Email: _____
Signature: _____ Date: _____

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.

① ATTACHMENTS-I (PROPOSED)
② ATTACHMENT-II (CURRENT)

2. The applicant is the (check one):

☐ Owner

☐ Contract Purchaser

☒ Lessee or

☐ Other: _____ of the subject property.

owner's Authorization attached.

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

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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

Name	Address	Percent of Ownership
1. R. P. KAPANI	27087 Roan Ct.	100%
2. —	Charlottesville, VA 22904	
3. —		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (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. SPENCE HOPEKINS	1512 King St.	100%
2. —	Alexandria, VA 22304	
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 required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

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. R. P. Kapani	No	No
2. SPENCE HOPEKINS	No	No
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.

1/6/14 Date R. P. KAPANI Printed Name R. P. Kapani Signature

SUP # _____

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.)

The menus are unique and out of line with the regular Subway Menus. The current SUP does not allow the picture/poster to go in the menu boards. These are considered as unusual, inconvenient, confusing and departure from the regular "SUBWAY" menus. They have been complaining about it on ongoing basis.

This change proposed later half of year at the time of decor upgrades. While the other decor upgrades was allowed by the Planning & Zoning, although minor, this change about the menus was advised to be applied separately for SUP. Hence this request in the form of SUP application.

SUP # 2003-0114.
 This SUP proposal is an amendment to ~~the previous~~
 Mainly the purpose of this request is to follow
 the Uniform Brand of Menus of "SUBWAY"
 franchise. It will have the pictured Menus
 along with the prices - to be understood by the
 customers easily. Presently, these have the ~~same~~
 description and the prices - ~~PANEL MEASURE = 24.5" x 24.1" x 4.5"~~
 TOTAL PANELS = 8; 1 PANEL = 24.5 $\frac{1}{8}$ " x 24.1 $\frac{1}{2}$ " x 4.5 $\frac{1}{8}$ "
 \downarrow 16.5" x 24.1 $\frac{1}{2}$ " x 4.5 $\frac{1}{8}$ "

SUP # _____

USE CHARACTERISTICS

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

- ☐ a new use requiring a special use permit,
☐ an expansion or change to an existing use without a special use permit,
☒ an expansion or change to an existing use with a special use permit,
☐ other. Please describe: _____

5. Please describe the capacity of the proposed use:

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

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

~~EATING/CARRY OUT CUSTOMERS 6:00AM - 12:00 PM~~
Arg daily about 200.

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

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

~~3-4~~ *PEAK LUNCH HOURS (11-3)*
4

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

Day: *ALL WEEK DAYS*

Hours: *6am - 12 noon*

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

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

ALL
Our Equipment has no noise effect. There is no cooking involved

B. How will the noise be controlled?

Not necessary.

SUP # _____

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

No odors emanating
N/A

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)

Food wrappers

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

2 ~~1~~ 3 BAG/DAY

- C. How often will trash be collected?

TRASH TWICE A WEEK - 96 ~~1~~ Gallons x2
THE STOR IS STORED IN THE GALLY IN BETWEEN TRASH CANS.
THE STORES TO BE PICKED UP BY TRASH TRUCK.

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

No Littering
We take care of the littering if any in front of the store.

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

[] Yes.

☒ No.

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

N/A

SUP # _____

- 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:

N/A

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

N/A

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.

N/A

SUP # _____

PARKING AND ACCESS REQUIREMENTS

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

☒ Standard spaces Available Street Parking
____ 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?

Public Street Parking

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? One - ON PUBLIC STREET

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?

EAST OF THE STREET CORNER
LOADING SPACE ON
PAYTON ST. CROSSROADS!
at King St + Payton St.

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

7am to 4PM

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

Once a week

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

NO

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? N/A square feet.

18. What will the total area occupied by the proposed use be?

AS PER ATTACHMENT 1 - IT INVOLVES REPLACEMENT OF PRESENT
MEANS INSIDE THE STORE
sq. ft. (existing) + sq. ft. (addition if any) = sq. ft. (total)

19. The proposed use is located in: (check one)

☒ a stand alone building

☐ a house located in a residential zone

☐ a warehouse

☒ a shopping center. Please provide name of the center:

KING STREET

☐ an office building. Please provide name of the building:

☐ other. Please describe:

LIMITED TO INSIDE THE STORE
JUST SUBSTITUTING THE CURRENT
WITH THE REGULAR "SUBWAY" MENUS.

End of Application

SUP #

Admin Use Permit #



SUPPLEMENTAL 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: 36 Outdoors: — Total number proposed: 36

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:

Sandwiches + Salads, etc.

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

— table service — bar ✓ carry-out ✓ eat-in delivery

5. If delivery service is proposed, how many vehicles do you anticipate? No Deliveries

Will delivery drivers use their own vehicles? N/A Yes N/A No

Where will delivery vehicles be parked when not in use?

N/A

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

— Yes ✓ No

If yes, please describe:

N/A. There is no live entertainment.

SUP # _____

Parking impacts. Please answer the following:

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

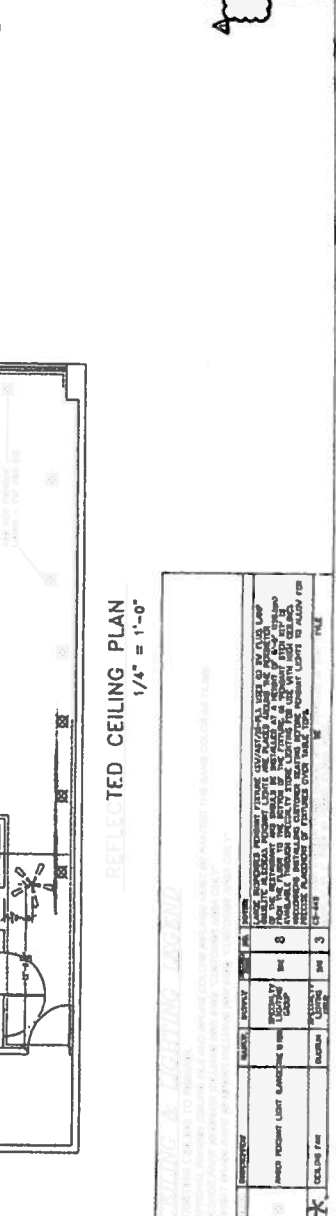
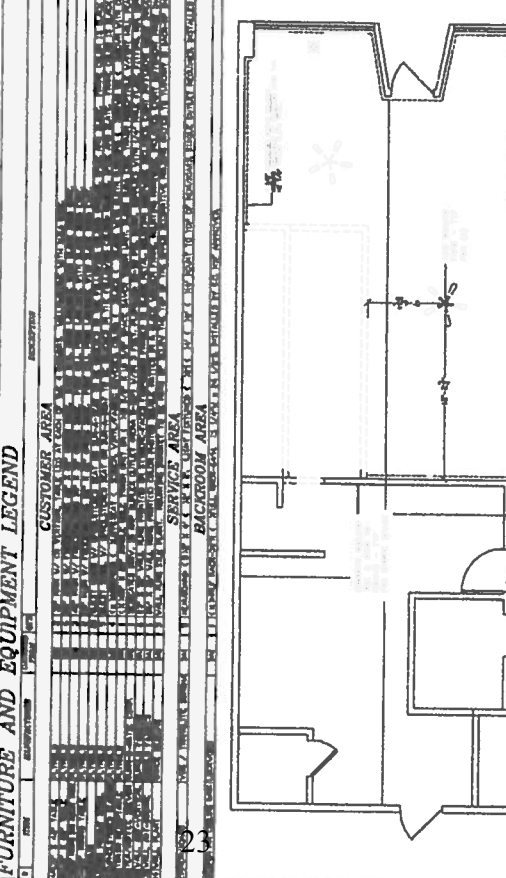
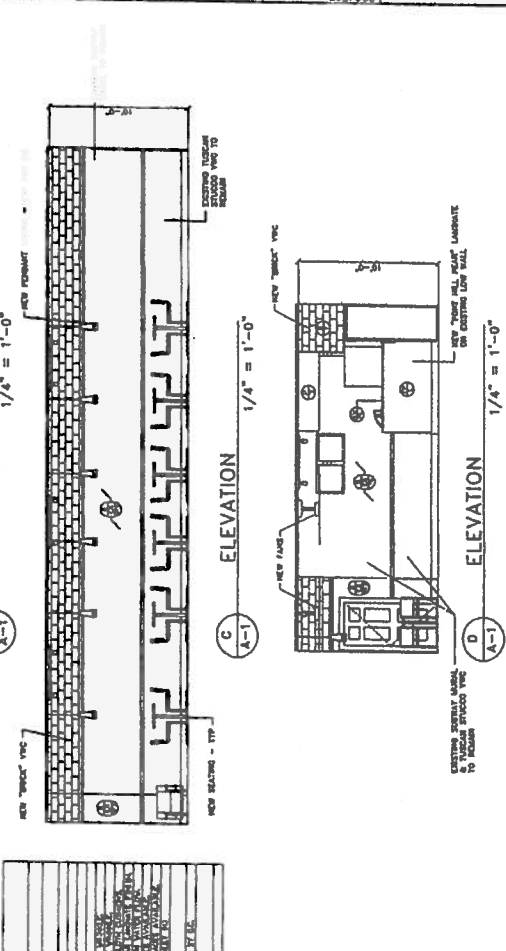
Litter plan. The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

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

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

	36	Maximum number of patron dining seats
+	NA	Maximum number of patron bar seats
+	NA	Maximum number of standing patrons
=	36	Maximum number of patrons
2. ~~24~~ 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)

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



0014-0016
Kilbuck Street

foodservice

SUBWAY® ITEM #

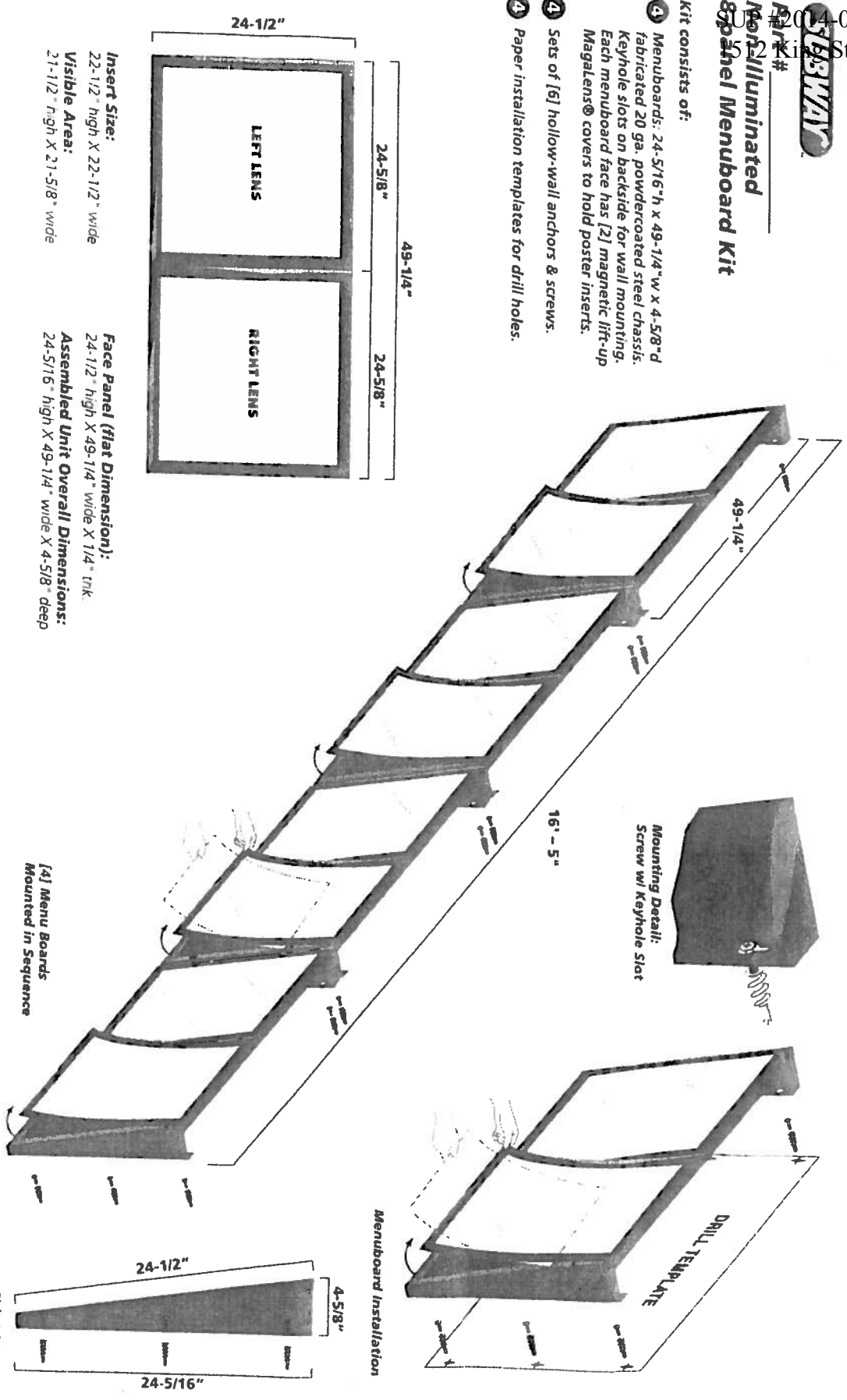
2-PANEL NON-ILLUMINATED MENUBOARD KIT
Specifications Sheet



Non-Illuminated 8 Panel Menuboard Kit

Kit consists of:

- ③ Menuboards: 24-5/16" h x 49-1/4" w x 4-5/8" d
fabricated 20 ga. powdercoated steel chassis.
Keyhole slots on backside for wall mounting.
Each menuboard face has [2] magnetic lift-up
Magalens® covers to hold poster inserts.
- ④ Sets of [6] hollow-wall anchors & screws.
- ④ Paper installation templates for drill holes.



Insert Size:
22-1/2" high X 22-1/2" wide

Visible Area:
21-1/2" high X 21-5/8" wide

Face Panel (Flat Dimension):
24-1/2" high X 49-1/4" wide X 1/4" thick

Assembled Unit Overall Dimensions:
24-5/16" high X 49-1/4" wide X 4-5/8" deep

Side View

VGS

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REV. 06.04.02