



Special Use Permit #2015-0029
5782 Dow Avenue (Parcel Address: 650 South Van Dorn Street) – Starbucks Coffee

Application	General Data	
Public hearing and consideration of a Special Use Permit amendment to existing SUP#2015-0038 to extend the hours of operation at an approved restaurant.	Planning Commission Hearing:	June 2, 2015
	City Council Hearing:	June 13, 2015
Address: 5782 Dow Avenue (Parcel Address: 650 South Van Dorn Street)	Zone:	CDD#17/Coordinated Development District #17
Applicant: Starbucks Corporation	Small Area Plan:	Landmark/Van Dorn

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

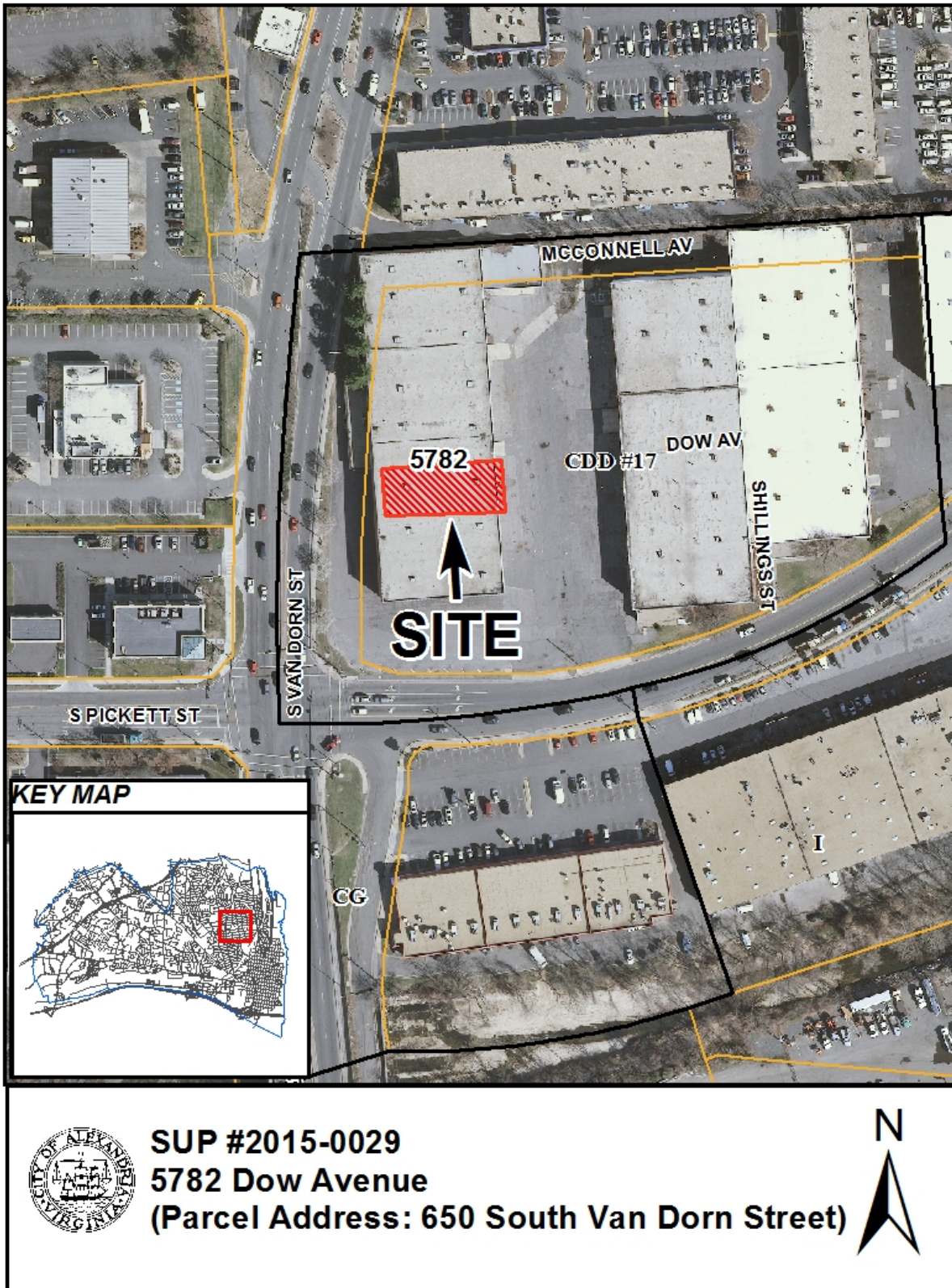
Staff Reviewers: Nathan Randall, nathan.randall@alexandriava.gov

PLANNING COMMISSION ACTION, JUNE 2, 2015: On a motion by Vice Chairman Dunn, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2015-0029 subject to compliance with all applicable codes, ordinances, and other staff recommendations. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis. It also asked staff to investigate, as a general matter in SUP cases, a greater standardization of operating hours for restaurants as well as potential changes to condition language regarding public transit and employee parking.

Speakers:

Bill Delkanic, applicant, spoke in support of the request.



*Please note: site area is approximate. The aerial imagery shown was last updated Nov. 2009

I. DISCUSSION

The applicant, Starbucks Corporation, requests a Special Use Permit amendment to extend the hours of operation at an approved restaurant at 5782 Dow Avenue at Modera Tempo (formerly known as Landmark Gateway) Building #3.

SITE DESCRIPTION

The subject site is a 1,845 square-foot ground-level commercial space in Modera Tempo Building #3 near the corner of South Van Dorn Street and Dow Avenue. Building #3 is the largest and southernmost of the three buildings in the mixed-use Modera Tempo complex. The entire 6.3-acre complex has frontage on South Van Dorn Street to the west, South Pickett Street to the south, and McConnell Avenue to the north.



The Modera Tempo complex is surrounded by primarily commercial and light industrial uses. The Van Dorn Station Shopping Center, which includes several retail, restaurant, and light industrial tenants, is located to the north. Warehouses are located to the east. Two commercial centers with retail and restaurant tenants are located to the south. A self-storage facility, a bank, and a Red Lobster restaurant are located to the west.



BACKGROUND

City Council approved DSUP#2006-0021 in January 2009 for the construction of a mixed-use complex at the site, which was formerly known as Landmark Gateway. The 2009 approval included 431 dwelling units and 35,000 square feet of ground-level retail space in three five-story buildings. In January 2012, City Council approved DSUP#2011-0030 to a new developer to increase the number of residential units in the buildings to 492 and to reduce the retail square footage to approximately 15,000 square feet. A parking reduction and a Transportation Management Plan (TMP) were also approved as part of the DSUP approval. TMP SUP#2011-0076 included a requirement for an annual contribution toward a variety of activities aimed at encouraging public transportation and achieving a goal of 30% of people not using single occupant vehicles. Construction of Buildings #1 and #3 was complete last year and Building #2 is expected to be complete later this year.

In mid-May of this year, staff administratively approved SUP#2015-0038 for the operation of the subject Starbucks restaurant, which was eligible for Administrative SUP approval as a “coffee shop restaurant” pursuant to Section 11-513(L)(2) of the Zoning Ordinance and Condition #8 of the Modera Tempo DSUP approval. Approval included an opening hour for the restaurant of 7 a.m. daily. The applicant is still pursuing the build-out of the interior space and the restaurant has not yet opened for business.

Condition #8 of the Modera Tempo DSUP stipulates that, in order to be eligible for Administrative SUP approval, future restaurants at the site may open no earlier than 7 a.m. and may close no later than 11 p.m. or 12 midnight daily. On the other hand, the Zoning Ordinance provides that the maximum hours of operation for an Administrative SUP-eligible restaurant shall be either a neighborhood standard or, in most parts of the City, 5 a.m. to 12 midnight daily. Section 11-513(O) of the Zoning Ordinance addresses such potential inconsistencies by stipulating that the specific condition(s) of DSUP approvals shall supersede the broader eligibility standards for Administrative SUP approval found in the Ordinance. The earlier opening hour of 5:30 a.m. that the applicant has ultimately desired for this restaurant could therefore only be approved by full-hearing SUP. The applicant submitted the application for the subject full-hearing SUP request for the 5:30 a.m. opening time at approximately the same time as it applied for the already-approved Administrative SUP.

Prior to Administrative SUP approval, the Cameron Station Civic Association had expressed concern to staff about the Starbucks request in regard to the potential for bright signage on the building, the overall appearance of the retail storefronts, the use of a window film that would partially block some of the windows at the site, and the lack of landscaping along the South Van Dorn Street frontage of the tenant space. Staff worked with both the applicant and the property owner to address these concerns, many of which were incorporated into the Administrative SUP staff report as conditions of approval.

A request to operate a quick-service restaurant known as Jimmy John’s in tenant space to the south of Starbucks at the Modera Tempo complex has also been scheduled for the June public hearings of the Planning Commission and City Council.

PROPOSAL

The applicant requests an SUP amendment to extend the opening hour at the recently-approved Starbucks at Modera Tempo from 7 a.m. daily to 5:30 a.m. daily. No other changes to the operation of the business are proposed. Several elements of the existing operation, in addition to the change regarding hours of operation, are as follows:

<u>Existing Hours of Operation:</u>	7 a.m. – 10 p.m. seven days/week
<u>Proposed Hours of Operation:</u>	5:30 a.m. – 10 p.m. seven days/week
<u>Number of Seats:</u>	36 indoor seats
	<u>6 outdoor seats</u>
	42 total seats

<u>Type of Service:</u>	Carry-out and dine-in service
<u>Delivery:</u>	No delivery of food to customers is proposed
<u>Alcohol:</u>	No alcohol sales are proposed
<u>Live Entertainment:</u>	No live entertainment is proposed
<u>Employees:</u>	Two to four employees
<u>Noise:</u>	Few noises are anticipated beyond coffee making equipment
<u>Odors:</u>	Coffee and warmed food odors are minimal and will not be disruptive
<u>Trash/Litter:</u>	Trash will be collected from restaurant daily and stored in shared trash facility

PARKING

DSUP approval for Modera Tempo stipulated that 53 off-street parking spaces are required for all commercial uses at the site. The applicant satisfies this parking requirement with the shared use of the 53 surface parking spaces located near the interior plaza between Buildings #1 and #3 and along interior streets within the complex. Although not officially counted toward the number of spaces provided by the applicant, 11 new on-street spaces were also created along South Pickett Street in connection with the Modera Tempo redevelopment.

ZONING/MASTER PLAN DESIGNATION

The proposed use is located in the CDD #17 zone, in which restaurants may be permitted subject to approval of either an Administrative Special Use Permit or a full-hearing SUP. Condition #8 of DSUP#2011-0030 matches the eligibility criteria for administrative approval of restaurants found in the Zoning Ordinance with a few exceptions, including that the earliest opening hour allowed for restaurants eligible for Administrative SUP approval is 7 a.m. Given that the applicant requests an opening hour of 5:30 a.m., it has applied for full-hearing approval.

The proposed use is consistent with the Landmark/Van Dorn Corridor Plan, approved in 2009 as part of the Landmark/Van Dorn Small Area Plan, which designates the property as a redevelopment site and for primarily residential use with ground-level retail.

II. STAFF ANALYSIS

Staff supports the request for an earlier opening hour at Starbucks at the Modera Tempo building. Although the tenant space is located below residences, which is likely the reason for the special DSUP condition limiting the Administrative SUP-eligible opening hour to 7 a.m., several elements of this specific proposal reduce the potential for early-morning impacts on adjacent residences. The small size of the proposed restaurant, its lack of a full kitchen, and the absence of live entertainment and food delivery to customers mitigate the potential for negative impacts compared to a more intense restaurant operation. It is also true that the DSUP approval specifically anticipated that Building #3 would be mixed-use, and that the ground-level retail space could include restaurants, in order to further the stated planning goals of the Landmark-Van Dorn Corridor Plan.

The applicant's current request is also consistent with the opening hour at several other Starbucks locations in the City. The opening hours for the three closest Starbucks locations, as approved by SUPs from the late 1990s to mid-2000s, range from 5 a.m. to 6 a.m. All three outlets appear now to open at 5 a.m. daily since they are located in shopping centers and have therefore been permitted uses since 2008. In 2007, the Starbucks at the mixed-use Monarch/Henry building in the West Old Town/Braddock Metro area received SUP approval for a 5 a.m. opening hour. The specific request to open at 5:30 a.m. daily is also no earlier than the earliest opening hour (5 a.m.) allowed in the Administrative SUP standards for restaurants in most parts of the City, which was superseded the special Administrative SUP eligibility criteria contained in Condition #8 in the Modera Tempo DSUP.

All of the conditions of the recently-approved Administrative SUP have been carried forward into the current request, with a change to Condition #3 to allow the earlier opening hour. For instance, Condition #20, requires a 10 p.m. ending time for all deliveries (consistent with the DSUP approval) and prohibits deliveries from occurring on either South Van Dorn or South Pickett Streets. Conditions #10, #12 and #13 regarding the blocking of windows, signage, and landscaping have been carried forward as well, partially for consistency with DSUP condition language and also to address concerns from the Cameron Station Civic Association. Condition #11 would continue to allow a film, with not less than 50% transparency, to be placed on certain windows of this tenant space given that the significant grade difference between some portions of the sidewalk and the Starbucks finished floor already precludes meaningful views into the restaurant from the street.

In conclusion, staff believes that the earlier opening hour is a reasonable change to support a new establishment that has helped realize mixed-use planning goals for the area. Subject to the conditions contained in Section III of this report, staff recommends approval of the request.

III. RECOMMENDED CONDITIONS

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

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP#2015-0038)
2. The maximum number of indoor seats at the restaurant shall be 36. The maximum number of outdoor seats at the restaurant shall be six. (P&Z) (SUP#2015-0038)
3. **CONDITION AMENDED BY STAFF:** The hours of operation for the indoor portion of the restaurant shall be limited to between ~~7 a.m.~~ 5:30 a.m. and 10 p.m. daily. For indoor seating, meals ordered before 10 p.m. may be sold, but no new restaurant patrons may be admitted after 10 p.m. and all patrons must leave by 11 p.m. The outdoor dining area shall be cleared of customers by 10 p.m. daily and washed at the close of each business day that it is in use. (P&Z) (~~SUP#2015-0038~~)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP#2015-0038)
5. Outdoor dining, including all its components such as planters, wait stations, and barriers shall not encroach onto the public right of way unless authorized by an encroachment ordinance. (P&Z) (SUP#2015-0038)
6. Outdoor seating areas shall not include advertising signage, including on umbrellas. (P&Z) (SUP#2015-0038)
7. No alcohol service shall be permitted at the restaurant. (P&Z) (SUP#2015-0038)
8. No live entertainment shall be allowed at the restaurant. (P&Z) (SUP#2015-0038)
9. No delivery service of food to customers shall operate from the restaurant. (P&Z) (SUP#2015-0038)
10. The applicant shall maintain open views into the restaurant from the interior plaza frontage of the tenant space and the eastern-most group of windows on the Dow Avenue frontage of the tenant space to the satisfaction of the Director of Planning & Zoning. Interior storage cabinets, carts, window signs, posters, shelving, boxes, coat racks, storage bins, closets and similar items shall not block the visibility of the interior of the restaurant from the interior plaza. The applicant may display goods in display cases that are oriented toward the plaza. (P&Z) (SUP#2015-0038)
11. Any film or other covering on the windows of the tenant space facing Dow Avenue (except for the eastern-most group of windows) and South Van Dorn Street shall be at least 50% transparent to the satisfaction of the Director of Planning & Zoning. Such film

or covering shall not include signage unless separate sign permit approval has been granted by the Director of Planning & Zoning. (P&Z) (SUP#2015-0038)

12. All signage at the site shall comply with Condition #46 and #47 of DSUP#2011-0030 and all other applicable codes and ordinances. If signage is erected on the frontage of the tenant space facing the interior plaza, the applicant shall also install signage on the South Van Dorn Street and Dow Avenue frontages of the tenant space. If signs erected on the frontages of the tenant space are illuminated, said signs, except for any blade or projecting signs, shall be halo-lit to the satisfaction of the Director of Planning & Zoning. (P&Z) (SUP#2015-0038)
13. The applicant shall install at least three potted plants along the South Van Dorn Street frontage of the tenant space to the satisfaction of the Director of Planning & Zoning. (P&Z) (SUP#2015-0038)
14. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements and on how to prevent underage sales of alcohol. (P&Z) (SUP#2015-0038)
15. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2015-0038)
16. 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#2015-0038)
17. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES) (SUP#2015-0038)
18. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES) (SUP#2015-0038)
19. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES) (SUP#2015-0038)
20. Supply deliveries, loading, and unloading activities shall not occur between the hours of 10:00pm and 7:00am. Deliveries are prohibited on South Van Dorn and South Pickett Streets. (T&ES) (SUP#2015-0038)
21. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2015-0038)

22. 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) (SUP#2015-0038)
23. The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (T&ES) (SUP#2015-0038)
24. 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) (SUP#2015-0038)
25. 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) (SUP#2015-0038)

STAFF: Nathan Randall, Urban Planner III, Department of Planning & Zoning
Alex Dambach, Division Chief, Department of Planning & Zoning

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

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 The building footprint is outside of the floodplain boundary. As such, this project is not subject to the floodplain regulations found in the ordinance. However, it is advised that project owners/operators become aware of the risks associated with the location of existing floodplains and it is recommended that project owners/operators located in known flood zones make improvements that protect the property from flood related damages. (T&ES)
- C-1 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
- C-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. (T&ES)
- C-3 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- C-4 Supply deliveries, loading, and unloading activities shall not occur between the hours of 10:00pm and 7:00am. Deliveries are prohibited on South Van Dorn and South Pickett Streets. (T&ES)
- C-5 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
- C-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)
- C-7 The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (T&ES)
- C-8 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)

- C-9 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). 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)
- C-10 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)

Code Enforcement:

- F-1 No comment regarding request to extend hours of operation

Health:

Food Facilities

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, corporation or location to another. Permit application and fee are required.
2. Construction plans shall be submitted to the Health Department located at 4480 King Street and 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.
3. Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety 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.
4. A Food Protection Manager shall be on-duty during all operating hours.
5. The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
6. In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
7. Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

Parks and Recreation:

F-1 No comments received

Police Department:

F-1 No comments received

Fire Department:

F-1 Based on provided information, a fire prevention permit might be required if the total projected occupant load exceeds 49. At this time it appears to be less than 49. Please confirm final occupancy load and staffing does not exceed 49.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2015-0029

PROPERTY LOCATION: 5782 Dow Ave, Alexandria, VA 22304

TAX MAP REFERENCE: 067.02

ZONE: CDD-17

APPLICANT:

Name: Starbucks Corporation DBA Starbucks Coffee Company

Address: 2401 Utah Avenue south, Seattle, Washington 98134

PROPOSED USE: Starbucks Coffee Shop

☒ **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.

Bill Delkanic

Print Name of Applicant or Agent



Signature

3/20/15

Date

2401 Utah Ave. South

Mailing/Street Address

571-435-6125

Telephone #

Fax #

Seattle, Washington

City and State

98134

Zip Code

bdelkanic@starbucks.com

Email address

ACTION-PLANNING COMMISSION: _____

DATE: _____

ACTION-CITY COUNCIL: _____

DATE: _____

REVISED

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 5782 DOW AVE, ALEXANDRIA VA 22304, I hereby
 (Property Address)

grant the applicant authorization to apply for the Starbucks Coffee Shop use as
 (use)

described in this application.

Name: SEAN CALDWELL

Phone: (301) 255-6008

Please Print
 Address: 6110 EXECUTIVE BLVD # 315,
ROCKVILLE MD 20852

Email: AWASSERIAN@ACRTRUST.COM

Signature: 

Date: 03/20/15

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 (Starbucks Coffee)

☐ 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.

Starbucks is a publicly traded company with no shareholder owning more than 10%.

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. STARBUCKS CORP IS A PUBLICLY HELD CORPORATION WITH		
2. NO SHAREHOLDERS OWNING MORE THAN 10%		
3. _____	_____	_____

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 5752 DOW AVE, ALEXANDRIA VA 22304 (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. MP LANDMARK GARDENS LLC	6110 Executive Blvd	100%
2. _____	Rockville MD 20852	
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. NONE	NONE	NONE
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.

5/21/15
Date

William DeKane
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.)

Requesting permission to change the hours of operation to: 5:30am - 10pm daily for the proposed Starbucks Coffee Store. The tenant space is to be a Starbucks Coffee Company cafe. The cafe will serve coffee/espresso, teas and a combination of frozen/iced/blended beverages in addition to pastries and warmed sandwiches. A retail area, which accompanies all Starbucks cafe locations, will also be provided for the sales of whole bean products, mugs, brewing accessories, etc.

Food and beverage items may be consumed within the cafe or taken to-go. The cafe is organized to allow for quick commuter traffic in and out of the cafe during peak morning rush hours, as well as provide a comfortable environment for gathering, meeting, and working for those that choose to remain in the space to enjoy their food/beverages. This cafe is also proposed to utilize the Clover brewing system, creating an additional and unique coffee experience. The Clover brewing system provides customers with exceptional reserve coffee options, brewed individually to-order, with a regularly changing menu of options available.

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).

Mornings: 200 patrons (7 days a week)
Afternoon: 100 patrons (7 days a week)
Evenings: 50 patrons (7 days a week)

B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).

Mornings: 4 employee/partners
Afternoons: 3 employee/partners
Evenings: 2 employee/partners

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

Day:

Hours:

Monday 5:30am - 10:00pm
Tuesday 5:30am - 10:00pm
Wednesday 5:30am - 10:00pm
Thursday 5:30am - 10:00pm
Friday 5:30am - 10:00pm
Saturday 5:30am - 10:00pm
Sunday 5:30am - 10:00pm

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

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

No noise is anticipated from mechanical equipment except specific coffee making equipment, coffee grinders and blenders

B. How will the noise be controlled?

No noise control will be necessary

8. Describe any potential odors emanating from the proposed use and plans to control them:
The only odors produced include coffee and warmed foods. There is no exhaust system specifically removing these odors from the tenant space. The only opportunities for odor escape are the opening and closing of the tenant space doors upon customer entrance to the cafe. These odors are minimal in nature, not disruptive, and dissipate through the day when equipment is not in peak operation for grinding and brewing.

Odor control:

The new mechanical system is designed with a barometric relief damper to equalize the pressure in the space. This will control/prevent odors from emanating into adjacent spaces. Further by designing the mechanical systems in this manor this bolsters our LEE certification score card to allow 30% more outside air and increases the building ventilation.

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)

coffee cups, food wrappers, napkins, wood stirrers, coffee grinds

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

20 bags daily (25 gallon size bags)

- C. How often will trash be collected?

Daily

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

As a part of the employee/partner duties an hourly sweep of the cafe is conducted daily.

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

[] Yes. [X] No.

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

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

☐ Yes. ☒ No.

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

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

We have a security systems with 6 cameras for employee safety and the parking lot is well lit.

ALCOHOL SALES

13.

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

☐ Yes ☒ No

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

PARKING AND ACCESS REQUIREMENTS

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

35 Standard spaces
 _____ Compact spaces
4 Handicapped accessible spaces.
 _____ Other.

Surface parking is shared by all retail tenants and located within the courtyard area of the building development.

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
--

- 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?

N/A

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. N/A

☐ 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 loading space at the existing loading dock

<p>Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____</p> <p>Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

B. Where are off-street loading facilities located? _____
 Loading dock area provided off of South Pickett Street in adjacent building.
 This is the designated loading area for all retail tenants

C. During what hours of the day do you expect loading/unloading operations to occur?
 Deliveries will occur between 8:00pm - 10:00pm.

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
 Deliveries will occur daily between 8:00pm - 10:00pm. The time associated with the delivery will take 12 minutes.

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?

1,845 sq. ft. (existing) + 0 sq. ft. (addition if any) = 1,845 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: Mixed use building residential and retail

End of Application



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: 6 Total number proposed: 42

2. Will the restaurant offer any of the following?

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

Beer and wine — on-premises Yes X No

Beer and wine — off-premises Yes X No

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

Pre-packaged/Pre-prepared foods will be available for purchase. These items are stored in
refrigerated cases as required and are available for warming in the TurboChef oven on site.

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

 table service bar X carry-out delivery

5. If delivery service is proposed, how many vehicles do you anticipate? N/A

Will delivery drivers use their own vehicles? Yes 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 X No

If yes, please describe:

Parking impacts. Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
 - ☒ 100%
 - ☐ 75-99%
 - ☐ 50-74%
 - ☐ 1-49%
 - ☐ No parking can be accommodated off-street

2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
 - ☒ All
 - ☐ 75-99%
 - ☐ 50-74%
 - ☐ 1-49%
 - ☐ None

3. What is the estimated peak evening impact upon neighborhoods? (check one)
 - ☒ No parking impact predicted
 - ☐ Less than 20 additional cars in neighborhood
 - ☐ 20-40 additional cars
 - ☐ More than 40 additional cars

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

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

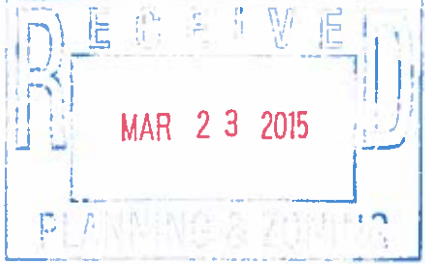
1. Maximum number of patrons shall be determined by adding the following:

42	Maximum number of patron dining seats
+	N/A
	Maximum number of patron bar seats
+	8
	Maximum number of standing patrons
=	50
	Maximum number of patrons

2. 4 Maximum number of employees by hour at any one time

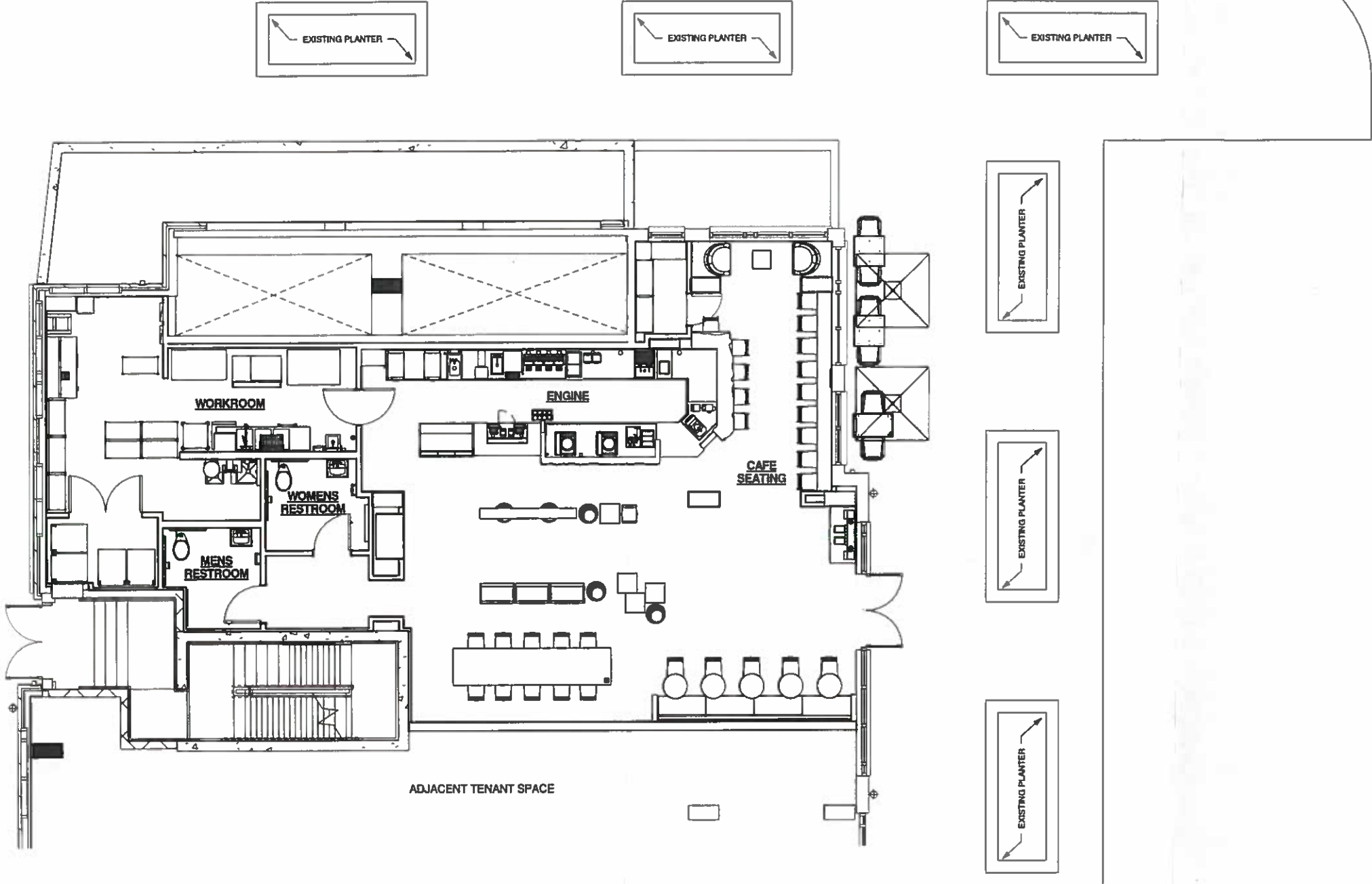
3. Hours of operation. Closing time means when the restaurant is empty of patrons.(check one)
 - ☐ Closing by 8:00 PM
 - ☒ Closing after 8:00 PM but by 10:00 PM
 - ☐ Closing after 10:00 PM but by Midnight
 - ☐ Closing after Midnight

4. Alcohol Consumption (check one)
 - ☒ High ratio of alcohol to food
 - ☒ Balance between alcohol and food
 - ☒ Low ratio of alcohol to food

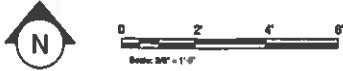


DOW AVENUE

SOUTH VAN DORN STREET



1 ARCHITECTURAL SITE PLAN
Scale: 3/16" = 1'-0"



STARBUCKS COFFEE COMPANY
2401 UTAH AVENUE SOUTH
SEATTLE, WASHINGTON 98134
(206) 318-1575

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STARBUCKS TEMPLATE VERSION 12014.10.20

ARCHITECT OF RECORD
BRIAN D. LAUG



PROJECT NAME:
LANDMARK GATEWAY

PROJECT ADDRESS:
S. VAN DORN & S. PICKETT
STREETS SPACE #5
ALEXANDRIA, VA 22304

STORE #: 24482
PROJECT #: 64407-001
CASEWORK CONCEPT: NEW STORE CORE
ISSUE DATE: 03-20-15
DESIGN MANAGER: C. DOUGHERTY
LEED® AP:
PRODUCTION DESIGNER: HDG
CHECKED BY: HDG

Revision Schedule			
Rev	Date	By	Description

SHEET TITLE:
SPECIAL USE PERMIT
SITE PLAN
SCALE: AS SHOWN

SHEET NUMBER:
A1001

THIS SHEET IS FOR PAVEMENT STRIPING AND MARKING PURPOSES ONLY!

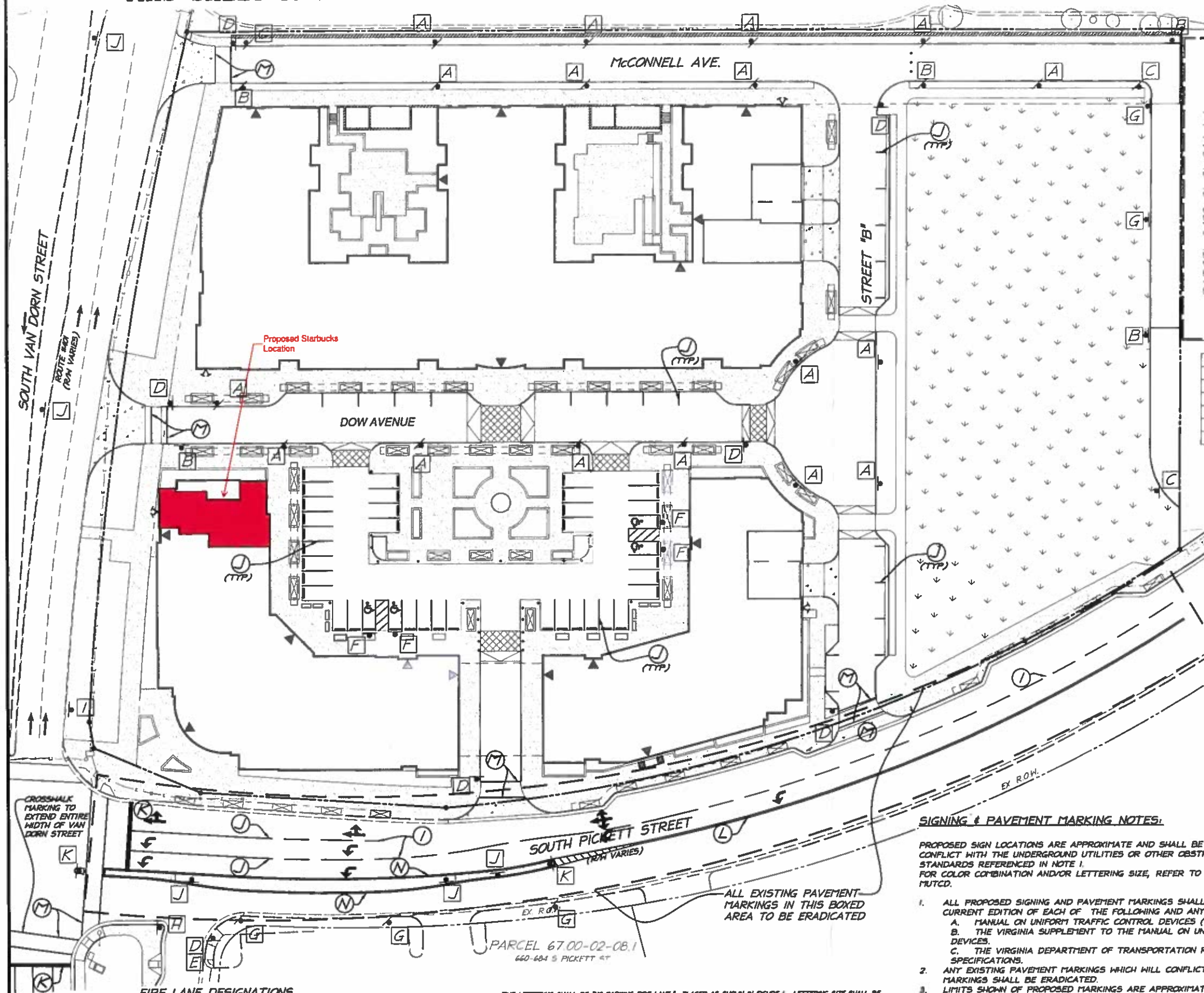












FIGURE 1- FIRE LANE SIGN

DATE	REVISION
03-09-12	FSP # 1 SUBMISSION
05-10-12	FSP # 2 SUBMISSION
06-24-12	FSP # 3 SUBMISSION
06-17-12	FSP # 4 SUBMISSION

ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT CITY OF ALEXANDRIA AND VIRGINIA DEPARTMENT OF TRANSPORTATION DESIGN STANDARDS AND SPECIFICATIONS.

SIGN LEGEND

SIGN	A	B	C	D	
SYMBOL					
DESCRIPTION	12"x18"	12"x18"	12"x18"	R1-1 24"x24"	
SIGN	E	F	G	H	I
SYMBOL		SEE DETAIL SHEET C21.1			
DESCRIPTION	R3-5 30"x36"	SEE DETAIL SHEET C21.1	12"x18"	R3-1 24"x24"	12"x18"
SIGN	J	K			
SYMBOL					
DESCRIPTION	R6-1R 36"x12"	R4-7 24"x30"			

PAVEMENT MARKING LEGEND

- ① TYPE B, CLASS 1, WHITE, 4" WIDTH, 10' LONG, 30' SPACE
- ② TYPE B, CLASS 1, WHITE, 4" WIDTH
- Ⓚ TYPE B, CLASS 1, WHITE, 24" WIDTH
- Ⓛ TYPE B, CLASS 1, YELLOW, 4" WIDTH, DOUBLE LINE, SEPARATED BY A 4" SPACE
- Ⓜ TYPE B, CLASS 1, WHITE, 6" WIDTH
- Ⓝ TYPE B, CLASS 1, YELLOW, 4" WIDTH
- ➡ TYPE B, CLASS 1, WHITE, ELONGATED ARROW.

SIGNING & PAVEMENT MARKING NOTES:

PROPOSED SIGN LOCATIONS ARE APPROXIMATE AND SHALL BE MODIFIED IN THE FIELD TO AVOID CONFLICT WITH THE UNDERGROUND UTILITIES OR OTHER OBSTRUCTIONS AND TO COMPLY WITH STANDARDS REFERENCED IN NOTE 1. FOR COLOR COMBINATION AND/OR LETTERING SIZE, REFER TO THE VIRGINIA SUPPLEMENT TO THE MUTCD.

- ALL PROPOSED SIGNING AND PAVEMENT MARKINGS SHALL BE IN ACCORDANCE WITH THE MOST CURRENT EDITION OF EACH OF THE FOLLOWING AND ANY REVISION THERETO:
 - MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
 - THE VIRGINIA SUPPLEMENT TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
 - THE VIRGINIA DEPARTMENT OF TRANSPORTATION ROAD AND BRIDGE SPECIFICATIONS.
- ANY EXISTING PAVEMENT MARKINGS WHICH WILL CONFLICT WITH PROPOSED PAVEMENT MARKINGS SHALL BE ERADICATED.
- LIMITS SHOWN OF PROPOSED MARKINGS ARE APPROXIMATE AND SHALL BE MODIFIED IN THE FIELD TO INSURE THAT PROPOSED PAVEMENT MARKINGS CONTINUE UNTIL EXISTING PAVEMENT MARKINGS CAN BE MATCHED.
- ALL CROSSWALKS SHALL BE 10' WIDE MEASURED FROM THE INSIDE EDGE OF THE PAINT STRIPES.
- A PUBLIC STREET ALL NO PARKING SIGNS, EXCEPT THOSE DEMARKING AN EYE, SHALL HAVE THEIR FACE PLACED AT A 45 DEGREE ANGLE TOWARD TRAFFIC.
- THE POST FOR SIGNS SHALL BE A 2" SQUARE TUBE POST. THE POSTS AS WELL AS THE BACK OF THE SIGNS SHALL HAVE A MATTE BLACK FINISH.
- ALL ON STREET PARKING SHALL BE 6' X 22' AS SHOWN UNLESS OTHERWISE NOTED.

FIRE LANE DESIGNATIONS

1. FIRE LANE: EMERGENCY VEHICLE EASEMENTS SHALL BE A MINIMUM OF 22 FEET ACROSS THE TRAVEL LANE. THE EMERGENCY VEHICLE EASEMENT SHALL PROVIDE ACCESS TO STRATEGIC AREAS OF THE BUILDING AND FIRE PROTECTION SYSTEMS AS DESIGNATED BY THE DIRECTOR OF CODE ENFORCEMENT. CURBING AND STREET COMPONENTS SHALL CONFORM TO THE STANDARDS ESTABLISHED BY TRANSPORTATION AND ENVIRONMENTAL SERVICES FOR EMERGENCY VEHICLE EASEMENTS.
2. SIGN SPECIFICATIONS: FIRE LANE SIGNS SHALL BE METAL CONSTRUCTION, 12-INCHES WIDE AND 18 INCHES IN HEIGHT. PROVIDE RED LETTERS ON REFLECTIVE WHITE BACKGROUND WITH A 3/8-INCH RED TRIM STRIP AROUND THE ENTIRE OUTER EDGE OF THE SIGN.

THE LETTERING SHALL BE "NO PARKING FIRE LANE" PLACED AS SHOWN IN FIGURE 1. LETTERING SIZE SHALL BE AS FOLLOWS:
 NO PARKING - 2 INCHES
 FIRE LANE - 2 1/2 INCHES
 ARROWS (WHERE APPLICABLE) - 1 INCH BY 6 INCHES SOLID SHAFT WITH SOLID HEAD 1 1/2 INCHES WIDE AND 2 INCHES DEEP.
 SIGNS SHALL BE MOUNTED WITH THE BOTTOM OF THE SIGN 7 FEET ABOVE THE ROADWAY, AND SHALL BE PROPERLY ATTACHED TO A SIGN POST OR OTHER APPROVED STRUCTURE AS DESIGNATED BY THE DIRECTOR OF CODE ENFORCEMENT. POSTS FOR SIGNS, WHEN REQUIRED, SHALL BE METAL AND SECURELY MOUNTED.
 SIGNS SHALL FACE IN THE DIRECTION OF VEHICLE TRAVEL. IN AREAS WHERE FIRE LANES INVOLVE TWO-WAY TRAFFIC, DOUBLE MOUNTED SIGNS SHALL BE PROVIDED. THE MAXIMUM DISTANCE BETWEEN SIGNS SHALL BE 120 FEET. OTHER SPECIAL SIGNS OR MODIFICATIONS TO FIRE LANE SIGNS SHALL BE APPROVED BY THE FIRE MARSHAL.



ESI
PEER REVIEW

APPROVED
SPECIAL USE PERMIT NO. 2011-0230
DEPARTMENT OF PLANNING & ZONING

DIRECTOR DATE
DEPARTMENT OF TRANSPORTATION & ENVIRONMENTAL SERVICES
SITE PLAN NO.

DIRECTOR DATE

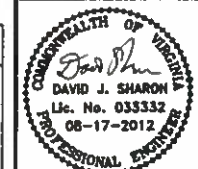
DATE RECORDED

INSTRUMENT NO. DEED BOOK NO. PAGE NO.

PROJECT NO: 06-13-06
SCALE: 1"=30'
DATE: 02-22-2012
DESIGN: DS
DRAWN: EG
CHECKED: DS
SHEET NO.

FINAL SITE PLAN
LANDMARK GATEWAY
THE CITY OF ALEXANDRIA, VIRGINIA

STRIPING & SIGNAGE
PLAN



christopher consultants
engineering surveying land planning
9900 main street (fourth floor) Fairfax VA 22031-3907
703.273.6820 fax 703.273.7636

C16.1
C-6111





From: Arthur Impastato <aimpastato@earthlink.net>
Sent: Thursday, April 09, 2015 9:12 PM
To: Nathan Randall
Cc: mindylyle@comcast.net; Dak Hardwick; Don Buch; Karl Moritz; Gary Wagner; Alex Dambach; Don Buch; joani; mike mayes
Subject: Re: Administrative Special Use Permit Request Received by Planning & Zoning

Dear Mr. Randall:

We already had a lengthy meeting with Modera and made clear our views. Commissioner Lyle has precisely reiterated them below.

What we would like to see is action rather than more meetings, particularly since our requests are modest and reasonable.

The City staff agreed, at the meeting held at Modera, to provide the CSCA with renderings to reflect our input. We relied on City staff's representations and on what we thought was a good faith attempt by Starbuck's to make changes in the design of the store fronting Van Dorn. The original drawings showed that side of the proposed store looking like the backside of an abandoned warehouse and it is entirely inappropriate for being part of the "gateway" into Alexandria.

We again request that changes be made to the part of the Starbuck's fronting Van Dorn to include landscaping and appropriate signage. Such renditions can certainly be sent to us via email. If this is not possible, then I am not certain that the board of the CSCA will be able to vote in support of this project notwithstanding our desire to have a Starbuck's nearby.

Sincerely,

Arthur Impastato
President
Cameron Station Civic Association

Sent from my iPhone

On Apr 9, 2015, at 6:58 PM, Nathan Randall <Nathan.Randall@alexandriava.gov> wrote:

Commissioner Lyle-

Thank you very much for your email regarding landscaping and signage concerns for the upcoming Starbucks proposal at the Modera Tempo building. We'd be happy to discuss these matters with you and the community in greater detail, and I'll be in touch with you again very soon to set something up.

Regards,
Nathan

From: mindyllyle [mailto:mindyllyle@comcast.net]

Sent: Thursday, April 09, 2015 12:58 PM

To: Nathan Randall; Karl Moritz; Patricia Escher

Cc: 'Dak Hardwick'; 'Arthur Impastato'; 'Don Buch'

Subject: RE: Fwd: Administrative Special Use Permit Request Received by Planning & Zoning

Nathan,

You are working on an administrative SUP for Starbucks at Modera Tempo. We could only wish that this project resembled the renderings. There are no awnings, there is no landscaping and the signage on Smashburger combined with Starbucks will look like Christmas 365. We need to discuss this and have staff actually meet at the site prior to approval. During the design of this building the community asked several times to have additional plantings, soften the exterior with awnings, etc. However, staff totally disregarded community feedback. I believe we should work with the community prior to this approval.

Mindy

Mindy Lyle
5235 Tancreti Lane
Alexandria, VA 22304
703-566-7113

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-----Original Message-----

From: Arthur Impastato [mailto:aimpastato@earthlink.net]

Sent: Wednesday, April 08, 2015 6:54 PM

To: don buch; mindy

Subject: Fw: Fwd: Administrative Special Use Permit Request Received by Planning & Zoning

FYI

Arthur "Sash" Impastato

President

Cameron Station Civic Association

239 Medlock Lane

Alexandria, VA 22304

703-567-5075 (Home)