



**Docket Item #8**  
**Special Use Permit #2023-00006**  
**Address – 110 South Pitt Street**  
**1799 Prime Steak & Seafood**

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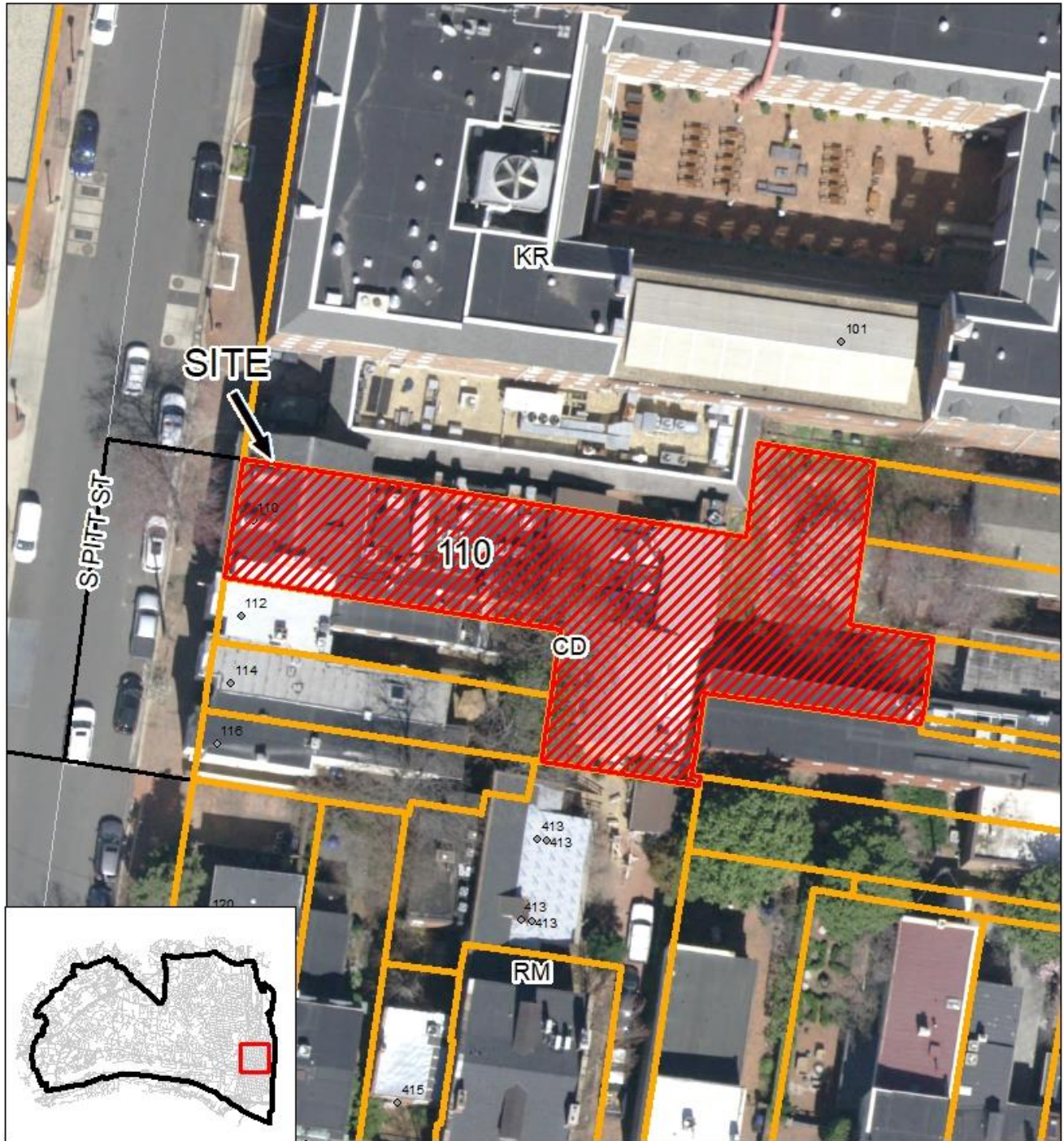
<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request for additional outdoor dining seats at an existing restaurant (amending SUP#2022-00073)	<b>Planning Commission Hearing:</b>	March 30, 2023
	<b>City Council Hearing:</b>	April 15, 2023
Address: 110 South Pitt Street	<b>Zone:</b>	CD/Commercial downtown
<b>Applicant:</b> Jahmond Quander	<b>Small Area Plan:</b>	Old Town Small Area Plan

**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**

Mavis Stanfield, Urban Planner, [mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)

Ann Horowitz, Principal Planner, [ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)



**Special Use Permit #2023-00006**  
**110 South Pitt Street**



## I. DISCUSSION

The applicant, Jahmond Quander, requests SUP approval to expand outdoor seating at 110 South Pitt Street from 40 seats to 104 seats.

### SITE DESCRIPTION

The subject property is one lot of record with 33 feet of frontage on S. Pitt Street, 185 feet of depth and a total lot area of 8,193 square feet. The site is developed with a three-story commercial building, where the 1799 Prime Steak and Seafood restaurant currently occupies the first floor. The second and third floors are developed with four apartments, only one of which is currently occupied, according to the applicant. The building has a gross floor area of 10,112 square feet, with no basement.



The existing patio enclosure is a 30 by approximately 63-foot area at the back of the restaurant, where outdoor seating currently exists for 40 people. The patio area is fenced to the rear, where it faces businesses that front South Royal Street to the east. The patio is separated by a retaining wall, located approximately eight feet from the building. A bar is located in the area between the building and the retaining wall, and the table seating is located between the retaining wall and the fence to the east. Two alleys are located on the north and south sides of the patio area that extend to South Royal Street.

The surrounding area is occupied by a mix of commercial and residential uses. Immediately to the north is the Alexandrian hotel. Immediately to the south is a small office building, and residential uses further south. To the east and west are commercial uses, consisting of a mix of office and retail uses. It is significant to note that all of the buildings on South Royal that face the patio associated with 110 South Pitt are developed with retail/restaurant uses on the ground floor and apartments above. The nearest of these buildings is located approximately 28 feet from the patio dining area.

### BACKGROUND

The building located at the subject site was constructed in the early 1900's. Various restaurants have operated at this location since the time that City Council first approved Special Use Permit #1096 for the operation of a restaurant on the first floor of the building in December of 1974. In June 1994, City Council approved Special Use Permit #1096-A for a change of ownership and an amendment to the conditions to allow for additional seats, extended hours of operation, on-premises alcohol sales and live entertainment at the Santa Fe East restaurant. In June 1995, City Council approved Special Use Permit #1995-00058 for a change of ownership of Santa Fe East.

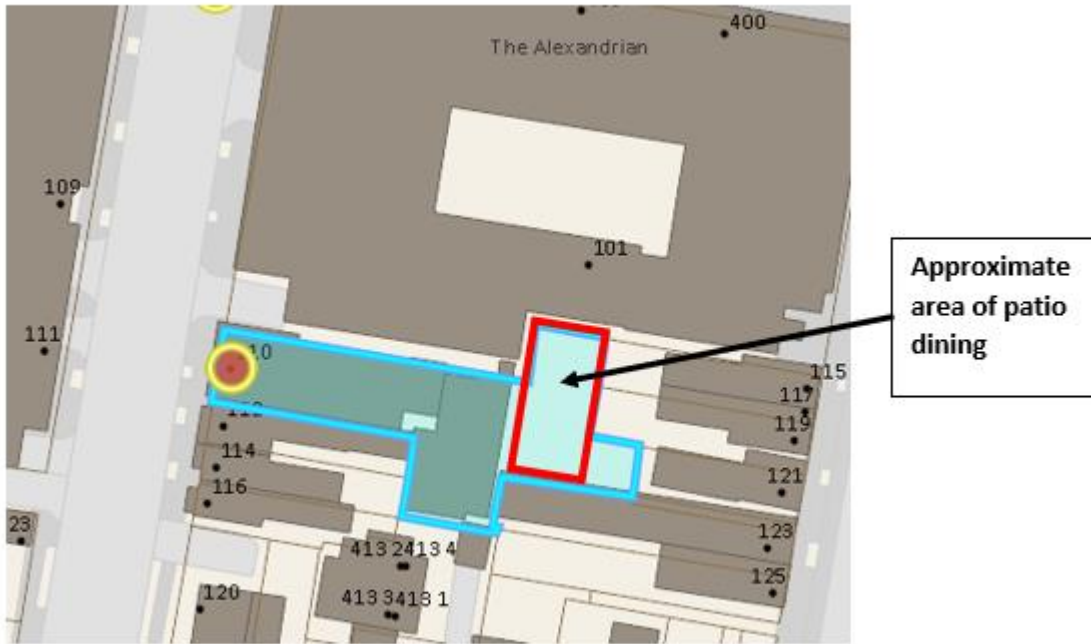


In 2003, the restaurant began operating under the name Restaurant Eve after staff administratively approved a change of ownership through Special Use Permit #2003-00056. In 2006, City Council approved Special Use Permit #2006-00037 to allow the owner to enclose an existing outdoor dining area and for a modification of the zone transition setback. In August 2019, staff administratively approved Special Use Permit #2019-00060 for a change of ownership from Eat Good Food, LLC to WS 110 Pitt, LLC, which never began to operate a restaurant at the site. More recently, in June 2022, staff administratively approved Special Use Permit #2022-00036 for a change of ownership from WS 110 Pitt, LLC. to Jahmond Quander who began to operate the restaurant under the name 1799 Prime Steak & Seafood.

Between August and September 2022, staff received two complaints from a neighboring residential property owner that exterior loudspeakers were present and playing music in violation of Condition #13 of the Special Use Permit, prohibiting exterior loudspeakers and amplified sound audible outside of the building. One instance was related to a one-time special event, allowed in Section 11-511 of the Zoning Ordinance. A follow-up inspection of SUP conditions noted that an outdoor dining area had been setup and loudspeakers were seen on the exterior of the building. The applicant was informed of the requirement to bring these issues into compliance prior to SUP approval. A subsequent inspection on September 15 confirmed the applicant's compliance with all SUP conditions, including the removal of the loudspeakers. On September 19, 2022, SUP#2022-00073 was administratively approved to allow patio seating to the rear of the property for a maximum of 40 people. No further complaints were received after this date.

#### PROPOSAL

The applicant proposes an increase to the outdoor dining from 40 seats to 104 seats, as depicted on the floorplan submitted with the application (see Figure 1 below, which shows the area of the lot used for outdoor dining). The outdoor hours of operation would be reduced from Sunday, 10 a.m. to 10 p.m., Monday through Thursday, 11 a.m. to 10 p.m. and Friday and Saturday, 11 a.m. to 11 p.m., to 11 a.m. and 10 p.m., daily. The number of employees would increase by one, from nine to ten. No other changes are proposed. According to the applicant, the additional 64 seats can be accommodated by the existing patio.



**Figure 1**

PARKING

The subject property is located within the Central Business District (CBD). Pursuant to Section 8-300 (B) of the Zoning Ordinance, restaurants located within the CBD are exempt from parking requirements.

ZONING/MASTER PLAN DESIGNATION

The property is located within the Old Town Small Area Plan. The current development of the property is consistent with the land use goals of the plan as amended by the King Street Retail Strategy Plan, which calls for retail and permitted ground floor uses, including restaurants, with residential use above the ground floor.

Sect. 11-513(M)(3) allows administrative special use permit approval for up to 40 outdoor seats; any number greater than 40 requires a full hearing special use permit.

The restaurant and outdoor dining uses are also located in the City's Old and Historic District. Any exterior work or signage will require review and approval by the Board of Architectural Review (BAR).

## II. STAFF ANALYSIS

Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request. An analysis of existing restaurants with similar numbers of seats near residences indicates that, when properly managed, these uses can coexist with residential uses harmoniously.

There are two examples of when an analogous number of outdoor seats near residences has been approved in the past few years with minimal impact. On September 15, 2018, City Council approved SUP 2018-00060 for Augie's Mussel House, located at 1106 King Street, which permits a maximum of 86 seats on the side of the restaurant building. This SUP permits hours of operation to extend to 1 a.m. Thursday through Saturday and to 11 p.m. for the rest of the week. There have been no noise violations associated with this property, which is eleven feet from the nearest residential property.

Likewise, City Council approved SUP 2019-00004 on April 13, 2019, for the Gardens, located at 1503 Mount Vernon Avenue, which permits a maximum of 100 outdoor seats, with the option of an increase to 120 seats with administrative SUP approval. The limitation for hours of operation are the same as for this application, which is 10 p.m. This restaurant has not received any violations in response to noise from diners and is 45 feet from the nearest residential property.

Staff is supportive of the applicant's request to increase the number of outdoor dining seats because of this location within the City's downtown core and the unlikelihood of noise of the outdoor dining area to be audible above the existing background noises common in this dense, urban area. With the prohibition of loudspeakers in Condition 13, which was the source of previous complaints, staff believes that the proposed increase in outdoor seating is reasonable and would not result in negative impacts. All conditions from the previous SUP approved in September 2022 have been carried forward and one condition, Condition 35, was added, requiring the 10 p.m. outdoor area daily closure.

Although staff recommends approval of 104 seats, citing a lack of land use impacts, should this SUP be approved, the applicant will then need to satisfy building and fire code emergency egress requirements to allow for outdoor seating over 50. On February 23, 2023, staff from P&Z, Code and the Fire Marshal's office met with the applicant on-site to discuss the patio layout and code compliance with respect to emergency egress. At the time of this meeting, it was unclear whether the required number of emergency exits could be provided under the current conditions. The applicant was advised that a scaled floorplan would be required, and all emergency exits identified or installed if necessary prior to obtaining a certificate of occupancy for the total requested 104 seat increase.

Subject to the conditions stated 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:

#### CONDITIONS OF SPECIAL USE PERMIT # 2023-00006

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

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) (SUP 1096-A)
2. The maximum number of indoor seats at the restaurant shall comply with the state building code. (P&Z) (SUP2022-00036)
3. Condition deleted by Staff.
4. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z) (SUP2022-00036)
5. Condition deleted by staff.
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP 1096-A)
7. Litter on the site and on the 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) (SUP 1096-A)
8. Condition deleted by staff.
9. Live music shall be limited to performances by solo musicians providing background music for diners. (City Council) (SUP#2003-00056)
10. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (P&Z) (SUP2019-00060)
11. The applicant shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Study, at least to the extent that was required as part of the Park Alexandria program. (P&Z) (SUP 1096-A)

12. The applicant shall require its employees to use off street parking. (P&Z) (SUP2022-00036)
13. Loudspeakers shall be prohibited from the exterior of the building. No music or amplified sound shall be audible outside the building. No amplified sound shall be audible at the property line. (P&Z) (T&ES) (SUP2019-00060)
14. On and off-premise alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z) (SUP2022-00036)
15. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP2006-00037)
16. Condition deleted by staff.
17. Condition deleted by staff.
18. 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) (SUP2006-00037)
19. Condition deleted by staff.
20. **CONDITION AMENDED BY STAFF:** 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-2022-00073~~)
21. Trash and garbage shall be stored inside or in sealed containers which do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate on site outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (SUP2022-00036)



22. 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. (P&Z) (SUP2019-00060)
23. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am.
24. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (P&Z) (SUP2019-00060)
25. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (P&Z) (SUP2019-00060)
26. Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z) (SUP2019-00060)
27. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (P&Z) (SUP2019-00060)
28. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (P&Z) (SUP2019-00060)
29. All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z) (SUP2019-00060)
30. **CONDITION AMENDED BY STAFF:** All indoor patrons must leave the premises one hour after the closing hour. (P&Z) (~~SUP2022-00036~~)
31. Delivery vehicles operated and managed by the applicant are permitted. Delivery vehicles must be parked off-street when not in use. (P&Z) (SUP2022-00036)
32. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (P&Z) (SUP2022-00036)

33. The applicant shall contact the T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar program if one is created) that offers discounted parking at select City parking facilities on evenings and weekends. (P&Z) (SUP2022-00036)
34. **CONDITION AMENDED BY STAFF:** The number of outdoor seats shall not exceed ~~40~~ 104 as shown on the exhibit submitted by the applicant on February 3, 2023, and shall not encroach into the public right-of-way. (P&Z) (SUP#2022-00073)
35. **CONDITION ADDED BY STAFF:** The hours of operation for all outdoor seating shall be limited to between 7 a.m. and 10 p.m., 7 days a week. The outdoor dining area shall be closed and cleared of all customers by 10 p.m.(P&Z)

STAFF            Tony LaColla, Division Chief, Land Use Services  
                     Ann Horowitz, Principal Planner  
                     Mavis Stanfield, Urban Planner

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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:

No comments received.

##### Code Enforcement:

C-1 More detail is required to assess this request. Applicant shall submit a revised occupant load calculation based on the square footage of the dining / serving area for review to ensure that the additional seating does not exceed the maximum number of permitted occupants for the area. Calculation shall include seating calculation and occupant load based on increased number of tables and chairs. In addition, aisle widths, exit paths, and exit locations shall be included and clearly shown on scaled plan. Please also provide existing restaurant's occupant loads and plumbing fixtures to verify that there is enough toilets for the additional occupants. Please provide ADA chair locations.

##### Fire:

C-1 More detail is required to assess this request. Applicant shall submit a revised occupant load calculation based on the square footage of the dining / serving area to the Fire Marshal's office for review to ensure that the additional seating does not exceed the maximum number of permitted occupants for the area. Calculation shall include seating calculation and occupant load based on increased number of tables and chairs. In addition, aisle widths, exit paths, and exit locations shall be included and clearly shown on scaled plan.

##### Health:

No comments received.

##### Parks and Recreation:

No comments received.

##### Police Department:

No comments received.



# APPLICATION SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** \_\_\_\_\_

**PROPERTY LOCATION:** 110 S. Pitt Street, Alexandria, VA 22314

**TAX MAP REFERENCE:** 074.02-07-25 **ZONE:** CD

**APPLICANT:**

Name: Jahmond Quander

Address: 110 S. Pitt Street Alexandria, VA 22314

**PROPOSED USE:** Patio seating for 1799 Prime Steak & Seafood guests.

- 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.

Jahmond Quander

Print Name of Applicant or Agent

8806 Dancer Ct.

Mailing/Street Address

Gainesville, VA 20155

City and State

Zip Code

*J. Quander* 01/14/2023  
Signature Date

(703)407-1315

Telephone #

Fax #

jq@quandewrs1799.com

Email address

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 110 S. Pitt Street, I hereby  
(Property Address)  
grant the applicant authorization to apply for the SUP use as  
(use)  
described in this application.

Name: Jahmond Quander  
Please Print

Phone: (703)407-1315

Address: \_\_\_\_\_

Email: jq@quanders1799.com

Signature: 

Date: 01/14/2023

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 three percent.

Arrived Hospitality LLC

\_\_\_\_\_  
Jahmond Quander

\_\_\_\_\_  
Aditya Chopra



# 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 three 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. <b>Jahmond Quander</b>	8806 Dancer Ct. Gainesville, VA 20155	<b>50%</b>
2. <b>Aditya Chopra</b>	2008 Monticello Drive Annapolis, MD 21401	<b>50%</b>
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 110 S. Pitt Street Alexandria, VA 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three 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. <b>Jahmond Quander</b>	8806 Dancer Ct. Gainesville, VA. 20155	<b>50%</b>
2. <b>Aditya Chopra</b>	2008 Monticello Drive Annapolis, MD 21401	<b>50%</b>
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 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.		
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.

01/14/2023      Jahmond Quander  
 \_\_\_\_\_  
 Date                      Printed Name

*Jahmond Quander*  
 \_\_\_\_\_  
 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.)

I am requesting full use of the space in the rear of the restaurant. The patio area is currently restricted to seating only 40 patrons. The full floor plan for 1799 Prime consist of 120 seats. The space allows for ample spacing between tables and chairs. The patio also contains a bar area with 10 seats, included in 120 seats 104-correction stated previously. The space is completely enclosed, not visible from the street. The space would be used for full service dining for lunch (hours: Monday - Saturday 11:00am to 4:00pm) and dinner service (Sunday - Saturday 4:00pm to 10:00pm). There's an abundance of parking across S. Pitt Street adjacent to 1799 Prime Steak & Seafood. Employees of 1799 Prime will use this garage as well.



## 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).  
Area can accommodate 120 patrons 104 Patrons  
Hours of operations would be Sunday - Saturday 11:00am - 10:00pm

B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).  
7 - 10 employees working the space  
Hours of operations would be Sunday - Saturday 11:00am - 10:00pm

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

Day: Sunday - Saturday	Hours: 11:00am - 10:00 pm
_____	_____
_____	_____
_____	_____

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

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

Normal conversation levels. No mechanical equipment needed.

- B. How will the noise be controlled?

The space is enclosed. Don't anticipate it getting loud or intrusive as it relates to neighbors.

8. Describe any potential odors emanating from the proposed use and plans to control them:  
Only food and beverages will be served in the space. Trash will not be stored in the outdoor area.

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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)  
Trash and garbage will be housed inside and defined area on the property next to the building located at 110 S. Pitt Street.

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B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)  
Maybe 20 pounds a day. Trash pickup is 4 times a week. If needed, trash service will be increased to 5 days a week.

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C. How often will trash be collected?  
4 times a week.

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D. How will you prevent littering on the property, streets and nearby properties?  
Daily maintenance by staff and managers.

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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:

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**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:

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**12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons? The entire area is well lit with overhead lights, and security cameras are located in 2 areas on the patio.

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## **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.

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## PARKING AND ACCESS REQUIREMENTS

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

- \_\_\_\_\_ 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?

Across the street adjacent to the restaurant

**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? \_\_\_\_\_

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? \_\_\_\_\_

\_\_\_\_\_

C. During what hours of the day do you expect loading/unloading operations to occur?  
between 8:00am and 11:00am

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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?

adequate

\_\_\_\_\_

\_\_\_\_\_

### 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? 750 square feet.

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

750 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: \_\_\_\_\_

an office building. Please provide name of the building: \_\_\_\_\_

other. Please describe: \_\_\_\_\_

End of Application



## Department of Planning & Zoning Special Use Permit Application Checklist

### Supplemental application for the following uses:

- Automobile Oriented
- Parking Reduction
- Signs
- Substandard Lot
- Lot modifications requested with SUP use

### Interior Floor Plan

- ✓ Include labels to indicate the use of the space (doors, windows, seats, tables, counters, equipment)

### If Applicable

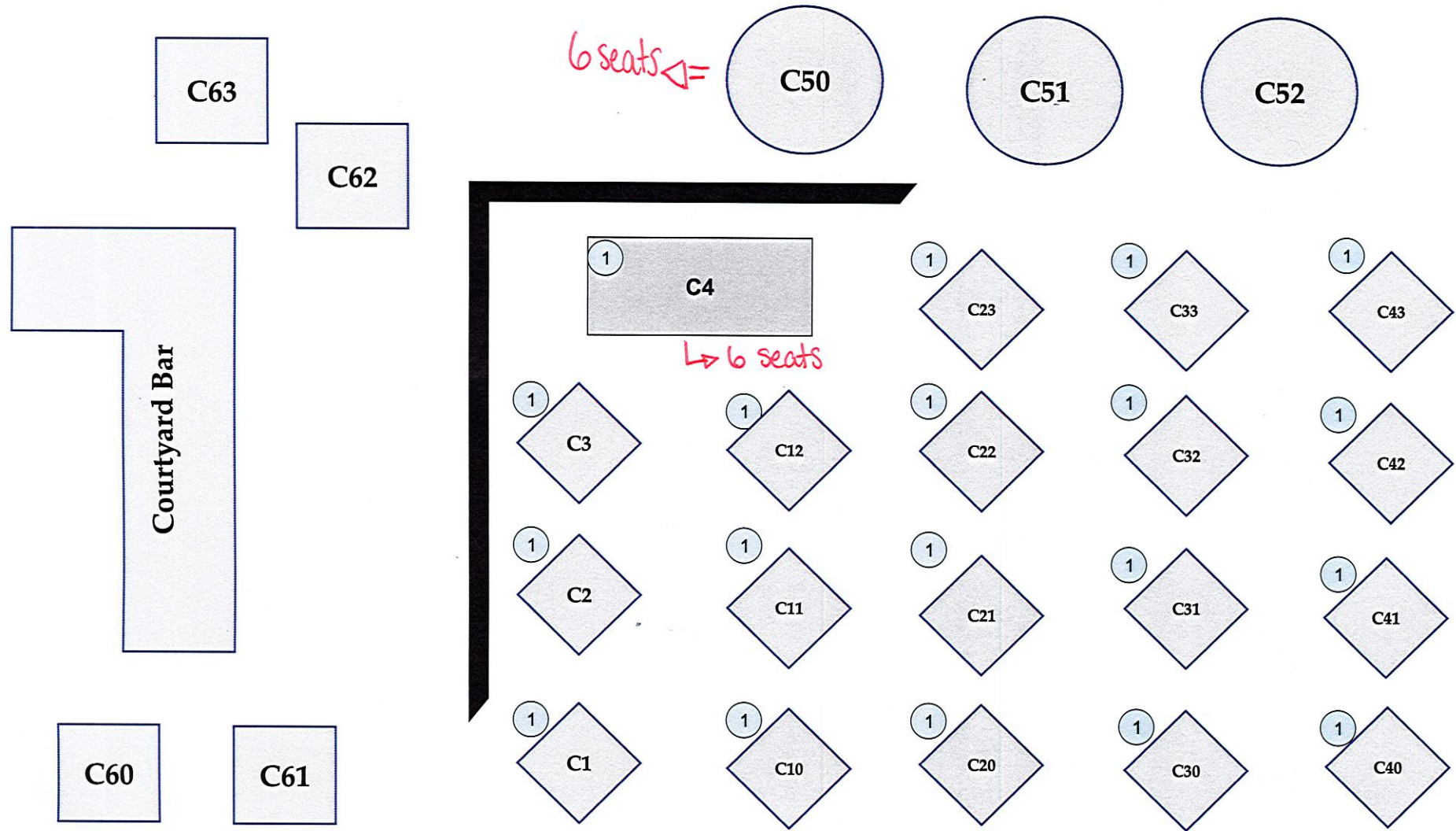
- Plan for outdoor uses

### Contextual site image

- Show subject site, on-site parking area, surrounding buildings, cross streets

8 seat - 2 tops The Courtyard

24 seats - 6 tops



72 - 4 tops  
TOTAL

Manager:

Closer:  
Busser:

TOTAL SEATS : 104







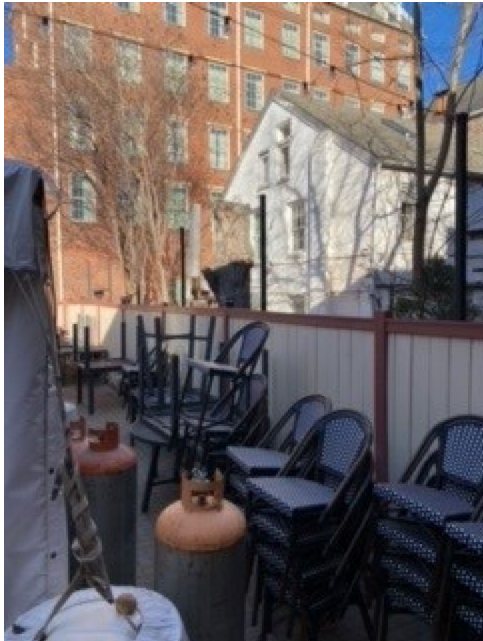














## Samantha Lockwood

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**From:** Mavis E Stanfield  
**Sent:** Thursday, March 16, 2023 7:47 AM  
**To:** Samantha Lockwood  
**Subject:** FW: [EXTERNAL]Comment Regarding SUP Application: SUP2023-00006

Hi Samantha,

Please include this email in the docket materials for this case.

Thanks  
Mavis

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**From:** Meaghan Foran <meaghan@alxandcompany.com>  
**Sent:** Wednesday, March 15, 2023 2:33 PM  
**To:** Mavis E Stanfield <mavis.stanfield@alexandriava.gov>  
**Cc:** Tim Shaheen <tim@alxandcompany.com>  
**Subject:** [EXTERNAL]Comment Regarding SUP Application: SUP2023-00006

You don't often get email from [meaghan@alxandcompany.com](mailto:meaghan@alxandcompany.com). [Learn why this is important](#)

Hello,

I am writing regarding the proposed SUP listed above for the property located at 110 S. Pitt Street, "1799 Prime Steak & Seafood". I called the Planning department and was told that I should email you with my general comments and questions.

My husband, Tim Shaheen (cc'd) and I co-own our building at 121 South Royal Street. The back of our property immediately abuts the outdoor dining space in question and the view from my office looks out directly onto this patio. We operate a fine jewelry design studio out of our building and we also rent space to what are typically retail tenants.

Prior to the current owners involvement in the property, the courtyard in question was a large, empty space with no hardscaping or patio feature. Last year, the new owners of this property constructed a large patio in this space, complete with hardscaping and lights, with no notice provided to the neighboring properties. There was, to my knowledge, no SUP developed to permit this patio. The current owners authorized their builders to utilize our private alleyway dividing our building at 121 South Royal from 123 South Royal, with which we share exclusive use of this alleyway. 110 S. Pitt Street does not have an easement to utilize this alleyway, but they continued to utilize our alleyway for trash removal even after we complained directly with management and the staff that this was not permitted. Furthermore, their trash was constantly overflowing and leaving refuse on our property, creating additional worries regarding infestations and violating their own SUP regarding trash storage. We filed complaints with the City regarding this problem and while the restaurant has relocated their trash for now, we finally had to contact a lawyer to draft a Cease and Desist letter to the owners because they continue to tell their staff to allow vendors through this alleyway into the patio space. This is private property that they do not have a right to utilize, and they have chosen to ignore posted signs and an added lock to the gate. We are still encountering issues with their illegal use of our private alleyway to this day.

Earlier this week, we saw an article in [alexnow.com](https://www.alexnow.com) discussing the proposed SUP that I am writing about (SUP2023-00006), regarding expanding the permitted seating for their outdoor space. To date, we have not received any formal notice from the parties on this SUP regarding this proposed SUP. I had my attorney locate the proposed SUP, and I would like to render my formal objection to it. My reasons are as follows:

- Contrary to what the SUP describes, this patio is not an "enclosed space". It is an open-air courtyard that is completely surrounded by other property owners, both commercial and residential. Noise carries extremely loudly in this space. Already, the current 40-seated capacity has impacted my ability to conduct business out of my office due to noise issues coming from their patio. Tripling this capacity would exacerbate what is already an untenable problem for us as neighbors.
- The SUP states that "Normal conversation levels" are anticipated. The restaurant advertises this space for events and special parties, not just for outdoor quiet dining. Needless to say, parties and events carry a very different noise issue than dining. Adding even more capacity to this space will allow weddings, parties, and other special events to take place and worsen the problem even more.
- One type of event that this restaurant advertises is a "cigar party". They have held at least one of these events before and are advertising another one now for St. Patrick's Day. Cigar smoke is incredibly intrusive and smoking is not normally permitted in sidewalk dining spaces granted to restaurants. We do not believe it is an appropriate or fair use of this open-air space that abuts other properties.
- Our private alley, described above, is included as a photo in the SUP. This alleyway should be noted as completely private and off-limits to this property owner. It is not an approved emergency exit route and cannot be qualified as such in any application. We ask that any and all future SUPs clearly note that this alleyway is private property and not to be included in any analysis for the benefit of 110 S. Pitt Street. Thus, we are concerned about exactly how the City has evaluated the emergency exits required for this space, as such exits are not detailed in the proposed SUP.
- As previously enumerated regarding their continued illegal use of our alleyway, we do not feel confident that this owner will be responsive to noise complaints should they arise. Needless to say, we were disappointed that our requests had to resort to a Cease and Desist letter crafted by an attorney. We can only expect that future issues will need to be dealt with similarly.
- The proposed SUP does not delineate exactly where the trash for this property is stored. Rather, it simply says "Trash and garbage will be housed inside and [sic] defined area on the property next to the building located at 110 S. Pitt Street." This is not a defined location. Due to our previous concerns regarding their trash, we feel it is necessary that the SUP clearly articulate exactly where and how this restaurant handles its trash.
- We have registered previous comments with the city that the restaurant already often exceeds its permitted number of patrons. We have no faith that this restaurant will abide by extended provisions either.

To be extremely clear, we object to the proposed SUP to expand the permitted outdoor seating at 1799 Prime & Seafood. We question the thoroughness and validity of this SUP regarding its emergency exit plans and trash location. We request that *any* SUP relating to this property clearly define that our private alleyway is not a permitted exit or thoroughway for this business. We formally request to be notified of any and all permit requests regarding this property and have not received anything to date regarding SUP2023-00006, as legally required.

I welcome your feedback and confirmation of receipt of this comment. Please let me know if I need to submit additional exhibits or materials to support this comment.

Sincerely,  
Meaghan Foran

--

**Meaghan Foran**  
Owner, Creative Director  
Alexandria & Company  
121 South Royal Street, Alexandria, VA 22314

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