



APPLICATION

DEVELOPMENT SPECIAL USE PERMIT with SITE PLAN

DSUP # _____ **Project Name:** The Rutherford

PROPERTY LOCATION: 5050 Mark Center Drive

TAX MAP REFERENCE: 019.02-02-16 **ZONE:** CDD #4

APPLICANT:

Name: Mark Center Residential LLC

Address: _____

PROPERTY OWNER:

Name: Same as above

Address: _____

SUMMARY OF PROPOSAL Applicant requests extension of DSUP 2022-10027, TMP SUP 2022-00097 and SUP 2023-00037

MODIFICATIONS REQUESTED Same as original application

SUP's REQUESTED Same as original application

THE UNDERSIGNED hereby applies for Development Site Plan with Special Use Permit approval in accordance with the provisions of Section 11-400 of the 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 to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Kenneth W. Wire, Esquire

Print Name of Applicant or Agent

Mailing/Street Address

City and State

Zip Code


Signature

Telephone #

Fax #

Email address

2/20/2026

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____

Received Plans for Completeness: _____

Fee Paid and Date: _____

Received Plans for Preliminary: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

Development SUP # _____

ALL APPLICANTS MUST COMPLETE THIS FORM.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is: (check one)

- The 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, unless the entity is a corporation or partnership in which case identify each owner of more than three percent.

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.

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. See attached		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (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. See attached		
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is 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.

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		
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.

2/20/2026

Kenneth W. Wire



Date

Printed Name

Signature

Development SUP # _____

- 2. Narrative description.** 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, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. If not appropriate to the request, delete pages 6-9. (Attach additional sheets if necessary.)

Applicant requests extension of all current approvals without any changes to the approved conditions.

3. How many patrons, clients, pupils and other such users do you expect?
Specify time period (i.e., day, hour, or shift).

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

5. Describe the proposed hours and days of operation of the proposed use:

Day	Hours	Day	Hours
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

6. Describe any potential noise emanating from the proposed use:

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

- B. How will the noise from patrons be controlled?

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

8. Provide information regarding trash and litter generated by the use:

- A. What type of trash and garbage will be generated by the use?

- B. How much trash and garbage will be generated by the use?

- C. How often will trash be collected?

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

9. 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:

10. 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:

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

ALCOHOL SALES

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

Yes. **No.**

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

13. Provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

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

- _____ Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces
- _____ Other

- C. 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?

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.

- D. 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**.

14. Provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance?
- B. How many loading spaces are available for the use?
- C. Where are off-street loading facilities located?
- D. During what hours of the day do you expect loading/unloading operations to occur?
- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

15. 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?

**Disclosure Attachment
5050 Mark Center Drive**

The following is a list of all individual owners owning a share greater than 3% of Mark Center Residential LLC:

Phillip G. Norton Descendant's Trust UTA
Chelsea Rao, Trustee

[REDACTED]

PAN Family Trust UTA
Chelsea Rao, Trustee

[REDACTED]

Phillip G. Norton, Jr.

[REDACTED]

Andrew L. Norton

[REDACTED]

Jeremiah O. Norton

[REDACTED]

Tambonito LLC
Marwan Bitar, Managing Member

[REDACTED]

Stephen L. Clagett Jr.

[REDACTED]

Javelina Holdings
Austin Lehr

[REDACTED]

Thomas J Pellerito Trust
John Pellerito

[REDACTED]