

***Special Use Permit #2023-00040***  
***99 Canal Center Plaza***  
***The Bike Club***

<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request for Special Use Permit for two temporary trailers and for live entertainment	<b>Planning Commission Hearing:</b>	June 22, 2023
	<b>City Council Hearing:</b>	July 5, 2023
Address: 99 Canal Center Plaza	<b>Zone:</b>	CRMU-H/ /Commercial residential mixed-use (high)
<b>Applicant:</b> Chalkboard Canal Center, LLC, represented by Kenneth Wire, attorney	<b>Small Area Plan:</b>	Waterfront & Old Town North Small Area Plans

**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 [mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)  
Ann Horowitz [ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)

application is fully in line with what Canal Center was meant to be. However, the Planning Commission has recently seen a clash with residents and outdoor entertainment. The Planning Commission does not want this property to come back to them in that manner. She supports neighborhood compatibility but also what is envisioned for communities to enjoy outdoor space. This application is low hanging fruit that is a small change that can make a major improvement in how the community enjoys space.

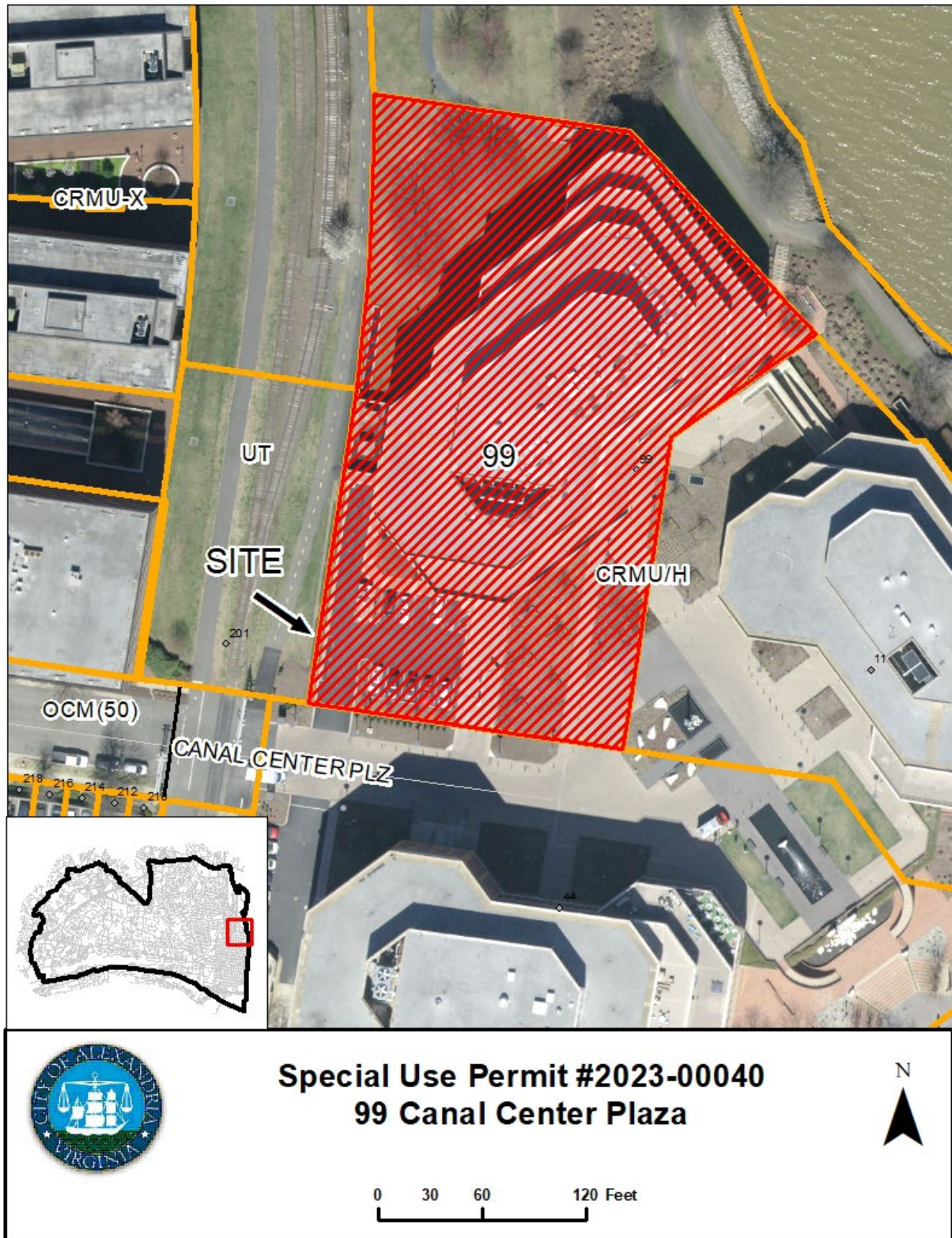
Commissioner Manor noted that Canal Center used to be the best place on the waterfront. Now it is very underutilized and that is a bad trend for the City. This application provides a great opportunity to activate the space. He mentioned that one letter of support was from a resident in the nearby townhouses. The small area plan shows this area designed for activity. New residents may not understand that.

Chair Macek very much appreciated the changes Ms. Lyle provided in her comments. He noted that he had attended an event at Canal Center recently that included a band which enlivened the atmosphere. He felt that that event did not have much of an impact and he would expect the Bike Club to have even less of an impact. He mentioned that many of the letters in opposition referred to issues with parking. The Canal Center has 1300 parking spaces, so he does not see parking as an issue.

#### Speakers:

Mr. Harry Hart, speaking on behalf of his partner, Ken Wire, Attorney for the applicant, stated that he was the land use attorney who brought the Canal Center application to fruition 40 years ago. The property is zoned Commercial residential mixed-use, which allows the outdoor restaurants in commercial complexes by-right. He outlined the application request. He noted that this property was seen as a way to enliven the waterfront 40 years ago. He read from a letter of support from Michael Spatz stating the community has really enjoyed the outdoor events at Canal Center and that the Planning Commission should not let a small minority of residents shut it down. The events have been going on since before the residents moved into the Venue, which is the condominium where Mr. Spatz lives.

He concluded by saying that the property is zoned to be enlivened and this activity is necessary. This application will help achieve this goal. He stated that the applicant agrees with all the proposed changes to the conditions.





## I. DISCUSSION

The applicant, Chalkboard Canal Center, LLC, operating as The Bike Club, proposes the use of two temporary trailers for cooking and beverage preparation with 60 outdoor seats and live outdoor entertainment on an existing seven space surface parking lot which is part of the Canal Center Plaza. A photograph of the existing space is provided as Figure 1 below.

### SITE DESCRIPTION

The subject site is located on a 1.57-acre lot with approximately 180 feet of frontage on Canal Center Plaza and a lot depth of 354 feet. The site is developed with a five-story 155,679 square foot building.

It also has approximately 350 feet of frontage on the Mount Vernon Trail. The parcel is part of a complex of lots making up one larger development project consisting of four buildings.



*Figure 1: Site layout as seen from the Mount Vernon Trail*

The parcel is surrounded by other office buildings to the east and west and south and by Tide Lock Park and the Potomac River to the north and east. Attached townhomes are located to the southwest of the parcel along Montgomery Street, approximately 130 feet away.

### BACKGROUND

This site is in the Transpotomac Canal Center development, which was created under site plan #84-001 and was approved in December of 1984. The site plans note the parcel layouts consists of four buildings including “Building 4” that later became 99 Canal Center.

According to zoning records, two parking variances were approved for the development of site plan #84-001. On November 8, 1984, under Board of Zoning Appeals Case #5123, a driveway aisle width was reduced to allow four cars to be parked tandem fashion, and the required parking was reduced by approximately 50 spaces (1,331 spaces required and 1,281 spaces provided).

A number of special use permits have been approved for 99 Canal Center Plaza in the intervening years since it was developed, including the following:

- Special Use Permit #2161 was approved by City Council on October 15, 1988 for Deli Associates and Canal Center Properties to operate a restaurant at 99 Canal Center, Suite G-1.



- Special Use Permit #2310 was approved by City Council on November 18, 1989, for Morant Data Company (Morant Corporation) to operate a retail sales business (retail required a special use permit approval in the W-1/Waterfront mixed use zone, that governed the property prior to the recent rezoning to CRMU-H).
- Special Use Permit #2437 was approved by City Council on October 13, 1990, to I & M Printing, Inc. (Kwik-Kopy Printing) to operate a retail photocopy business.
- Special Use Permit #2347-A was approved by City Council on June 12, 1993, to I&M Printing, Inc. (Kwik-Kopy Printing) to add offset printing to the retail copy center.
- Special Use Permit #96-0108 was approved by City Council on September 21, 1996, for Heide Hisuk Chu (Woodstock Café) to change the ownership and to add seating to the restaurant for a total of 82 indoor and 27 outdoor seats. It is noted that this restaurant continues at this location and the current hours of operation are 7:30 a.m. to 3 p.m. Approximately 10 seats are currently located outside on a patio facing the waterfront on the northeast side of the building.

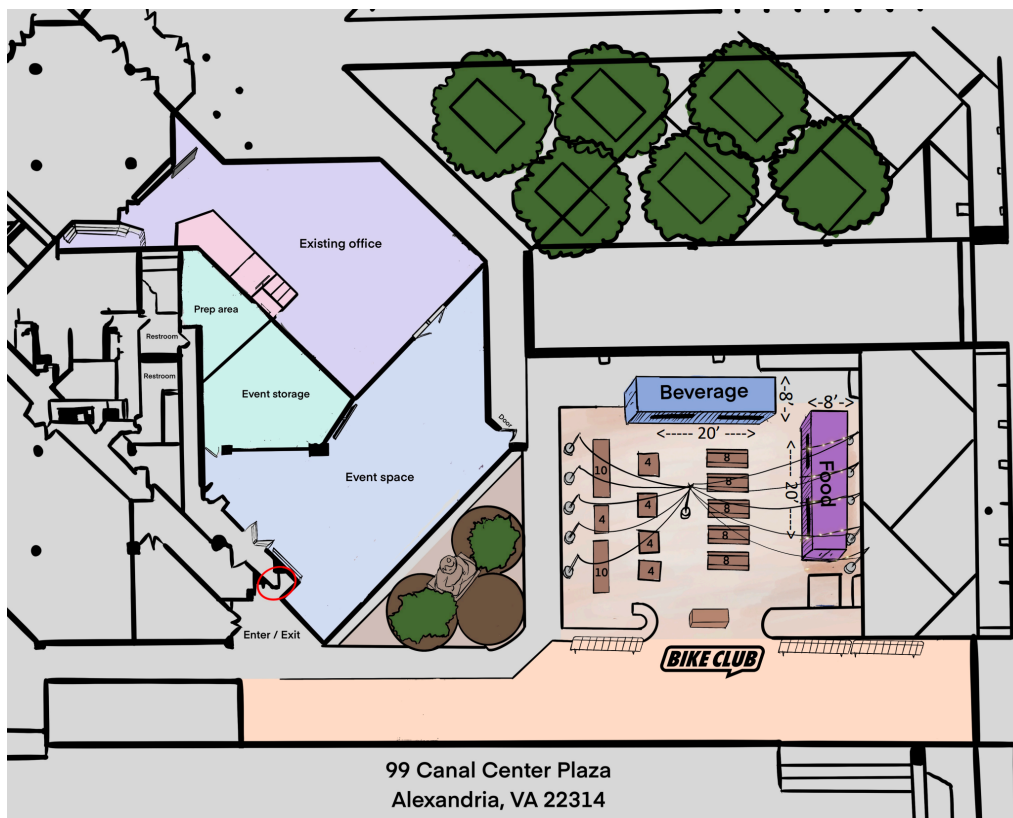
On October 13, 2018, the City Council approved Rezoning #2017-0003, which was a request for an amendment to the official zoning map to change the zone at 99 Canal Center Plaza, along with other buildings in the complex, from W-1/Waterfront mixed-use to CRMU-H/ Commercial residential mixed-use (high) with proffers. The rezoning allowed the applicant to convert a limited amount of office space to residential use and add retail amenities, enhancing the long-term viability of the office/mixed-use development. The build-out for conversions from the 2017 rezoning has not yet occurred. The applicant has indicated that they seek to attract tenants to empty retail and office space at 99 Canal Center, but do not currently have any plans to add additional floor area to the property.

### PROPOSAL

The applicant proposes to use two 8 by 20-foot trailers for cooking and beverage preparation within a small surface parking area adjacent to the plaza of the 99 Canal Center property. The outdoor dining area, to be known as The Bike Club, would include 60 seats and serve food and beverages, including alcohol. It would operate seven days a week and feature community events, live music, and activities such as trivia nights. Although some music may be classified as background music, the music offerings would be amplified at low levels by small public announcement equipment accommodating local singers, jazz, bands and acoustic musicians. The applicant has indicated that the Bike Club does not have firm plans yet to move into 99 Canal Center, but may seek to do so if the outdoor seating and live entertainment proves to be successful.

The restaurant would operate Monday through Thursday from 8 a.m. to 10 p.m., and Friday through Sunday from 10 a.m. to 12 a.m. The number of employees would vary from four to six, depending on the day of the week and no more than 60 patrons are expected to be on site at any time. The applicant states that the music would comply with the City Noise Ordinance and there would be no amplified music after 11 p.m.

The restaurant would have access to restrooms in the building, as shown on the graphic provided by the applicant shown below as Figure 2. Parking is available immediately to the east and south of the site in parking garages associated with the building complex.



*Figure 2: Site Graphic*

### PARKING

Site plan #84-001 indicates that there are 1297 parking spaces provided to accommodate the uses at the Canal Center complex.

Section 8-200(A)(17)(c) of the Zoning Ordinance provides the parking requirements for outdoor dining. It states: “For portions of a restaurant devoted to outdoor dining, the area occupied by the first 20 outdoor seats shall be exempt from the parking requirement. The area occupied by each seat over 20 shall be calculated as 15 square feet per seat.” Forty outdoor seats at 600 square feet are subject to a parking requirement, which equates to one parking space. Pursuant to Section 8-100(A)(9) of the Zoning Ordinance, nonresidential uses that have a parking requirement of two spaces or less shall be exempt from providing the spaces. Therefore, no additional parking is required for this use.

### ZONING/MASTER PLAN DESIGNATION

Section 7-1101(C) of the Zoning Ordinance allows temporary trailers for non-residential purposes with City Council approval of a Special Use Permit. Because the building and its uses are

considered a commercial complex, no special use permit is required for a restaurant or for outdoor seating. However, pursuant to Section 5-303(A) any use with live entertainment requires City Council approval of an SUP.

The property is located within the Old Town North Small Area Plan and the Waterfront Small Area Plan. The property is located in Subarea 4 of the Old Town North Small Area Plan. This Subarea has a mix of uses and a mix of building types extending from Washington Street in the west to the waterfront in the east. This Subarea includes the majority of the existing and planned office and retail uses that generate the daytime and nighttime population essential to keeping Old Town North active, vibrant, and enjoyable.

The Waterfront Small Area Plan further states that the cultural and historic ambience of Old Town provides the primary attraction for visitors and for residents. Restaurants, hotels, entertainment venues, marinas and other commercial establishments along the waterfront will provide activity and destinations for residents and visitors, allowing enjoyment of the City's Potomac River location. Such uses, however, must be sited in appropriate locations and designed in such a way to ensure that goals of the Waterfront Plan are achieved, such as enhancing the enjoyment of the waterfront for residents and visitors alike; appropriately locating uses consonant with public open spaces, development sites, and the Potomac River; and maintaining compatibility with both the historical and residential character of the adjacent neighborhood uses.

## **II. STAFF ANALYSIS**

Staff recommends approval of the applicant's request for temporary trailers and live entertainment at 99 Canal Center Plaza. The temporary trailers, used for food and beverage preparation, and live entertainment provide a start-up business opportunity while enlivening the outdoor plaza which is largely unused by the community and Canal Center office workers. Located just 45 feet from the Mount Vernon Trail, it would also provide a convenient food and drink stop for bicyclists, runners and pedestrians using the trail.

The active outdoor use, supported by the two temporary trailers, achieves the goals of the small area plans by adding vibrancy throughout the day and the evening hours and enhances a connection between the Mount Vernon Trail and the Old Town North neighborhood and the walkway along the Potomac River. As the temporary trailers would serve uses which would activate the area, staff has included Condition #20 to allow for a two-year SUP term with the opportunity to extend the permit for an additional three years through staff approval of an administrative SUP.

Given that the closest residential properties are located 130 feet from area where the live entertainment would originate, staff does not anticipate noise impacts with the applicant's compliance with the City's Noise Code and with Condition #10, requiring live entertainment to cease by 11 p.m. The potential for noise impacts would be further reduced with the orientation of the speakers and the stage facing east toward the river and away from residences, as required in Condition #11.



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

### III. RECOMMENDED CONDITIONS

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

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
3. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
4. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate 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. (T&ES)
5. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11 p.m. and 7 a.m. (T&ES)
6. Litter on the site and on public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up by the applicant at least twice a day, and more often if necessary, to prevent an unsightly and unsanitary accumulation on such day that the business is open to the public. (T&ES)
7. No equipment, including kitchen and cleaning equipment, or other items such as floor mats shall be cleaned outside. No cooking residue or other wastes shall be washed onto the streets, alleys, sidewalks or into storm sewers. (T&ES)
8. 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)
9. **CONDITION AMENDED BY PLANNING COMMISSION:** 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. No outdoor grilling shall be permitted unless otherwise approved as a special event. (T&ES) (PC)

10. **CONDITION AMENDED BY PLANNING COMMISSION:** Music and Live Entertainment Noise from live entertainment and activities, such as music, performances, and trivia, shall end no later than 11 p.m.
1. Live entertainment and activities such as live music, live performances, DJs, and trivia shall be permitted during the following hours and consistent with the noise ordinance:
    1. Monday through Thursday: 5:00 p.m. to 9:00 p.m.
    2. Friday: 5:00 p.m. to 10:00 p.m.
    3. Saturday and the day before weekday Federal holidays: 11:00 a.m. to 10:00 p.m.
    4. Sunday and weekday Federal holidays: 11:00 a.m. to 9:00 p.m.
  2. Outdoor amplified music in the form of limited live entertainment (background music) shall be permitted during the following hours and consistent with the noise ordinance:
    1. Monday through Thursday: 5:00 p.m. to 9:00 p.m.
    2. Friday: 5:00 p.m. to 10:00 p.m.
    3. Saturday and the day before weekday Federal holidays: 11:00 a.m. to 10:00 p.m.
    4. Sunday and weekday Federal holidays: 11:00 a.m. to 9:00 p.m.

The property shall be cleaned and washed by 11p.m. on Friday and Saturday and the night before weekday holidays and by 10:00 p.m. on Sunday through Thursday. No music shall be allowed during clean-up.
  3. The applicant shall designate an employee as a community liaison to respond to nearby property owners' noise concerns. The contact phone number and e-mail for the community liaison shall be provided to all homeowners and civic associations within 500 feet. The applicant shall schedule and conduct a meeting with these homeowners and civic associations each month for the first three months of operation. (T&ES) (PC)
11. Orientation of speakers and stage shall be toward the water and away from residential areas. (T&ES)
12. Exterior power washing of the trailers shall not be completed using any kind of detergents. (P&Z)
13. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
14. If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. Used cooking grease drums/containers should be stored outside of the Resource Protection Area (RPA) if practicable. Spills shall be cleaned up by mopping or dry methods that do not produce a discharge to the gutter, storm, or combined inlets. (T&ES)

15. 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. (T&ES)
16. 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. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information on establishing an employee transportation benefits program. (T&ES)
17. The applicant shall require its employees who drive to use off-street parking. (T&ES)
18. The applicant shall encourage patrons to park off-street through the provision of information about garages or lots in the business' advertising and website. (T&ES)
19. **CONDITION AMENDED BY PLANNING COMMISSION:** The temporary trailer shall be permitted at the site for two years after Special Use Permit approval until July 5, 2025 ~~with an opportunity to increase the term for an additional three years through an Administrative Special Use Permit.~~ (P&Z) (PC)
20. **CONDITION AMENDED BY PLANNING COMMISSION:** The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for three months, six months and 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. (P&Z) (PC)

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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:

- F-1 The property is in the RPA, however no changes to impervious surfaces or land use, as it pertains to water quality, is proposed with this amendment. No objections at this time. (T&ES)
- F-2 Due to close proximity to residential property, suggest patrons be clear of the outdoor seating area by 11pm, when permissible noise levels, per the noise code, decreases or limited, live background music shall not be audible at the property line. (T&ES)
- R-1 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up twice a day and at the close of business, and more often, if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-2 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-3 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate 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. (T&ES)
- R-4 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-5 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-6 Live entertainment and activities, such as trivia, that use the amplification system shall comply with the City's noise ordinance and shall end no later than 11pm. (T&ES)
- R-7 Orientation of speakers and stage shall be toward the water and away from residential areas. (T&ES)

- R-8 No equipment, including kitchen and cleaning equipment, or other items such as floor mats shall be cleaned outside. No cooking residue or other wastes shall be washed onto the streets, alleys, sidewalks or into storm sewers. (T&ES)
- R-9 Used cooking grease drums/containers should be stored outside of the RPA if practicable. Lids must always remain closed on waste grease drums/containers and spills cleaned up by mopping or dry methods that do not produce a discharge to the gutter, storm, or combined inlets. (T&ES)
- R-10 No equipment, including kitchen and cleaning equipment, or other items such as floor mats shall be cleaned outside. No cooking residue or other wastes shall be washed onto the streets, alleys, sidewalks or into storm sewers. (T&ES)
- R-11 Used cooking grease drums/containers should be stored outside of the RPA if practicable. Lids must always remain closed on waste grease drums/containers and spills cleaned up by mopping or dry methods that do not produce a discharge to the gutter, storm or combined inlets.
- R-12 Chemicals, solvents, cleaning agents, etc. shall not be stored outside.
- R-13 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-14 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. (T&ES)
- R-15 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. (T&ES)
- R-16 The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)

City Code Requirements:

1. 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 SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)
2. 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)

3. Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

1. Building permits are required for trailers.
2. Please show the means of egress in the plan. It is not clear whether there is a fence surrounding the outdoor dining area or open space.
3. Please indicate if there are sufficient plumbing fixtures for the proposed occupants to use.

Fire:

- C-1 Due to total occupant load exceeding 50, owner / applicant shall apply for a fire prevention permit for assembly use.
- C-2 If the area for the outside dining is enclosed, identify exits on the site plan. With an occupant load greater than 50, two exits are required. Doors/gates must swing in the direction of travel. Ensure the outdoor dining area has the required exiting hardware for assembly use.

Health:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.



**[EXTERNAL]Special Use Permit #2023-00040 99 - PLEASE DENY**

Aaron Ellison <aaron.ellison@gmail.com>

Mon 6/19/2023 7:35 AM

To:PlanComm <PlanComm@alexandriava.gov>

You don't often get email from aaron.ellison@gmail.com. [Learn why this is important](#)

I am sending this email in reference to Special Use Permit #2023-00040 99. According to the staff report [SUP2023-00040 Staff Report](#), they are requesting "music at low background levels" 8 AM - 10 PM (Mon - Thur) and 10 AM - Midnight (Fri - Sun). There is also a note that states that there will be "no amplified music after 11PM".

Last year the music was able to be clearly heard from the tennis courts and the Rivergate City Park on Montgomery street. The low level of background noise only seems low when compared to the live music or amplified music that are also provided by the location. In addition, there will be anticipated cheering, applauding, and celebratory outburst that should be taken into consideration when making the final decision.

I am pleading with you to not approve the request. ANY amplified music causes disturbances to the residences that are adjacent to the proposed location.

Respectfully,  
Aaron Ellison  
703-494-9404  
925 North Fairfax Street Unit 1010  
Alexandria, Virginia 22314-5554

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**re: Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314 Dear Planning Commission members.**

Asif Faiz <afaiz29@gmail.com>

Tue 6/20/2023 6:19 AM

To:PlanComm <PlanComm@alexandriava.gov>

You don't often get email from afaiz29@gmail.com. [Learn why this is important](#)

It appears that the zoning considerations in the Special Use Permit 2023-00040 application do not explicitly mention the replacement of a former hotel with some 120 Venue condo units and 30 plus townhomes in close proximity of the proposed entertainment area.

The residents of most of these units will be affected by increased noise and air pollution as well as increased traffic and parking demand.

Noise propagation is not unidirectional that it can be controlled by facing the loudspeakers in the direction of the river! . Noise propagates in all directions and is amplified by buildings, including our 13 story Venue tower.

Smoke and air pollutants from cooking and heating facilities in outdoor trailers would also impact the Venue housing units.

Also bright outdoor lighting could result in excessive light and glare exposure for the Venue units facing east and north.

In short, the proposed outdoor trailer based restaurant/ entertainment facility is not compatible with a 150 plus residential units in close proximity.

It will directly affect the quality of life of a few hundred Alexandria City tax-paying residents.

We ,as retired senior citizens, decided to purchase our Venue condo unit in North Alexandria in anticipation of a calm, uncrowded, and relatively quiet neighborhood close to the river. Who would have imagined the installation nextdoor of two trailers in a floodlit parking lot, masquerading as a restaurant, with loud music blaring forth way past our bedtimes every day of the week.

Please reject this application

Regards

Asif Faiz

Ph.D, P.E. F. ASCE, F.IEP

Unit 905, Venue Condominium,  
925 N Fairfax St.

Ph : 703 965 2545.

June 18, 2023

Planning Commission  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

RE: Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314

To Whom It May Concern:

I am a Unit Owner at the Venue Condominium (located at 925 N Fairfax St) and I am submitting this letter in opposition to the above-referenced application for a Special Permit.

In purchasing residential real estate in this location, the possibility of an outdoor restaurant and bar with music and entertainment was never anticipated. This addition to our immediate surroundings presents the issue of constant noise that will interfere with the peace and enjoyment of our homes. Noise will be generated not only from outdoor music, DJs, and other activities (with or without amplified sound), but also from the constant gathering of the general public in our "backyard" for the purpose of outdoor entertainment. This is especially true for the units that face in the direction of the Canal Center, regardless of the volume of such noise. If this outdoor installation had existed prior to the construction of the Venue, many of us would never have purchased here.

In addition to noise, the other issues of concern are smells emanating from outdoor cooking, the presence of food and trash attracting rats, racoons and other animals, late night loitering, the unsightly appearance of two 20-foot trailers parked directly in our line of view and immediately out our back doors, and the general degradation of the current peaceful atmosphere of the neighborhood.

The reference to City Ordinances in the Staff Report does little to reassure. If violations occur, one wonders if there will be City resources available to address such matters. Last summer there were outdoor events in this exact same location with amplified music that was audible inside the units facing the Canal Center Plaza, even with all doors and windows closed.

Unfortunately, I found it next to impossible to reach anyone at the City in order to file a complaint. After trying many times, my complaint was finally heard, but the response was dismissive, citing the fact that permits had already been issued and available resources were limited. Understandably, this type of complaint is not high on the list of City concerns.



In light of the above concerns, I am asking that this application be rejected in its entirety. In its place I would recommend that the applicant pursue a permit for a location inside one of the Canal Center buildings.

Thank you in advance for your serious consideration of this matter.

Best Regards,



Lisa Clough

925 N Fairfax Street, Unit 602, Alexandria, VA 22314

Email: lgclough4@gmail.com

Cell: 617-640-6270

## Samantha Lockwood

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**From:** Asif Faiz <afaiz29@gmail.com>  
**Sent:** Tuesday, June 20, 2023 8:01 AM  
**To:** Samantha Lockwood; Antoine D Pierce; Mavis E Stanfield; Tony LaColla; Karl Moritz; Ann Horowitz  
**Subject:** [EXTERNAL]Fwd: Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314 Dear Planning Commission members.

**Follow Up Flag:** Follow up  
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Esteemed Planning Commission members,

It appears that the zoning considerations in the Special Use Permit 2023-00040 application do not explicitly mention the replacement of a former hotel with some 120 Venue condo units and 30 plus townhomes in close proximity of the proposed entertainment area.

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In short, the proposed outdoor trailer based restaurant/ entertainment facility is not compatible with a 150 plus residential units in close proximity.

It will directly affect the quality of life of a few hundred Alexandria City tax-paying residents.

We ,as retired senior citizens, decided to purchase our Venue condo unit in North Alexandria in anticipation of a calm, uncrowded, and relatively quiet neighborhood close to the river. Who would have imagined the installation nextdoor of two trailers in a floodlit parking lot, masquerading as a restaurant, with loud music blaring forth way past our bedtimes every day of the week.

Please reject this application

Regards

Asif Faiz  
 Ph.D, P.E. F. ASCE, F.IEP  
 Unit 905, Venue Condominium,  
 925 N Fairfax St.

Ph : 703 965 2545.

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**Samantha Lockwood**

---

**From:** Aaron Ellison <aaron.ellison@gmail.com>  
**Sent:** Tuesday, June 20, 2023 9:04 AM  
**To:** Ann Horowitz; Nancy Williams; Samantha Lockwood; Antoine D Pierce; Mavis E Stanfield; Tony LaColla; Karl Moritz  
**Subject:** [EXTERNAL]Special Use Permit #2023-00040 99 - PLEASE DENY

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Some people who received this message don't often get email from aaron.ellison@gmail.com. [Learn why this is important](#)

I am sending this email in reference to Special Use Permit #2023-00040 99. According to the staff report [SUP2023-00040 Staff Report](#), they are requesting "music at low background levels" 8 AM - 10 PM (Mon - Thur) and 10 AM - Midnight (Fri - Sun). There is also a note that states that there will be "no amplified music after 11PM".

Last year the music was able to be clearly heard from the tennis courts and the Rivergate City Park on Montgomery street. The low level of background noise only seems low when compared to the live music or amplified music that are also provided by the location. In addition, there will be anticipated cheering, applauding, and celebratory outburst that should be taken into consideration when making the final decision.

I am pleading with you to not approve the request. ANY amplified music causes disturbances to the residences that are adjacent to the proposed location.

Respectfully,  
Aaron Ellison  
703-494-9404  
925 North Fairfax Street Unit 1010  
Alexandria, Virginia 22314-5554

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## Samantha Lockwood

---

**From:** Loretta Comfort <loret52@aol.com>  
**Sent:** Tuesday, June 20, 2023 9:23 AM  
**To:** Ann Horowitz  
**Cc:** Samantha Lockwood; Antoine D Pierce; Mavis E Stanfield; Tony LaColla; Karl Moritz; Bob Comfort  
**Subject:** [EXTERNAL]Letter in opposition to Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

You don't often get email from loret52@aol.com. [Learn why this is important](#)

June 19, 2023

Planning Commission  
 Alexandria City Hall  
 301 King Street  
 Alexandria, VA 22314

RE: Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314

To Whom It May Concern:

My husband and I strongly oppose granting Bike Club the special use permits they seek to establish an outdoor restaurant, bar, and live entertainment business at Canal Center. The noise, odors, aesthetics, and very long hours the Bike Club plans to remain open will negatively affect the quality of life of those of us who live adjacent to the site and are incompatible with the otherwise quiet, family-oriented nature of the neighborhood.

Canal Center is primarily an office building in what used to be an office/commercial/industrial area of Alexandria. Recently, however, North Old Town has focused on residential developments, such as The Venue high-rise and townhomes (at the site of the former Crown Plaza Hotel), 801 Fairfax, The Muse, and soon to be Montgomery Center. Never before have so many families inhabited this previously industrial area. In The Venue, there are 140 townhomes and condominium units. The new residential face of this neighborhood needs to be taken into consideration when making permitting decisions that will have an effect on homeowners and renters.

The proposed outdoor restaurant, bar, and live entertainment space with sound amplification is not in keeping with the needs of residents and will be a nuisance. We experienced a trial of this Bike Club experiment last summer. After moving into our unit in July, we wondered what the constant noise was on weekend afternoons and evenings from the area of the Mt. Vernon Trail (which is located directly outside the doors and windows of our homes). It turns out it was the outdoor entertainment and groups of people milling about right below our homes. To block out the noise, we were forced to close our door (the only source of fresh air) and blare our TV set. Some might believe that sound diminishes as it rises to the upper floors of a building. In reality, it bounces off other buildings, gaining volume as it rises. My husband and I, and a majority of our neighbors, purchased our homes in North Old Town because it is quiet and peaceful, two qualities essential to maintaining our humanity in these times of political, economic, and social upheaval.

Most residents of the Venue are past our clubbing days. We do not appreciate bars operating within view and hearing of our homes. On our floor alone, there are two out of 10 units housing families with infants. We remember the days of tiptoeing ever so stealthily to keep the baby asleep so we could either rest or get some chores done. Others who are climbing up the career ladder set early alarms for work. At the other end of the spectrum are the septuagenarians, like us, who have a hard enough time sleeping without having to deal with the sounds of unwanted music below. With extended hours of service and access to liquor until midnight as proposed in the Special Use Permit, we guarantee that voices will explode, rowdiness will ensue, public urination will be inevitable, and discarded garbage will appear, luring vermin. Outdoors at Canal Center, mere steps from the Venue and other developments mentioned, is not the appropriate location to establish an open-air eatery and bar with amplified entertainment.

North Old Town has been designated an arts area, and we are excited about that. We're excited about the theater, the Arts League presence, etc., but if Bike Club desires to join in the cultural arts brigade, we encourage the city permitting office to usher them to an indoor space that **contains** the noise, the odors from cooking, the garbage and trash, and the wandering drinkers. We believe there are indoor spaces available at Canal Center. Canal 44 restaurant is a good example of effectively using both indoor and outdoor balcony space **facing the river**, where any voices or music trail off over the Potomac, not into our homes.

Residents of the Venue worked hard to purchase or rent our new homes. Please allow us to enjoy our homes without having to have a daily battle against noise, drunkenness, food/smoke odors, and crowds at our doorstep.

Thank you.

Loretta Comfort  
925 N. Fairfax St.  
Unit 1001  
Alexandria, VA 22314

He is happiest, be he king or peasant, who finds peace in his home.  
Johann Wolfgang von Goethe

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**Samantha Lockwood**

---

**From:** Mavis E Stanfield  
**Sent:** Tuesday, June 20, 2023 11:54 AM  
**To:** Samantha Lockwood; Antoine D Pierce  
**Subject:** FW: [EXTERNAL]Special Use Permit #2023-00040  
**Attachments:** SUP2023-00040 Staff Report.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please forward this letter also.

---

**From:** Michael Spatz <mjspatz@gmail.com>  
**Sent:** Tuesday, June 20, 2023 11:51 AM  
**To:** Mavis E Stanfield <mavis.stanfield@alexandriava.gov>; Ann Horowitz <ann.horowitz@alexandriava.gov>  
**Subject:** [EXTERNAL]Special Use Permit #2023-00040

Some people who received this message don't often get email from [mjspatz@gmail.com](mailto:mjspatz@gmail.com). [Learn why this is important](#)

Dear Ms.Mavis Stanfield and Ms. Ann Horowitz,

I am writing to express overwhelming support and approval to approve the attached special use permit. These events are fun and are enjoyed by many, many people and their families all around the area. They have been having these events for two years already without issue. Families enjoy them and they are fun and good for the community. I live in the Venue condominium complex and my balcony faces where Bike Club is. Bike Club has ALWAYS been very respectful about any noise in the area and have always stopped any music by 8:00pm on a Friday or Saturday evening in the summertime when it stays light until 9:30pm. Trash is ALWAYS picked up as well.

Unfortunately there are a few people that live in the condo complex that would like to shut it down for everybody. You must not let that happen. The few people trying to shut it down complain about everything all the time and are utterly incapable of thinking beyond themselves. Having these types of events is exactly the reason you want to live here in Old Town North. To have access to unique, fun, and free events such as these. Bike Club has been hosting a comedy club inside as well. It's wonderful to be able to walk over there and get a taco or something from one of the food trucks while mom or dad can get a beer or glass of wine.

Please do not let a small miserable minority shut this down. These events have been going on since before Venue was even built. Too many people beyond the few trying to stop it down enjoy the events. Thank you.

Mike Spatz  
703-819-7482  
Venue Condo Unit 1008

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## Samantha Lockwood

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**From:** Lisa <lgclough4@gmail.com>  
**Sent:** Monday, June 19, 2023 7:22 PM  
**To:** Ann Horowitz  
**Cc:** Nancy Williams; Samantha Lockwood; Antoine D Pierce; Mavis E Stanfield; Tony LaColla; Karl Moritz  
**Subject:** Re: [EXTERNAL]CORRECTED Letter in Opposition to Special Use Permit #2023-00040 (99 canal plaza)  
**Attachments:** Group Letter to Planning Commission 6-19.pdf

Some people who received this message don't often get email from lgclough4@gmail.com. [Learn why this is important](#)

Hi All,

Attached please find the letter of objection signed by multiple unit owners.

To simplify matters, you can present this one at the hearing instead of my individual letter (since it is basically the same letter). If more unit owners sign tomorrow, I will send another copy to reflect their signatures.

I apologize for the piecemeal nature of our correspondence but we were given only a few days to respond before the hearing. I have been working 24/7 to notify the condominium unit owners; however, I do not have contact information for the Venue Townhomes. I am concerned that they have not been appropriately notified.

Thank you,  
 Lisa Clough  
 617-640-6270

On Mon, Jun 19, 2023 at 3:43 PM Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)> wrote:

Hello Lisa,

Thank you for reaching out on this case and for identifying the typo. We will correct that for the 6/22 Planning Commission hearing.

Additional comments from your development may be sent individually or all may sign one letter. Please forward any emails to me and Mavis Stanfield and we will be sure that the Planning Commission receives these prior to the Thursday hearing.

Ann

---

**From:** Nancy Williams <[Nancy.Williams@alexandriava.gov](mailto:Nancy.Williams@alexandriava.gov)>  
**Sent:** Sunday, June 18, 2023 6:03 PM

**To:** Lisa <[lgclough4@gmail.com](mailto:lgclough4@gmail.com)>

**Cc:** Samantha Lockwood <[samantha.lockwood@alexandriava.gov](mailto:samantha.lockwood@alexandriava.gov)>; Antoine D Pierce <[antoine.pierce@alexandriava.gov](mailto:antoine.pierce@alexandriava.gov)>; Mavis E Stanfield <[mavis.stanfield@alexandriava.gov](mailto:mavis.stanfield@alexandriava.gov)>; Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)>; Tony LaColla <[anthony.lacolla@alexandriava.gov](mailto:anthony.lacolla@alexandriava.gov)>; Karl Moritz <[Karl.Moritz@alexandriava.gov](mailto:Karl.Moritz@alexandriava.gov)>

**Subject:** Re: [EXTERNAL]CORRECTED Letter in Opposition to Special Use Permit #2023-00040 (99 canal plaza)

Lisa Clough,

I am copying the BCU staff so that they can add your letter to the docket item on Tuesday. Monday 6/19 is a holiday. BCU will share the letter with the PC when the City reopens on Tuesday. The planners are Mavis and Ann. I am copying them too. You can always determine the assigned planners by a notation on the first page of staff reports with info on full names and emails.

Thx

Nancy

Sent from my iPhone

On Jun 18, 2023, at 5:17 PM, Lisa <[lgclough4@gmail.com](mailto:lgclough4@gmail.com)> wrote:

You don't often get email from [lgclough4@gmail.com](mailto:lgclough4@gmail.com). [Learn why this is important](#)

Hi again,

I apologize! I found a mistake in my first letter so here it is again. Please pass along this version only.

Thank you,

Lisa Clough

----- Forwarded message -----

From: Lisa <[lgclough4@gmail.com](mailto:lgclough4@gmail.com)>

Date: Sun, Jun 18, 2023 at 3:33 PM

Subject: Letter in Opposition to Special Use Permit #2023-00040 at 99 Canal Center Plaza

To: <[nancy.williams@alexandriava.gov](mailto:nancy.williams@alexandriava.gov)>

Hi Nancy,

I am attaching a letter in opposition to the SUP referenced above. I was not able to figure out from the City website exactly whose email to use but I am guessing it's yours. If this is not correct, please let me know.

I am also attaching The Bike Club's Presentation Flyer we received last week. On page 2, it reads "Situated near the corner of South Peyton and Prince Streets." I am assuming this is a typo (?)

I will call you tomorrow (or Tuesday if you are closed) to follow up on this matter. I am wondering if some of the Unit Owners here can collectively sign and submit a similar letter to mine (instead of everyone sending separate letters).

Thank you in advance for your help.

Best Regards,

Lisa Clough

925 N Fairfax St, Unit 602

Alexandria, VA 22314

617-640-6270

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source.

June , 2023

Planning Commission  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

RE: Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314

To Whom It May Concern:

The undersigned Unit Owners of the Venue Condominiums and Townhomes are submitting this letter collectively in opposition to the above-referenced application for a Special Permit.

In purchasing residential real estate in this location, the possibility of an outdoor restaurant and bar with music and entertainment was never anticipated. This addition to our immediate surroundings will result in constant noise that will interfere with the peaceful and quiet enjoyment of our homes. The noise will be generated not only from music, DJs, and other outdoor activities (with or without amplified sound), but also from the mere gathering of the general public in our "backyard." This is especially true for the units that face in the direction of the Canal Center, regardless of the volume of such noise. If this outdoor establishment had existed prior to the construction of the Venue, many of us would never have purchased here.



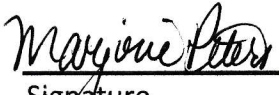




In addition to noise, the other issues of concern are smells emanating from outdoor cooking, the presence of food and trash attracting rats, racoons and other animals, late night loitering, the general degradation of the peaceful atmosphere of the neighborhood, and the unsightly appearance of two 20-foot trailers parked directly in our line of view and immediately outside our doors (there is only a narrow bike path that separates our property from the proposed location of this establishment).

The reference to City Ordinances in the Staff Report does little to reassure. If violations occur, one wonders if there will be City resources available to address such matters. Last summer there were outdoor events in this exact location with amplified music that was audible inside the units facing the Canal Center Plaza, even with all doors and windows closed. Unfortunately, it was next to impossible to reach anyone at the City to file a complaint. Even when the complaint was finally heard, the response was dismissive, citing the fact that a permit had already been issued and resources to address this kind of complaint were limited. Understandably, this is not high on the list of City concerns.

In light of the above concerns, we are asking that this application be rejected in its entirety. In its place we would recommend that the applicant pursue a permit for a location inside one of the Canal Center buildings.

Thank you for your serious consideration of this matter.

Signed by:

	Lisa Clough	925 N Fairfax St #602	lgclough4@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Yvonne Medina	925 N. Fairfax St Unit 1204	Yrmedina@comcast.net
Signature	Printed Name	Address	Email Address (optional)
	Marjorie Peters	925 N. Fairfax St Unit 906	marjoriepeterspgh@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Aaron Ellison	925 N. FAIRFAX ST UNIT 1010	AARON.ELLISON@GMAIL.COM
Signature	Printed Name	Address	Email Address (optional)
	Glorimar Fortuna	925 N. FAIRFAX ST UNIT 908	fortunagps@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Abdullah K	925 N. Fairfax St Unit 402	Kyokavn-93@hotmail.com
Signature	Printed Name	Address	Email Address (optional)
	Meg Gaffney-Smith	925 N. Fairfax St Unit 304	Meggy261128@gmail.com
Signature	Printed Name	Address	Email Address (optional)

Signature	Printed Name	Address	Email Address (optional)
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Signature	Printed Name	Address	Email Address (optional)
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Signature	Printed Name	Address	Email Address (optional)
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June 20, 2023

Planning Commission

Alexandria City Hall

301 King Street

Alexandria, VA 22314

RE: Special Use Permit 2023-00040, [99 Canal Center Plaza, Alexandria, VA 22314](#)

To Whom It May Concern:

I am writing to express my strong opposition to the proposal to expand the existing Bike Club. The proposal to increase the hours and days of the week that the Bike Club can operate will have significant unacceptable impacts on residents in the vicinity. The noise and the hours of operation are not compatible with a residential neighborhood or the office park and will adversely impact those of us whom work and live in North Old Town. One of the primary reasons we invested nearly \$1 million in our condominium was the uncrowded, peace, and quiet afforded us by this neighborhood, away from the loud noise, partying, and congestion of downtown Alexandria along King Street. The Events at Canal Center including the Bike Club's existing offerings are unobtrusive and less impactful. To increase noise and activities 7 days a week and well past 10 pm is not in the public interest. The expanded hours and the additional trailers will harm the aesthetics we enjoy. The anticipated outdoor lighting and noise cannot be mitigated and will harm those of us who live near the proposed establishment and negatively impact our quality of life.

Because of these concerns I ask that you reject this proposal in its entirety or significantly modify the hours and days of operation so that residents are not adversely impacted. I look forward to your written reply. If you have any questions, please contact me at 571-585-2966 or [meggy261128@gmail.com](mailto:meggy261128@gmail.com)

Sincerely,

Meg Smith

[925 N. Fairfax St., #304](#)

Alexandria, VA 22314



Dear Ms. Mavis Stanfield and Ms. Ann Horowitz,

I am writing to express overwhelming support and approval to approve the special use permit for the Bike Club at Canal Center. I live in the Venue condominium complex and **I am currently pregnant with our first child. I love that there will be food and entertainment so close by as we welcome a little one into our community.** This will be so convenient for busy parents and their families! We chose to raise our baby in Old Town North at the Venue Condominiums because of the culture, arts scene, and fun family friendly events. I understand that there are a small number of people in our building writing in opposition. Please do not let a small vocal minority change your view on this issue. I urge you to please consider what is best for the whole old town north community as we work together to create a positive, beautiful, fun place to live and raise our families.

Thank you for your consideration,

Amy Kroll  
925 N Fairfax St  
Unit 406  
Alexandria, VA 22314

PS: I would love it if Bike Club did some family friendly events too and if they had some great healthy food options, please pass the message to the owners. :)

Good afternoon, my name is Alena. My husband, Thomas Volk, and I live at 210 Canal Center Plaza and received a notification to your planning commission meeting tomorrow in regard to the special use permit for 99 Canal Center Plaza. Unfortunately, we won't be able to attend tomorrow evening, but would like to relay a few thoughts, especially as we are the townhome immediately in front of this space. First, we're excited for new life and dining options in our neighborhood, and this one in particular, as it brings together the bike path community. We'd only ask that any live music be kept at a reasonable level with the bass low, and during the week at least, ending no later than 9pm as music in the plaza is often audible even with the windows closed. But we are excited to see the space put to use and appreciate the notification. Thanks for the inclusion.

Very respectfully,  
Alena Taylor and Thomas Volk

Joan M. Walsh  
925 N. Fairfax Street, #604  
Alexandria, VA 22314

June 20, 2023

Planning Commission  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

RE: Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314

Dear Commissioners,

I recently moved to Alexandria from San Diego, California and currently reside at the Venue condominiums.

A neighbor recently notified me of a hearing regarding the application of a special use permit by the City of Alexandria to allow a 60-seat outdoor restaurant and music venue in front of 99 Canal Center Plaza. I did not receive any notice of this proposed special use permit which I would have thought would have been required as it would impact not only the surrounding townhouses but also the condominium tower building.

My concern is that this venue would operate from 8 am to 10 pm Monday through Thursday and from 10 am until 12 am Friday through Sunday.

I have several concerns about this proposed special use permit and would respectfully request that the Planning Commission would carefully consider these items.

First, parking is at a premium at this location. There is no guest parking for either the townhouses or the tower condominiums at the Venue. In addition, Café 44/Jula's on the Potomac restaurant is already expanding its restaurant and outdoor serving area which is located in the adjacent building at 44 Canal Street.

To allow a live outdoor entertainment venue to operate 7 days per week which will undoubtedly affect all of the current residents in the area seems excessive. I resided in downtown San Diego for 20 years prior to moving here 2 months ago. We had similar outdoor entertainment venues in my neighborhood which over time created a number of nuisances issues ranging from an increase in criminal activity, robberies, car thefts and vandalism. Fortunately, those venues were only allowed to operate infrequently, generally not more than one weekend per month. However, when those did operate, the loud music and pounding of the amplifiers could be heard for several blocks surrounding the outdoor area; and, it was very difficult for the City of San Diego to invoice the noise ordinances. Although I did not reside here last summer when this Bike Club was permitted to

operate an outdoor entertainment area, I am doubtful that the proposed live music venue will not become increasingly louder over time as the location gains popularity.

Will the operator of this venue be required to provide private security? As with most large cities these days, I presume that Alexandria's Police Department does not have the resources to afford routine patrols of this area not only for the purpose of monitoring any potential criminal activity but also for enforcement of other City ordinances.

The one advantage that the City of San Diego had was to authorize merchant districts to have maintenance crews to come in immediately after an event to thoroughly clean the site. How will this site be monitored? I am aware that a number of condominium and apartment buildings along the waterfront in Alexandria have had issues with mice, rats and other vermin. Who will monitor the pest control issues and refuse disposal?

I realize that several of the surrounding office buildings have space available for lease. Have other sites been considered such as the plaza one block down on North Fairfax which is also part of the Trans Potomac Plaza Center?

What happens when the theater at the Venue is completed and Metro Stage commences their performances? I would think that having to live performance locations within 2 blocks of one another will present many issues associated with that anticipated density, parking and security particularly since this special use permit is for a 2-year period of time.

Has a liquor license been applied for and granted to the Bike Club of the LLC applying for this permit?

I respectfully request that the Planning Commission carefully consider this application and the problems which are likely to arise if the special use permit is granted. For these reasons I am expressing my opposition to this lengthy special use permit.

Sincerely,



Joan M. Walsh

Hi All,

I never heard back from anyone by email or phone call today regarding the noticing situation.

The code clearly says that the notice must be sent to the President of the Board - but there is no Board and there is no President. As a result, none of us received notice.

*Recipients of written notice.* Written notice shall be sent to the owner of the subject property, if different from the applicant, and to the owners of all abutting property. In the case of a condominium, written notice may be sent to the president of the board of the unit owners' association instead of to each individual unit owner.

It seems to me that this hearing should be postponed until all Venue owners receive notice. I will pursue to the best of my ability tomorrow.

Best Regards,

Lisa Clough

Hi Samantha,

Thank you for your email. Unfortunately this information was never relayed to the unit owners until Friday 6/16/23. We received very little (and incomplete) information in a column of the weekly email newsletter from the Property Manager this past Friday evening (newsletter attached). This gave us less than a week before the hearing to respond.

Also we have no Board or Board President as the Developer still controls the Association. DO you know who received the notice in place of the Board President?

Would you please have someone call me this morning if possible?

Thank you,

Lisa

To All Concerned,

I am formally requesting that the above hearing be postponed until a later date in order to officially notify all property owners at the Venue.

To the best of my knowledge, the Venue property owners were never notified of the SUP application or the hearing. According to City code, the property owners must be notified individually or in the case of a condominium, the Board President can be notified instead.

I asked many times on Tuesday 6/20 and Wednesday 6/21 (today) to discuss this matter with the Planning Commission but I was refused. My question was simple - who did the attorney of record send the certified notice to? Now there are approximately 24 hours left until the hearing and I am still without an answer. I am left with no other alternative but to ask for a postponement.

On my own, I was able to verify that the Venue property manager (Mandy Parenteau) received a certified notice from Kenneth Wire, Esq. dated 6/8/2023. However, since I was never able to speak with the Planning Commission, I can only assume that Austin Flajser of Carr Companies (the Developer) was not notified. Austin Flajser is currently serving in place of a Board President (we have not transitioned yet).

Thank you for your understanding.

Best Regards,

Lisa Clough



Hi again,

After speaking with Nancy Williams a few minutes ago, my understanding is that the applicant was not obligated to notify the Venue property since our property does not abut theirs. In between our two properties, there is an abandoned railroad track/bike path owned by Norfolk (not sure of the rest of the name). Therefore, I am withdrawing my request for a postponement.

Please understand that the reason I was assuming otherwise was largely due to an email I received from Samantha Lockwood at 8:42 am on 6/20/23. Here is the text of that email (copied and pasted). However, from my phone call with Nancy, I am now being told that none of the below was applicable to this situation since the notice was not required.

Hi again,

After speaking with Nancy Williams a few minutes ago, my understanding is that the applicant was not obligated to notify the Venue property since our property does not abut theirs. In between our two properties, there is an abandoned railroad track/bike path owned by Norfolk (not sure of the rest of the name). Therefore, I am withdrawing my request for a postponement.

Please understand that the reason I was assuming otherwise was largely due to an email I received from Samantha Lockwood at 8:42 am on 6/20/23. Here is the text of that email (copied and pasted). However, from my phone call with Nancy, I am now being told that none of the below was applicable to this situation since the notice was not required.

June , 2023

Planning Commission  
Alexandria City Hall  
301 King Street  
Alexandria, VA 22314

RE: Special Use Permit 2023-00040, 99 Canal Center Plaza, Alexandria, VA 22314

To Whom It May Concern:

The undersigned Unit Owners of the Venue Condominiums and Townhomes are submitting this letter collectively in opposition to the above-referenced application for a Special Permit.

In purchasing residential real estate in this location, the possibility of an outdoor restaurant and bar with music and entertainment was never anticipated. This addition to our immediate surroundings will result in constant noise that will interfere with the peaceful and quiet enjoyment of our homes. The noise will be generated not only from music, DJs, and other outdoor activities (with or without amplified sound), but also from the mere gathering of the general public in our "backyard." This is especially true for the units that face in the direction of the Canal Center, regardless of the volume of such noise. If this outdoor establishment had existed prior to the construction of the Venue, many of us would never have purchased here.



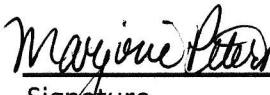





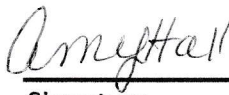
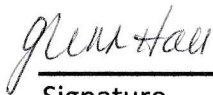
In addition to noise, the other issues of concern are smells emanating from outdoor cooking, the presence of food and trash attracting rats, racoons and other animals, late night loitering, the general degradation of the peaceful atmosphere of the neighborhood, and the unsightly appearance of two 20-foot trailers parked directly in our line of view and immediately outside our doors (there is only a narrow bike path that separates our property from the proposed location of this establishment).

The reference to City Ordinances in the Staff Report does little to reassure. If violations occur, one wonders if there will be City resources available to address such matters. Last summer there were outdoor events in this exact location with amplified music that was audible inside the units facing the Canal Center Plaza, even with all doors and windows closed. Unfortunately, it was next to impossible to reach anyone at the City to file a complaint. Even when the complaint was finally heard, the response was dismissive, citing the fact that a permit had already been issued and resources to address this kind of complaint were limited. Understandably, this is not high on the list of City concerns.

In light of the above concerns, we are asking that this application be rejected in its entirety. In its place we would recommend that the applicant pursue a permit for a location inside one of the Canal Center buildings.

Thank you for your serious consideration of this matter.

Signed by:

	Lisa Clough	925 N Fairfax St #602	lgclough4@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Yvonne Medina	925 N. Fairfax St Unit 1204	Yrmedina@comcast.net
Signature	Printed Name	Address	Email Address (optional)
	Marjorie Peters	925 N. Fairfax St Unit 906	marjoriepeterspgh@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Aaron Ellison	925 N. FAIRFAX ST UNIT 1010	AARON.ELLISON@GMAIL.COM
Signature	Printed Name	Address	Email Address (optional)
	Glorimar Fortuna	925 N. FAIRFAX ST UNIT 908	fortunag95@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Abdullah K	925 N. Fairfax St Unit 402	Kyokavn-93@hotmail.com
Signature	Printed Name	Address	Email Address (optional)
	Meg Gaffney-Smith	925 N. Fairfax St Unit 304	Meggy261128@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Suzanne Augustus	925 N. Fairfax #506	Suzanne - Augustus@yahoo
Signature	Printed Name	Address	Email Address (optional)
	Amy Hall	925 N. Fairfax #104	gha110715@gmail.com
Signature	Printed Name	Address	Email Address (optional)
	Glenn Hall	925 N. Fairfax #104	gha110715@gmail.com
Signature	Printed Name	Address	Email Address (optional)



925 N Fairfax St, #405

Angelica M Escalona Angelica Escalona

amescalona@aol.com

Signature

Printed Name

Address

Email Address (optional)

Nina Prasad

Nina Prasad

925 N. Fairfax St,  
#608

nina.prasad@gmail.com

Signature

Printed Name

Address

Email Address (optional)

ASIF FAIZ

ASIF FAIZ

925 N. Fairfax St.  
#905AFKASHMIR@  
GMAIL.COM

Signature

Printed Name

Address

Email Address (optional)

Bonita Edwards

Bonita Edwards

925 N. Fairfax St  
#810

gobonnie7@gmail.com

Signature

Printed Name

Address

Email Address (optional)

Jean-Pierre BACLE

Jean-Pierre  
BACLE925 N. Fairfax  
#504

dcbacke@gmail.com

Signature

Printed Name

Address

Email Address (optional)

Stacy English

Stacy English

925 N Fairfax  
#1208seenglish7@  
yahoo.com

Signature

Printed Name

Address

Email Address (optional)

Matt Witmer

Matt Witmer

925 N Fairfax  
#1208withnermatt  
@hotmail.com

Signature

Printed Name

Address

Email Address (optional)

Signature

Printed Name

Address

Email Address (optional)

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Printed Name

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Email Address (optional)

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Email Address (optional)

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Printed Name

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Email Address (optional)

Signature

Printed Name

Address

Email Address (optional)

Ann,

I realize I am a little late writing this email in support of the Bike Club's application for two temporary trailers and live entertainment, but I only yesterday found out there is opposition from residents of Venue, new to Old Town North and perhaps not aware of our planned future as an Arts and Cultural district that will include indoor and outdoor performances, music, and entertainment. This was a quiet neighborhood at one point, but that is not what the people who worked on the Old Town North Small Area Plan (SAP) wanted for their future. Vibrancy centered around the visual and performing arts is a central goal of the SAP. The activities at Canal Center are helping move us in the right direction.

I am a long-time resident of Old Town North, and live in Rivergate, directly adjacent to Canal Center. I've been very happy with the success Cafe 44 has had, and was thrilled last summer when Canal Center started having events with live music, food trucks, and art vendors; and held events like Yoga on the Plaza and salsa classes. I believe this entertainment is entirely appropriate to this magnificent setting -- the glass office buildings, the sculptured plaza, and the river all make this a beautiful destination for residents and visitors alike. It has been underutilized in the past, but is now beginning to fulfill its potential.

The Bike Club is a small venue with modest entertainment goals. I would like to see us welcome their economic activity and the benefits they bring to the neighborhood in vibrancy and "something to do". I say economic activity because making Canal Center an attractive destination or place to work is essential to filling the office buildings which have experienced a high vacancy rate in recent years. To ensure better maintenance of the complex and its riverfront walk, this has to be a complex with a high occupancy rate, which will be driven by the availability of restaurants and entertainment, since it is not adjacent to Metro.

Please forward this email to the Planning Commission and your colleagues on the City Staff. Thank you.

Agnès Artemel

120 Madison Place (Rivergate townhouses)

703-944-2113

Good afternoon Ann. I am writing to you in regard to the above special use permit for Canal Place. I am in opposition of this special permit. There is a hearing tonight that unfortunately, I am unable to attend. My husband and I live in the Venue Condominiums. We specifically chose this residence because of it's location. It's in a quiet part of North Old Town. This was a major factor for us. We didn't want to be near all of the noise and activity of Old Town near King Street. We are strongly opposed to the proposal for the special use permit from the Bike Club. The noise level this will provide will be a huge disturbance to all residents of the Venue condominiums and townhomes. Even with our windows closed, the noise will enter our homes. There will be noise from excessive people and music not to mention the trash trucks and delivery trucks. I believe the proposal said there wouldn't be any noise from 12 to 7 am. Thus, a seven hour window of quiet. This is not acceptable. We are taxpayers in Alexandria that would like to maintain the peace and quiet of the area. There was an event in the courtyard there last month that made it hard just to hear the TV and go to sleep that night. I can't imagine that every night. Please take into consideration the residents of North Old Town and the Venue. Again, we stand in strong opposition to this.

Thank you for your consideration,

Stacey English

925 N Fairfax St #1208



Good afternoon,

I am the husband of Stacy english. My name is Matthew Witmer. I am also in opposition and stand by her previous email.

Thank you for your consideration

Matthew Witmer

# City of Alexandria, Virginia

## MEMORANDUM

DATE: JUNE 22, 2023

TO: CHAIR NATHAN MACEK  
AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR  
DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #5 – SUP #2023-00040  
99 CANAL CENTER PARKWAY

This memorandum outlines conditions that Commissioner Lyle requested staff send for discussion tonight.

### **Special Use Permit (SUP) #2023-00040, 99 Canal Center Parkway – Changes to Conditions #9, #10, #19 and #20.**

9. **CONDITION AMENDED BY PLANNING COMMISSION:** 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. No outdoor grilling shall be permitted unless otherwise approved as a special event. (T&ES) (PC)
10. **CONDITION AMENDED BY PLANNING COMMISSION:** Music and Live Entertainment Noise from live entertainment and activities, such as music, performances, and trivia, shall end no later than 11 p.m.
  1. Live entertainment and activities such as live music, live performances, DJs, and trivia shall be permitted during the following hours and consistent with the noise ordinance:
    1. Monday through Thursday: 5:00 p.m. to 9:00 p.m.
    2. Friday: 5:00 p.m. to 10:00 p.m.
    3. Saturday and the day before weekday Federal holidays: 11:00 a.m. to 10:00 p.m.
    4. Sunday and weekday Federal holidays: 11:00 a.m. to 9:00 p.m.
  2. Outdoor amplified music in the form of limited live entertainment (background music) shall be permitted during the following hours and consistent with the noise ordinance:
    1. Monday through Thursday: 5:00 p.m. to 9:00 p.m.
    2. Friday: 5:00 p.m. to 10:00 p.m.
    3. Saturday and the day before weekday Federal holidays: 11:00 a.m. to 10:00 p.m.

4. Sunday and weekday Federal holidays: 11:00 a.m. to 9:00 p.m.

The property shall be cleaned and washed by 11p.m. on Friday and Saturday and the night before weekday holidays and by 10:00 p.m. on Sunday through Thursday. No music shall be allowed during clean-up.

3. The applicant shall designate an employee as a community liaison to respond to nearby property owners' noise concerns. The contact phone number and e-mail for the community liaison shall be provided to all homeowners and civic associations within 500 feet. The applicant shall schedule and conduct a meeting with these homeowners and civic associations each month for the first three months of operation. (T&ES) (PC)
  
19. **CONDITION AMENDED BY PLANNING COMMISSION:** The temporary trailer shall be permitted at the site for two years after Special Use Permit approval until July 5, 2025 ~~with an opportunity to increase the term for an additional three years through an Administrative Special Use Permit. (P&Z) (PC)~~
  
20. **CONDITION AMENDED BY PLANNING COMMISSION:** The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for three months, six months and 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. ~~(P&Z) (PC)~~



# APPLICATION

## SPECIAL USE PERMIT

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

**PROPERTY LOCATION:** 99 Canal Center Plaza

**TAX MAP REFERENCE:** 055.01-04-14 **ZONE:** CRMU-H

**APPLICANT:**

Name: Chalkboard Canal Center, LLC

Address: 3904 Sulgrave Drive, Alexandria, VA 22309

**PROPOSED USE:** Outdoor restaurant with seating including two temporary trailers for food and beverage service; and outdoor live entertainment

- ☒ 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.

**Kenneth W. Wire, Wire Gill LLP**

Print Name of Applicant or Agent

**700 N. Fairfax Street, Suite 600**

Mailing/Street Address

**Alexandria, VA 22314**

City and State

Zip Code

Signature

**May 3, 2023**

Date

**703-677-3129**

Telephone #

Fax #

**kwire@wiregill.com**

Email address

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 99 Canal Center Plaza, I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the special use permit use as  
 (use)  
 described in this application.

Name: LIBERTY 99 CANAL, LLC, a Virginia limited liability company care of American Real Estate Partners

Please Print

Address: 1660 International Drive, Suite 500 McLean, VA 22102

Signature: *Eric Zabarkus*

Phone: 703-234-3059  
703-478-4424

Email: enicholson@americanrepartners.com  
sbatterton@americanrepartners.com

Date: 4.27.23

- 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: lessee for outdoor space 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.

Please see attached Disclosure Attachment.

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## 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 See attached (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 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. See attached	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.

May 3, 2023  
Date

Kenneth W. Wire, Wire Gill LLP  
Printed Name

  
Signature

**Disclosure Attachment**

**Applicant:** Chalkboard Canal Center, LLC:

100% owned by Carville J. Cross III

3904 Sulgrave Drive  
Alexandria, Virginia 22309

**Owner:** 99 Canal Center Plaza:

100% owned by 99 Canal Properties LLC

100% owned by LIBERTY 99 CANAL, LLC  
c/o American Real Estate Partners  
1660 International Drive, Suite 500  
McLean, Virginia 22102

No Individual owns more than 3%

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

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

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

## NARRATIVE DESCRIPTION

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

The Applicant proposes an outdoor restaurant including two temporary 8' x 20' trailers within the plaza of 99 Canal Center Plaza property. The restaurant will include 60 outdoor seats and will serve food, beverages and alcohol. The outdoor restaurant will operate 7 days a week and will feature community events, live background music, and activities such as trivia. The outdoor restaurant and programming will enliven the waterfront in Old Town North. It will provide a community gathering space and will complement the future arts uses and programming along N. Fairfax and Montgomery Streets, and other nearby streets. Background music will be amplified at low levels by a small PA accomodating local singer, jazz, bands and acoustic musicians.



## 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).

60 outdoor seats and restaurant staff total. Weekday: Lunch-30; Evening-40-60;  
 Weekend: Lunch and Evening: 40-60

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

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

Sunday - Thursday: 1 Bar, 2 Kitchen, 1 Waitstaff/bus  
 Friday - Saturday: (2 Bar, 2 Kitchen; 2 Waitstaff/Bus

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

Day:

Monday - Thursday

Hours:

8 am - 10 pm

Friday - Sunday

10 am - Midnight

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

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

Music at low background levels, never exceeding noise ordinance.

B. How will the noise be controlled?

City noise ordinance and property & restaurant management. There will  
 be no amplified music after 11 pm.

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

None anticipated; all cooking equipment includes air scrubbing technology

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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)

Food and beverage waste; packaging

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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)

A maximum of 6 - 10 bags per day

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- C. How often will trash be collected?

Daily collection from plaza carried to office building dumpsters

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

Staff will manage and clean space three times per day. No beverages will be permitted to leave with patrons from the premise.

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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:

Cleaning supplies typical for restaurants

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

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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.

Beer, wine and mixed cocktails will be sold on and off premise

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## PARKING AND ACCESS REQUIREMENTS

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

<u>Off peak</u>	Standard spaces
<u>office</u>	Compact spaces
<u>parking</u>	Handicapped accessible spaces.
<u>spaces</u>	Other.

<p style="text-align: center;">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?</p> <p style="text-align: center;"><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?

---

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

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

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

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

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

<p style="text-align: center;">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?</p> <p style="text-align: center;"><input type="checkbox"/> Yes   <input type="checkbox"/> No</p>
---

- B. Where are off-street loading facilities located? Canal Center private drive
- C. During what hours of the day do you expect loading/unloading operations to occur?  
8 am - 2pm
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
A maximum of 2 times daily
- 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?  
Access to the proposed use is 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? \_\_\_\_\_ square feet.
- 18.** What will the total area occupied by the proposed use be?  
\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 320 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: Temporary outdoor area including the two 160sq foot trailers

## 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

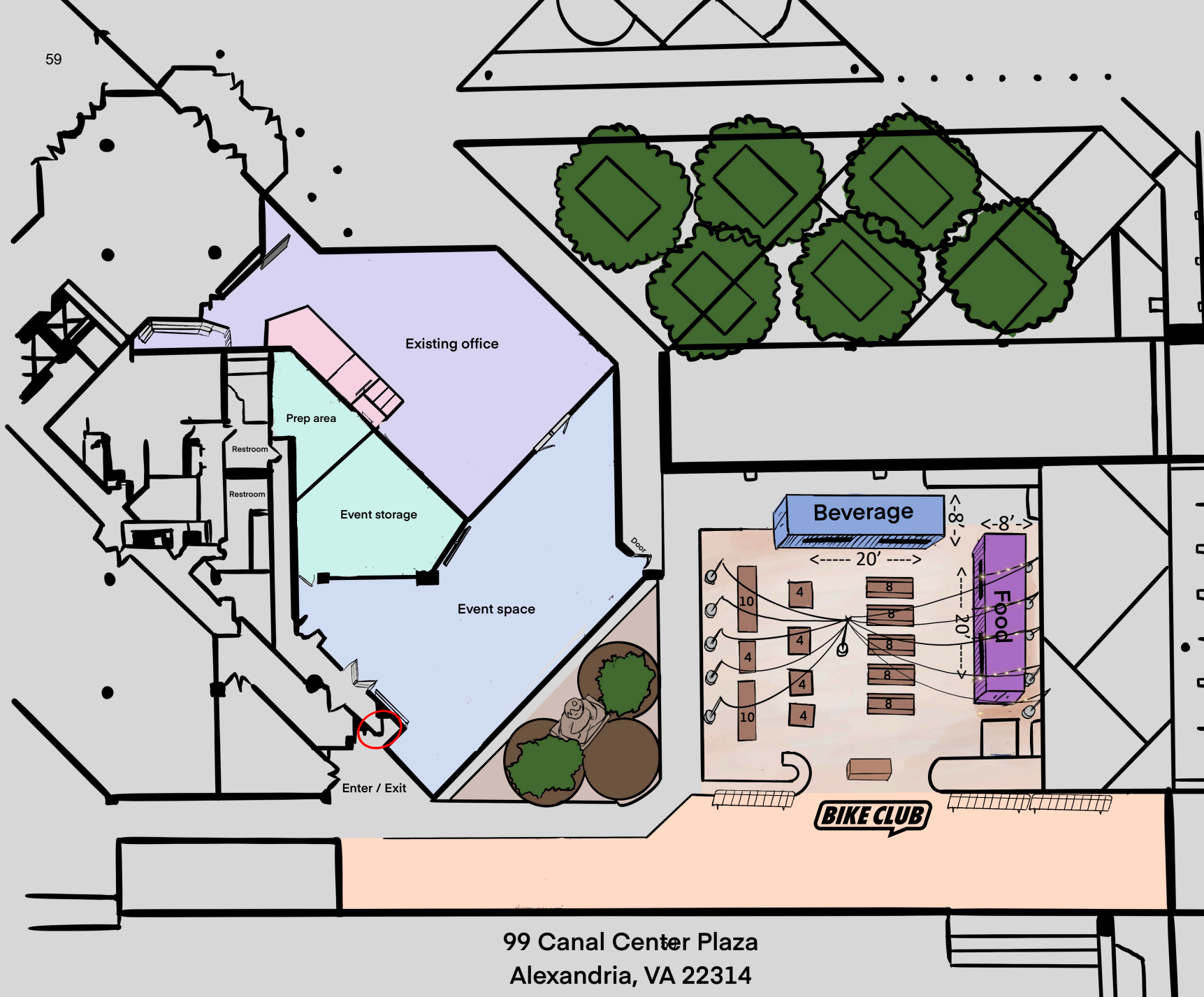
- ☐ Include labels to indicate the use of the space (doors, windows, seats, tables, counters, equipment)

#### If Applicable

- ☒ Plan for outdoor uses

#### Contextual site image

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



99 Canal Center Plaza  
Alexandria, VA 22314

**Sent via E-mail**

May 12, 2023

Ann Horowitz and Mavis Stanfield  
301 King Street, Suite 2100  
Alexandria, VA 22314

**Re: 99 Canal Center Plaza, SUP#2023-00040: Response to Staff Comments**

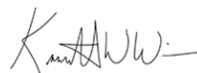
Dear Ann and Mavis,

On behalf of the Applicant, Chalkboard Canal Center, LLC, please find below responses in bold to the Staff comments dated May 10, 2023. I have also enclosed a revised submission.

1. Page 1: Edit the use request to reflect two temporary trailers and outdoor live entertainment.
  - a. **The request on page 1 has been revised consistent with this comment.**
2. Page 4, #3: Edit narrative to state the SUP request is for temporary trailers and explain how it will be used. Live outdoor entertainment is also requested in the form of music and trivia. Indicate if loudspeakers will be used. Explain the music entertainment. The outdoor dining is a by-right use at the commercial complex.
  - a. **Please see revised narrative addressing the temporary nature of the trailers and the plans for the live outdoor entertainment element.**
3. Page 9, #19: Indicate trailer square footage.
  - a. **Temporary trailer square footage has been added; 160 SF per trailer for a total of 320 SF.**
4. Page 9, #19: Edit to include trailer.
  - a. **Trailer has been included.**
5. Additional: Include trailer specifications.
  - a. **An exhibit has been provided with trailer specifications which are 8'W X 20'L x 8'H.**

Please let me know if you have any questions. The Applicant looks forward to Staff's review of this submission and hearing by Planning Commission on June 22 and City Council on July 5<sup>th</sup>.

Sincerely,



Kenneth W. Wire

cc: Tony LaColla, Zoning Administrator  
Antoine Pierce