



***Special Use Permit # 2023-00079***  
***724,728,730 and 734 North Saint Asaph Street***  
***The Royal Restaurant***

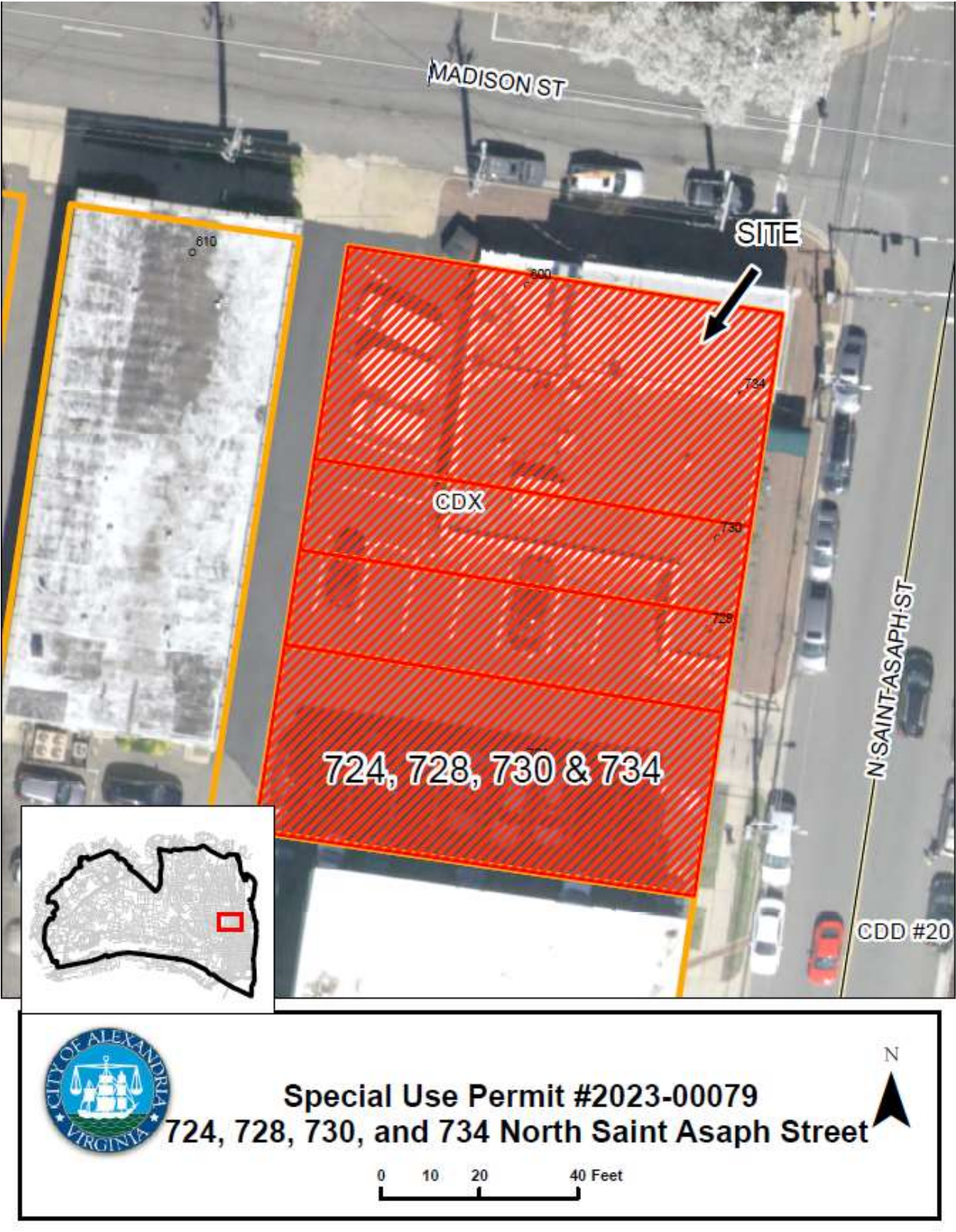
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<b>Application</b>	<b>General Data</b>	
Public Hearing and consideration of a Special Use Permit for outdoor dining	<b>Planning Commission Hearing:</b>	November 6, 2023
	<b>City Council Hearing:</b>	November 18, 2023
<b>Address:</b> 724, 728, 730 and 734 North Saint Asaph Street (Parcel Address: 734 North Saint Asaph Street)	<b>Zone:</b>	CDX/Commercial Downtown Zone (Old Town North)
<b>Applicant:</b> ARP Royal OPCO, LLC, represented by M. Catharine Puskar, attorney	<b>Small Area Plan:</b>	Old Town North

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

**PLANNING COMMISSION ACTION, NOVEMBER 6, 2023:** On a motion by Commissioner Lyle, seconded by Commissioner Ramirez, the Planning Commission voted to recommend approval of Special Use Permit #2023-0007, including the Staff Memorandum of November 6, 2023 (pg. 13). The motion carried on a vote of 6-0 on the Consent Calendar.



PROJECT LOCATION MAP

## I. DISCUSSION

The applicant, ARP Royal OPCO, LLC, requests Special Use Permit approval to add 90 outdoor seats outside of a grandfathered restaurant.

### SITE DESCRIPTION

The subject property consists of four lots of record having a total frontage on North Saint Asaph Street of 119.58 feet, a total frontage on Madison Street of 90.00 feet and a total lot area of

10,800 square feet. The property is developed with a single building, which has a partial second floor. The Royal Restaurant is located on the first floor. The restaurant consists of approximately 4,500 square feet and currently has 122 indoor seats with 23 surface parking spaces. The property abuts a public alley that separates it from the adjacent commercial property to the west, which is currently a UPS Store. The alley terminates at the property to the south, developed as an office building. An SUP request will appear on the December docket to allow for a residential conversion of the office building.



*Figure 2: Site Context*

### BACKGROUND

Tax records indicate that the property was constructed in 1950. On April 13, 1985, City Council approved SUP#1758 to allow an expansion of what was then, and is now, the Royal Restaurant. This SUP included an expansion of 3,030 square feet consisting of an enlargement of the kitchen, an area for carry-out and a new 68 seat dining area to the existing 1,385 square foot building with 66 seats. The applicant indicated at the time that the building had always been operated as a restaurant. The SUP included 17 parking spaces and the application indicated that it would operate between 7 a.m. to 12 a.m. daily, with hours extending to 1 a.m. on weekends and holidays.



*Figure 1: Exterior View from North Saint Asaph Steet*

The restaurant use has operated at these addresses continuously since that date and was conveyed as a grandfathered restaurant in 1985. Accordingly, the previous SUP no longer governs the property.

There have been no zoning or property maintenance violations in the past five years and very few in the past 25 plus years.

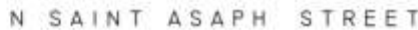
#### PROPOSAL

The applicant proposes to construct a partially covered outdoor seating area, consisting of 816 square feet, with 60 seats, and an uncovered approximately 465 square foot outdoor area with 30 seats. The seating would be located in what is now 10 parking spaces to the west and south of the existing building. The seating area on the south side would include 60 seats under a fixed fabric roof. The area with 30 open dining seats would be located on the west side of the existing building, adjacent to the 10 foot alley (Figure 3).

The outdoor seating would be constructed on an elevated deck to maintain the existing surface water drainage pattern. A note on the proposed site plan indicates that a five-by-five portion of the decking will be removable to access the drain for maintenance.

The remaining portions of the parking area would be restriped to provide 11 regular and one handicapped parking spaces (see Figure 3). The applicant states that the outdoor dining would operate from 10 a.m. to 11 p.m. daily and would have speakers to provide background music, in compliance with the City's noise ordinance.





**Figure 3: Proposed Site Plan**

PARKING

The property is located within the City's Enhanced Transit Area. Pursuant to Section 8-200 (A)(17)(a)(i) of the Zoning Ordinance, a restaurant use located within the City's Enhanced Transit Area is required to provide a minimum of 1.0 space and a maximum of 3.0 spaces per 1,000 square feet of gross floor area. The existing restaurant contains approximately 4,500 square feet of gross floor area, for a parking requirement of five parking spaces for the indoor restaurant. Section 8-200(A)(17)(c) waives the parking requirement for the first 20 outdoor dining seats and requires that each seat over 20 be calculated as 15 square feet. As there will be 70 outdoor seats that require parking this will add 1,050 square feet to the total gross floor area, yielding 5,550 square feet or six minimum required spaces and a maximum of 18 parking spaces. The parking requirement is met through the provision of 12 parking spaces on the property.

It is noted that an office use occupies approximately 970 square feet of space on the second floor of the property. Pursuant to Section 8-200(A)(19)(a) an office use located within the City's Enhanced Transit Area is required to provide a minimum of .25 spaces per 1,000 square feet of gross floor area. Further, pursuant to Section 8-100(a)(9) nonresidential uses that have a parking

requirement of two spaces or less shall be exempt from providing the spaces and therefore there is no additional parking required for this space.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is zoned CDX/Commercial Downtown (Old Town North). Section 4-603(R.1) of the Zoning Ordinance permits outdoor dining with over 40 seats only with a special use permit in the CDX/Commercial Downtown zone (Old Town North). The indoor restaurant is not subject to this SUP review given its grandfathered restaurant status. The grandfathered status is maintained as long as the restaurant use does not expand or intensify indoors. The applicant does not plan to change any indoor restaurant operations and the grandfathered status remains in place.

The subject site is located within the Old Town North Small Area Plan (SAP) boundaries within its Subarea 4. This Subarea includes 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. Further, the property is located in the Retail Focus Area that prioritizes commercial sidewalk access and maximizes sidewalk widths along retail corridors to allow for outdoor dining without disrupting pedestrian pathways.

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

## **II. STAFF ANALYSIS**

Staff supports the request to add 90 outdoor seats to the existing restaurant. The indoor restaurant has operated successfully as a neighborhood meeting spot since 1950, and the addition of outdoor dining would enhance the business's favorable position within the neighborhood.

The nearest residences are located across North Saint Asaph Street in apartments, and the proposed outdoor seating would be located on the south and west side of the building, shielding it from residents. As such, staff does not anticipate noise impacts on residents and supports the proposed hours of 7 a.m. to 12 a.m., Sunday through Thursday, and until 1 a.m., Fridays, Saturdays and on holidays, as noted in Condition #2. Further, the layout is consistent with the goals of the Old Town North SAP which prioritizes sidewalk widths to allow for outdoor dining without disrupting pedestrian pathways. Although no improvements are proposed for the sidewalk, the location of the outdoor dining in the parking area prevents disruption of pedestrian access.

In addition, an analysis of existing restaurants with a similar number of outdoor seats located near residences indicates that, when properly managed, these uses can coexist with residential uses harmoniously. A number of conditions are included to ensure such harmony is maintained. These include Condition #13, which requires that the applicant prevent odors, smoke and any other air pollution from becoming a nuisance, as well as Condition #15, which prohibits outdoor live entertainment. Limited live entertainment, in the form background music, is permitted.

Staff has included several other conditions to ensure that the use will not have negative impacts on the surrounding areas. First, Condition #22 requires that the applicant clean their outdoor dining area in a manner that does not result in negative environmental impacts such as discharge into streets, alleys, or storm sewers. Lastly, Condition #12, which requires the applicant to provide customers with information about nearby off-street parking opportunities, has been added to address any parking pressures which may result from the proposed expansion of outdoor dining. Biking alternatives are supported through Capital Bikeshare and other bicycle parking, which is located across North Saint Asaph Street, along the Harris Teeter grocery store frontage.

Pursuant to the conditions outlined in Section III of this report, staff recommends approval of the Special Use Permit.

### 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 corporation in which the applicant has a controlling interest. (P&Z)
2. **CONDITION AMENDED BY PLANNING COMMISSION:** The outdoor hours of operation shall be 7 a.m. to 12 ~~p~~ a.m., Sunday through Thursday, and until 1 a.m., Fridays, Saturdays and on holidays. (P&Z) (PC)
3. On and off-premises alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z)
4. The number of outdoor seats shall comply with the statewide building code and shall not encroach into the public right-of-way. (P&Z)
5. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
6. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements and on how to prevent underage sales of alcohol. (P&Z)
7. All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)
8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of

the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

9. The applicant shall require its employees who drive to use off-street parking. (T&ES)
10. 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 for information on establishing an employee transportation benefits program. (T&ES)
11. 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 for more information about available resources. (T&ES)
12. 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)
13. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
14. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
15. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~No outdoor live entertainment is permitted.~~ Outdoor amplified music in the form of background music, as defined in the Zoning Ordinance as limited live entertainment, is permitted. ~~(P&Z)~~ (PC)
16. No outdoor live entertainment is permitted. Outdoor amplified music in the form of background music, as defined in the Zoning Ordinance as limited live entertainment, is permitted. (P&Z)
17. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
18. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
19. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)



20. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
21. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
22. 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)
23. The outdoor dining areas shall be cleaned and washed at the close of each business day that they are in use and shall not be cleaned in a manner that creates a discharge to streets, alleys, or storm sewers. (P&Z) (T&ES)
24. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Tony LaColla, Division Chief, Department of Planning and Zoning  
Ann Horowitz, Principal Planner, Department of Planning and Zoning  
Mavis Stanfield, Urban Planner, Department of Planning and Zoning

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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:

- 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 at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-2 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-3 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-4 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-5 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)
- R-6 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
- R-7 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-8 No outdoor live entertainment is permitted. Outdoor amplified music in the form of background music, as defined in the Zoning Ordinance as limited live entertainment is permitted. (P&Z)
- R-9 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-10 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-11 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling

on it. (T&ES)

- R-12 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
- R-13 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-14 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-15 The outdoor dining areas shall be cleaned and washed at the close of each business day that they are in use and shall not be cleaned in a manner that creates a discharge to streets, alleys, or storm sewers. (P&Z) (T&ES)
- C-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/DROW)
- C-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/DROW)
- C-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 twice 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/DROW)

Code Enforcement:

A building permit will be required.

Health Department:

No comments.

Parks & Recreation:

No comments.

Police Department:

No comments.

Fire Department

- C-1 Applicant shall provide an occupant load calculation based on the square footage of the outdoor area, seating and possible standing room customers to ensure that the additional seating and patrons do not exceed the maximum number of permitted occupants for the area.
- C-2 Calculation shall include seating calculation and occupant load based on number of tables and chairs, possible standing customers, and facility staff working in that area.
- C-3 Aisle widths, exit paths, and exit locations shall be included and clearly shown on scaled plan.
- C-4 Provide width of emergency egress/egress.

# City of Alexandria, Virginia

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## MEMORANDUM

DATE: NOVEMBER 6, 2023

TO: CHAIR NATHAN MACEK  
AND MEMBERS OF THE PLANNING COMMISSION

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

SUBJECT: DOCKET ITEM #3 – SUP #2023-00079  
724, 728, 730 AND 734 NORTH SAINT ASAPH STREET

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This memorandum outlines changes to Conditions #2 and #15 that Chair Macek recommended during his briefing for the SUP #2023-00079 outdoor dining request, which appears on the November 6 docket.

Condition #2 corrects a typographical error, clarifying that the outdoor dining hours, Sunday through Thursday are until 12 midnight. Additional references to 12 p.m. in the body of the staff report will be corrected to 12 a.m. prior to the City Council hearing. Condition #2 is proposed as:

2. **CONDITION AMENDED BY PLANNING COMMISSION:** The outdoor hours of operation shall be 7 a.m. to 12 p.m., Sunday through Thursday, and until 1 a.m., Fridays, Saturdays and on holidays. (P&Z) (PC)

Chair Macek suggested that the first sentence of Condition #15 is not required given that limited live entertainment is clearly specified as permitted in the second sentence. The amended condition reads:

15. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~No outdoor live entertainment is permitted.~~ Outdoor amplified music in the form of background music, as defined in the Zoning Ordinance as limited live entertainment, is permitted. (P&Z) (PC)

Staff continues to recommend approval of SUP #2023-00079 with the condition amendments to #2 and #15.





## APPLICATION

# SPECIAL USE PERMIT

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

**PROPERTY LOCATION:** 724, 728, 730, and 734 N. Saint Asaph Street

**TAX MAP REFERENCE:** 054.04-09-06, 05, 04, and 03 **ZONE:** CDX

**APPLICANT:**

Name: ARP Royal OPCO, LLC

Address: P.O. Box 2937, Duluth, Georgia 30096

**PROPOSED USE:** SUP to permit outdoor dining

- ☒ 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.

M. Catharine Puskar, Attorney/Agent

Print Name of Applicant or Agent

Walsh, Colucci, Lubeley & Walsh, P.C., 2200 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201

Mailing/Street Address

Arlington, Virginia 22201

City and State

Zip Code

mcPuskar

Signature

10/27/2023

Date

703-528-4700

Telephone #

703-525-3197

Fax #

cpuskar@thelandlawyers.com

Email address

**PROPERTY OWNER'S AUTHORIZATION** See attachments

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

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Print

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- 1.** Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ **Required floor plan and plot/site plan attached.**

☐ **Requesting a waiver. See attached written request.**

- 2.** The applicant is the (check one):

☐ Owner

☒ Contract Purchaser

☐ Lessee or

☐ Other: \_\_\_\_\_ of the subject property.

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

See attached.

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ARP Royal Landco, LLC  
1900 Gallows Road, Suite 700  
Vienna, Virginia 22182

Karl Moritz  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: Consent to File Application for a Special Use Permit, Certificate of  
Appropriateness, and Related Requests  
724, 728, 730, and 734 N. St. Asaph Street, Tax Map No. 054.04-09-06, 05, 04,  
and 03 (the "Property")

Dear Mr. Moritz:

As owner of the above-referenced Property, ARP Royal Landco, LLC hereby consents to the filing of a Special Use Permit application, a Certificate of Appropriateness application, and any other related applications to facilitate the construction of outdoor dining and associated improvements on the Property by ARP Royal OPCO, LLC.

Very truly yours,

ARP ROYAL LANDCO, LLC

By: Nazia Millwala

Name: Nazia Millwala

Title: VP Finance

Date: 23 October 2023



ARP Royal OPCO, LLC  
P.O. Box 2937  
Duluth, GA 30096

Karl Moritz  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: Authorization to File Application for a Special Use Permit, Certificate of Appropriateness, and Related Requests  
724, 728, 730, and 734 N. St. Asaph Street, Tax Map No. 054.04-09-06, 05, 04, and 03 (the "Property")

Dear Mr. Moritz:

ARP Royal OPCO, LLC hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of a Special Use Permit application, Certificate of Appropriateness application, and any other related applications to facilitate the construction of outdoor dining and associated improvements on the Property.

Very truly yours,

ARP ROYAL OPCO, LLC

By: 

Name: Scott Schaw

Title: partner, member

Date: 10/5/23

# 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 724, 728, 730, and 734 N. Saint Asaph Street (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. 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.

10/27/2023

Date

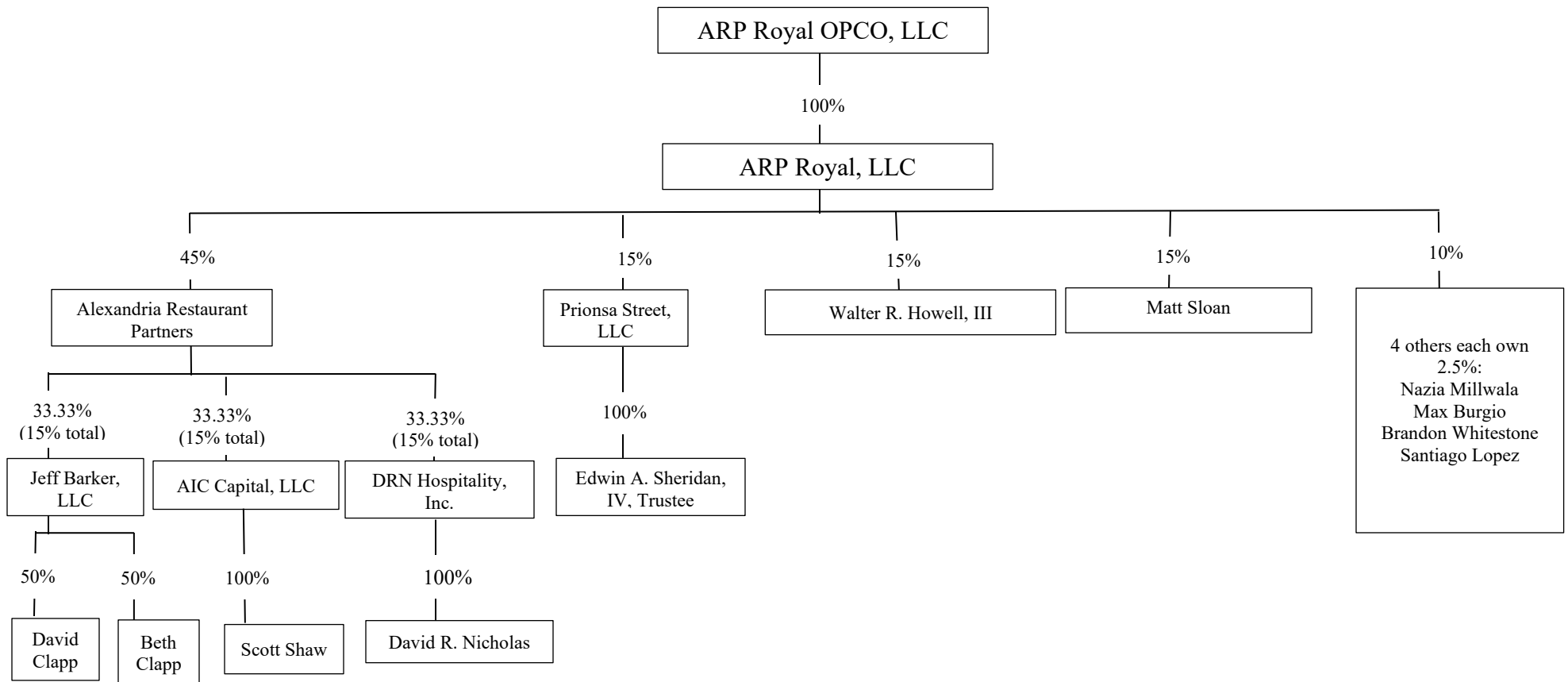
M. Catharine Puskar, Attorney/Agent

Printed Name



Signature





**EXHIBIT B****MEMBERS, BEGINNING CAPITAL AND INTERESTS**

<b>Members</b>	<b>Beginning Capital</b>	<b>Units</b>	<b>Percentage</b>
<b>Non-Management Members</b>			
Alexandria Restaurant Partners, LLC 5885 Glenridge Drive, Suite 150 Atlanta, Georgia 30328 Attn: David E. Clapp Email: <a href="mailto:dclapp@alexrestpart.com">dclapp@alexrestpart.com</a>	\$459,396.00	450	45.00%
Prionsa Street, LLC c/o Pathstone 12505 Park Potomac Ave, Suite 400 Potomac, MD 20854 Attn: James Whalen Email: <a href="mailto:JWhalen@pathstone.com">JWhalen@pathstone.com</a>	\$153,132.00	150	15.00%
Walter R. Howell, III 420 N. Lee Street Alexandria, VA 22314 Email: <a href="mailto:triphowell2.0@gmail.com">triphowell2.0@gmail.com</a>	\$153,132.00	150	15.00%
Matt Sloan	\$153,132.00	150	15.00%
<b>Management Members</b>			
Nazia Millwala	\$25,522.00	25	2.50%
Max Burgio	\$25,522.00	25	2.50%
Brandon Whitestone	\$25,522.00	25	2.50%
Santiago Lopez	\$25,522.00	25	2.50%
<b>TOTAL</b>	<b>\$1,020,880.00</b>	<b>1,000</b>	<b>100.00%</b>



Narrative Description  
724, 728, 730, and 734 N. Saint Asaph Street; Tax Map 054.04-09-06, 05, 04, and 03  
ARP Royal OPCO, LLC (the “Applicant”)

The Applicant, ARP Royal OPCO, LLC is the contract purchaser of Property located at 724, 728, 730, and 734 N. Saint Asaph Street (“the Property”), which is currently improved with the Royal Restaurant and associated surface parking. The Property is located in the Old Town North neighborhood and is within the CDX zone, which permits restaurant uses and associated outdoor dining with an administrative Special Use Permit (“SUP”). The existing restaurant has been operating in this location since the 1960s, predating the requirement for an SUP.

The Applicant, who also manages several restaurants in the City of Alexandria and the greater metropolitan area, will continue operating the existing restaurant and intends to add 90 outdoor dining seats, greater than the 40 seats permitted administratively. Accordingly, the Applicant requests an SUP to permit the proposed outdoor dining.

A portion of the outdoor dining area will be covered to provide shade during the summer months and protection from inclement weather. String lights and ceiling fans will also create a comfortable and cozy atmosphere for patrons. The outdoor seating area will be operated from 10:00am to 11:00am, daily. While it will include speakers to provide background music for patrons, all sound will comply with 11-5-4.1 of the City’s Noise Ordinance. In addition, the Applicant will continue to meet the required parking for the restaurant.

Similar to other restaurants throughout the City of Alexandria, outdoor dining has become popular, and its demand remains high. The proposed outdoor dining area will allow the Applicant to provide additional opportunities for customers of the existing restaurant and will meet their demand for outdoor dining.

## 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).

500 per day (150 during lunch (7am-4pm,) 250 in evenings, (4pm-11pm)

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

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

40 per day, 15 during lunch shifts, 25 at dinner.

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

Day:

Monday-Saturday - OUTDOOR DINING

Hours:

7am-11pm

Sunday

7am-10pm

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

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

Noise levels will be in compliance with the noise ordinance.

B. How will the noise be controlled?

Noise will be in compliance with the noise ordinance. Staff will monitor the property for compliance and will take necessary steps to control the volume as needed.



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

Normal odors from food preparation associated with a restaurant.

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- 9.** Please provide information regarding trash and litter generated by the use.

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Trash will be food waste, paper and other garbage typical of a restaurant this size

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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)

Approximately 10 bags of trash per day.

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- C. How often will trash be collected?

Trash will be collected Monday through Saturday weekly. No trash collection on Sundays.

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

Staff will monitor the premises and vicinity for trash.

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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:

All cleaning materials stored on-site will be typical of restaurant use and stored  
and disposed of in accordance with all applicable local, state, and federal  
requirements.

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- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons?  
Staff will monitor the premises and conduct training sessions to ensure staff  
preparedness.
- 
- 

## **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.

The Applicant requests on-premises alcohol sales and will comply with  
applicable ABC licensing requirements.

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## PARKING AND ACCESS REQUIREMENTS

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

11 Standard spaces  
           Compact spaces  
1 Handicapped accessible spaces.  
           Other.

**Note: This includes parking for both the restaurant use and proposed outdoor dining.**

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A <u>          </u></p> <p>Does the application meet the requirement?</p> <p><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? 0

<p>Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 <u>          </u></p> <p>Does the application meet the requirement?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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- B. Where are off-street loading facilities located? Loading will occur on the west side of the building,  
with vehicular access from the alley bordering the property to the west.
- C. During what hours of the day do you expect loading/unloading operations to occur?  
Between 7:00am to 11:00pm
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
Approximately 6-7 deliveries per day Monday - Friday and 1-2 per day Saturdays  
and Sundays.

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?

Street access 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?

0 sq. ft. (existing) + 1,280.61 sq. ft. (addition if any) = 1,280.61 sq. ft. (total)

19. The proposed use is located in: (check one) **Note: This calculation includes only outdoor dining space.**  
☐ a stand alone building **\*816 square feet covered, 464.61 square feet open to the sky**  
☐ 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: on-site outdoor dining

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)

**For informational purposes only**

### If Applicable

- ☒ Plan for outdoor uses

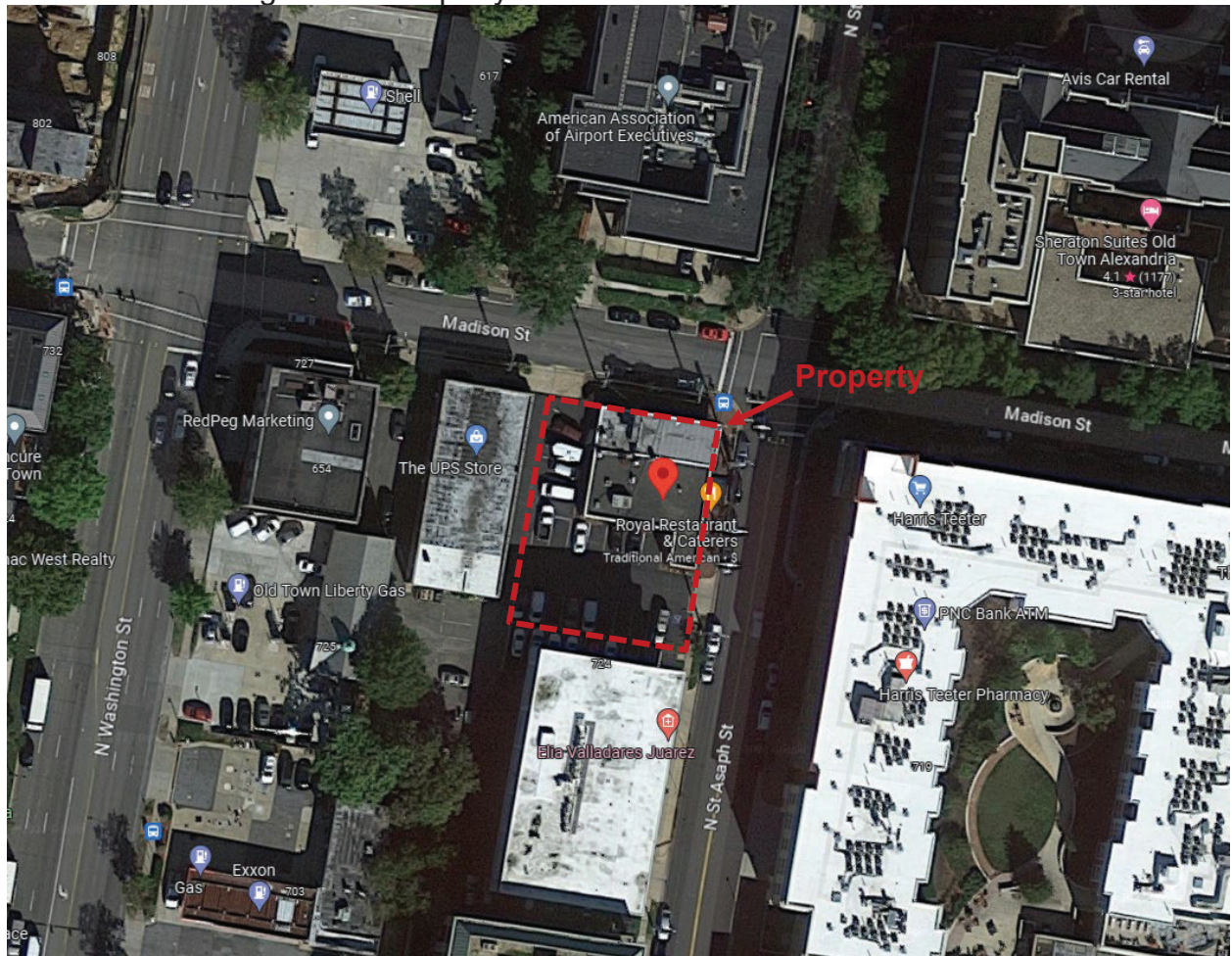
### Contextual site image

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

**See attached**



## Context aerial image of the Property



Source: Google maps 2023 imagery



## SUPPLEMENTAL APPLICATION

### RESTAURANT

**All applicants requesting a Special Use Permit for a restaurant shall complete the following section.**

1. How many seats are proposed?

Indoors: \_\_\_\_\_

Outdoors: 90 additional seats

2. Will the restaurant offer any of the following? Alcoholic beverages

On-premises

Yes

☒

No

☐

Off-premises

Yes

☒

No

☐

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

☒

table service

☒

bar

☒

carry-out

☐

delivery

4. If delivery service is proposed, how many vehicles do you anticipate? \_\_\_\_\_

Will delivery drivers use their own vehicles?

Yes

☐

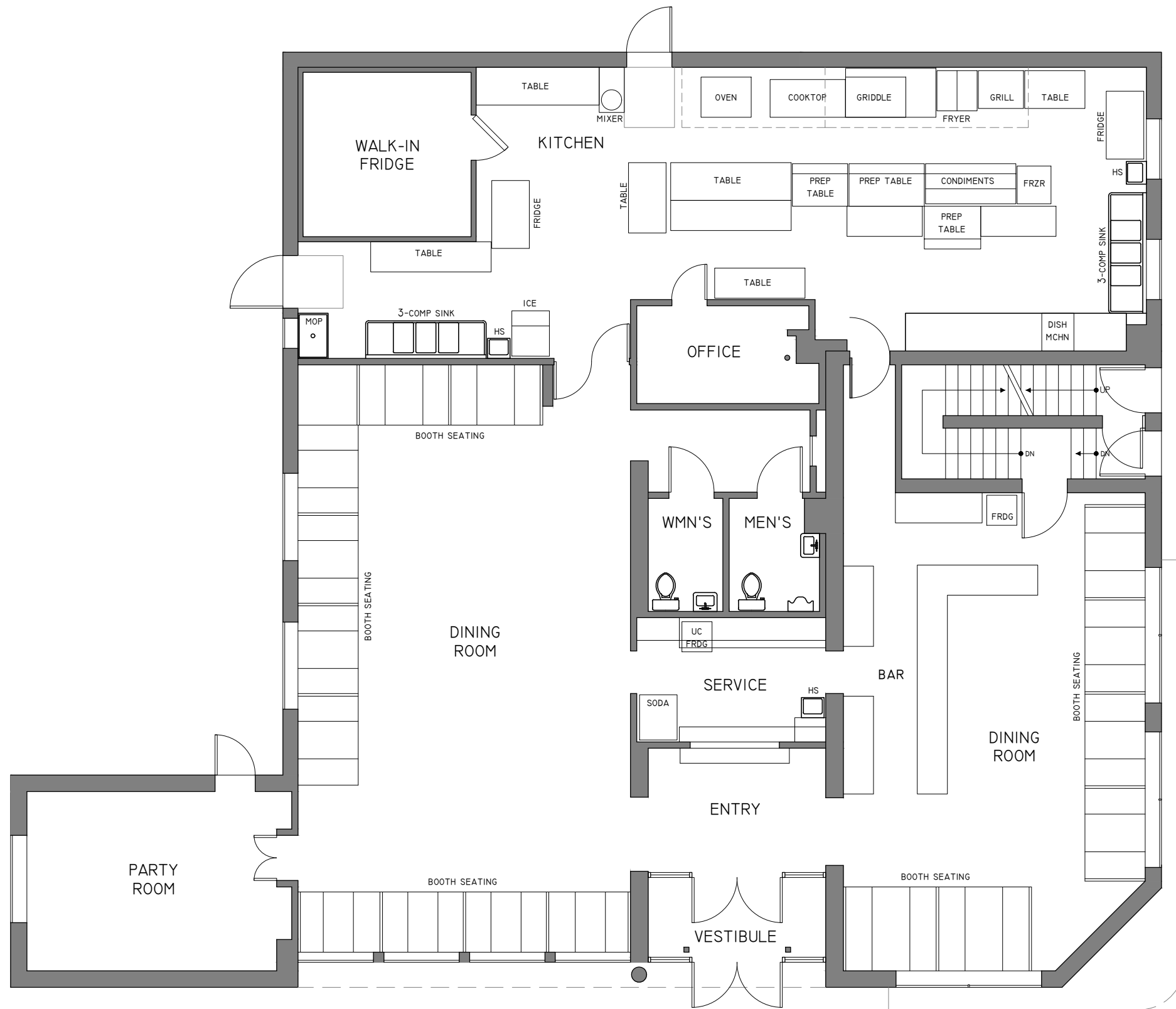
No

☐

Where will delivery vehicles be parked when not in use?

\_\_\_\_\_





1ST FLOOR  
3796 GSF

Royal Restaurant

730 N Saint Asaph St, Alexandria, VA 22314

EXISTING FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"

32

sanchez palmer **architects**

JULY 28, 2023

215 N Payne St, Ste 301  
Alexandria, VA 22314  
Ph: 703.549.4033



