

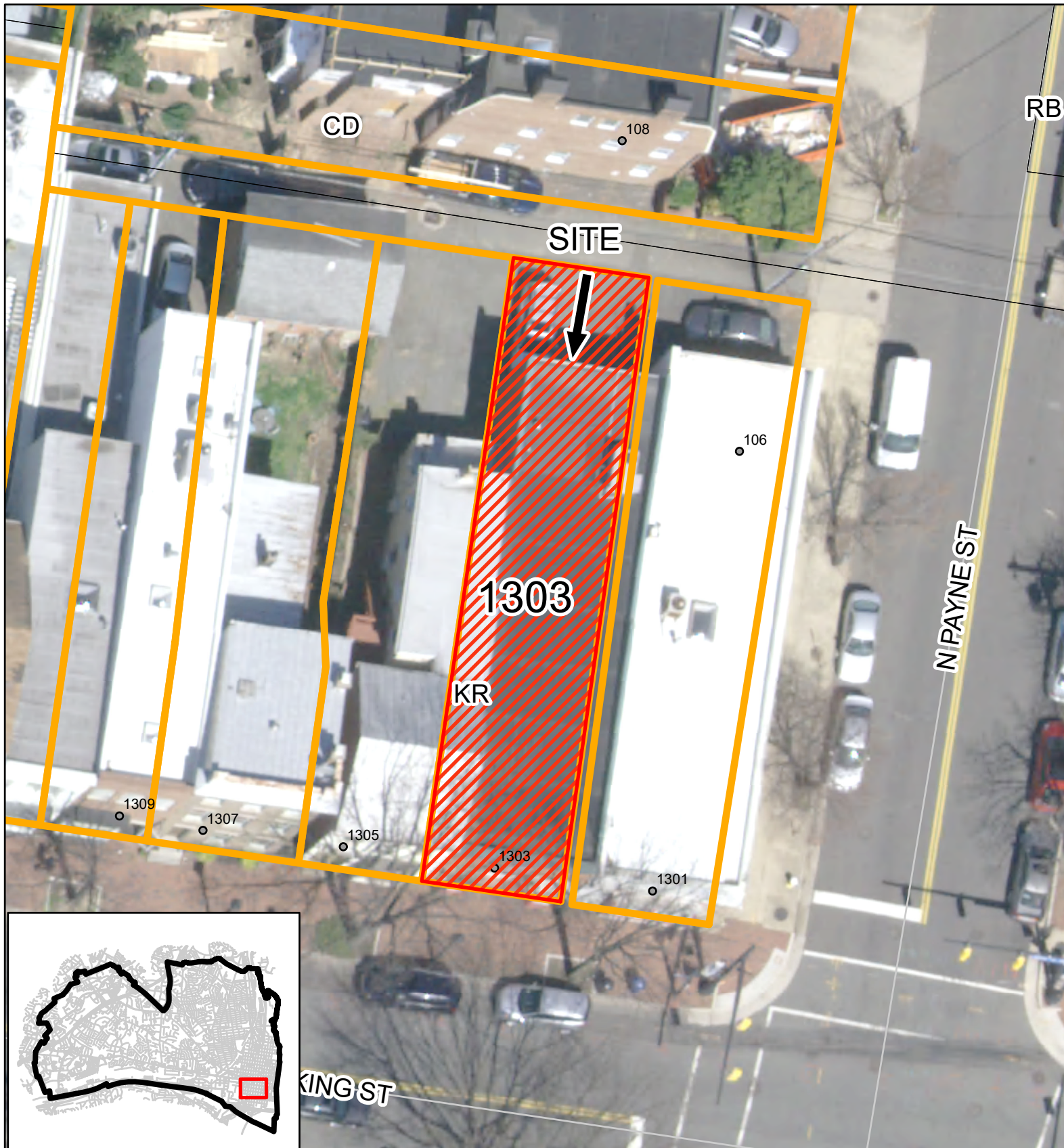
***Special Use Permit #2023-00065***  
***1303 King Street***  
***The Galactic Panther Gallery***

Application	General Data	
Public hearing and consideration of a request for Special Use Permit for live entertainment	<b>Planning Commission Hearing:</b>	October 3, 2023
	<b>City Council Hearing:</b>	October 14, 2023
Address: 1303 King Street	<b>Zone:</b>	KR/King Street urban retail
<b>Applicant:</b> Erik Muendel	<b>Small Area Plan:</b>	Old Town Small Area Plan

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

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

**PLANNING COMMISSION ACTION, OCTOBER 3, 2023:** On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval for Special Use Permit #2023-00065. The motion carried on a vote of 7-0 on the Consent Calendar.



**SUP#2023-00065**  
**1303 King Street**



0 10 20 40 Feet  
2



## I. DISCUSSION

The applicant, Erik Muendel, operator of the Galactic Panther Gallery, proposes live entertainment at a by-right indoor retail art gallery and private commercial school. A photograph of the exterior is provided as Figure 1 below.



*Figure 1: Exterior View from King Street*

### SITE DESCRIPTION

The subject property is one lot of record with approximately 23 feet of frontage on King Street and 100 feet of depth for a total area of 2,300 square feet. The site is developed with a one-story 1,861 square foot building. The building is accessed from King Street and from North Payne Street via a ten-foot wide alley (Figure 2).

The parcel is surrounded by other commercial properties, to the east and the west. A ground floor barber shop, with residential on the second floor, is located on the west side of the property and a one-story retail use, Pacers Running, is on the east side. Across Payne Street to the east are retail and office uses. Directly across King Street is a new 31-unit apartment building with ground



*Figure 2: Site Context*

floor commercial that is still under construction, and active commercial uses are located farther down King Street towards West Street. Residential townhouses are located directly behind the property to the north.

### BACKGROUND

On March 4, 1998, the Old and Historic Alexandria Board of Architectural Review reviewed and approved the design of the building with encroaching bay windows.

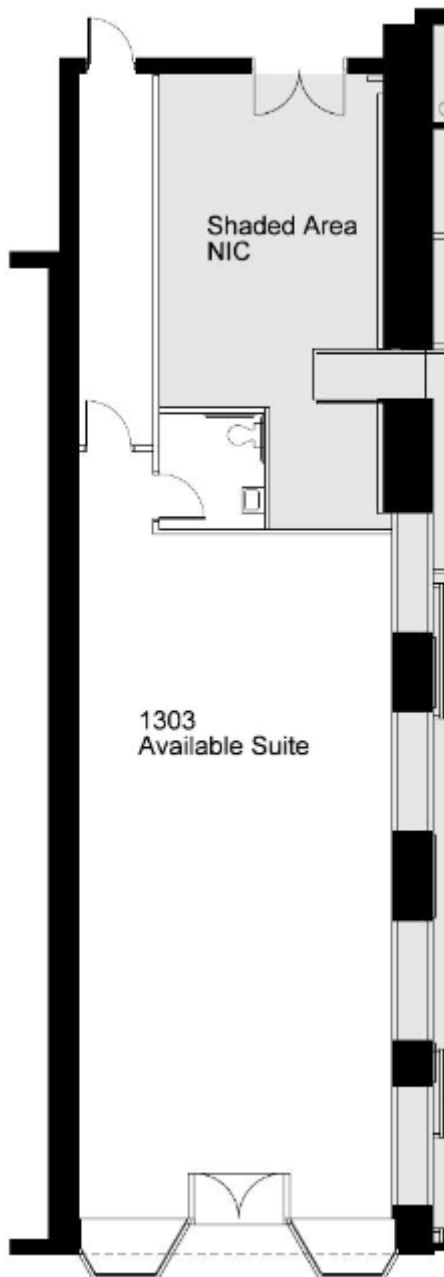
On May 16, 1998, the City Council approved Encroachment #98-0002, to permit a 1.8-foot encroachment into public right-of-way for two bay windows.

Records indicate that the property was constructed in 1999 and subsequently used for retail purposes.

The applicant began the process of applying for the special use permit in fall 2022. Additional information was needed before the application could move forward, nonetheless, the applicant believed the business could begin live entertainment at that time. There have been no Alex 311 noise complaints for this property since this use began operating, which would have served as a notification to staff that the applicant had started the live entertainment use. Staff was made aware of the use this summer when the applicant's agent inquired as to the progress of the application. It was at that time, in August 2023, that the applicant provided documents that allowed staff to fully evaluate the proposal for the October public hearing docket.

### PROPOSAL

The applicant proposes live entertainment in the 1,200 square foot tenant space for events at 1303 King Street. The applicant also operates a by-right retail art gallery and a commercial private school interchangeably at the site, uses that are not subject to SUP approval. Live entertainment would not take place in 660-square feet of area to the rear of the building, as shaded in the Figure 3 floorplan. The hours of operation for the live entertainment would be from 12 noon to 12 midnight Wednesday through Sunday and would vary each week by day and event.



*Figure 3: Floorplan*



The applicant anticipates no more than 30 patrons per event and approximately 20 events per month. The live entertainment offerings would include comedy and live music events. An area to the rear of the space is equipped with a microphone and an amplifier. Indoor noise levels are anticipated to reach 80 decibels. As described in the application, a sound meter would be on display for the staff to monitor and control the sound board to ensure the noise code requirements are met.

Two staff members would be on-site, and some events might have extra security at the entrance. Although the applicant proposes serving incidental food, it would not be prepared on-site; it would be brought to the site. The applicant states he currently has a Virginia ABC license to dispense two alcoholic beverages per patron. Drinks would not be charged individually but would be included with the event fee.



*Figure 4: Interior View*

#### PARKING

The art gallery use is retail. The use consisting of art workshops and yoga classes, and other similar classes, is a commercial private school. The subject property is located within the Central Business

District (CBD). Pursuant to Section 8-300(B) of the Zoning Ordinance, a retail establishment and a private commercial school located within the CBD are exempt from parking requirements.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the KR/King Street Urban Retail Zone. Section 6-702(A)(1)(e) of the Zoning Ordinance permits ground floor retail uses in the KR Zone. The private school commercial component is permitted in accordance with Section 6-702(A)(1)(d) provided the tenant space has a frontage of less than 30 feet along King Street. As the tenant space frontage is 23 feet wide along King Street, the private commercial school is permitted. Section 6-702(A)(2)(a) of the Zoning Ordinance allows live entertainment in the KR zone only with approval of a special use permit.

The property is located within the Old Town Small Area Plan. The uses are consistent with the land use goals of the plan as amended by the King Street Retail Strategy Plan, which calls for retail and permitted ground floor uses, including private commercial schools. The retail strategy found at the time of its adoption in 2005 that few entertainment venues existed along the King Street corridor, and this remains the case today. The Strategy Plan notes that “King Street also lacks a significant base of entertainment venues, which often forms an integral part of a main street retail environment, creates return visitors to the street and provides nighttime activity.” Further, King Street consumers surveyed in the Strategy Plan also identified entertainment venues and “things to do” as existing gaps in King Street’s current offerings. In its summary of market findings, the plan stated that “entertainment can not only help fill a gap identified in the local market but also strengthen King Street’s overall destination appeal for tourists and other visitors as well.”

## **II. STAFF ANALYSIS**

Staff recommends approval of the applicant’s request for live entertainment at 1303 King Street as it adds live entertainment offerings, a use gap identified in the King Street Retail Strategy. The live entertainment use in the relatively small tenant space is not expected to have adverse impacts on neighboring properties given that the entertainment only takes place indoors and at the front of the tenant space, closest to King Street. The entertainment area is buffered by the 660 square feet space at the rear, which would minimize noise impacts to the closest adjacent residential uses. Also, the lack of noise complaints for this after-the-fact SUP review indicates that the live entertainment levels have not been an issue for the residential community.

Given that noise is the primary concern for live entertainment uses, two conditions are included to address noise levels. Condition #8 provides that no amplified sound shall be audible at the property line after 11 p.m. Condition #9 requires that employees monitor the sound board and adjust amplification sound levels, as needed, to ensure compliance with the noise ordinance.

The property is well served with public transit options. The King Street-Old Town Metro Rail station is located less than half a mile west of the property. The King Street Trolley runs every 15 minutes between Alexandria City Hall/Market Square and the King Street Old Town Metrorail station from 11 a.m. to 11 p.m., seven days a week, including holidays. Other bus lines also operate

in this part of the City. Standard conditions #12-15 require the applicant to encourage the use of mass transit and off-street parking by employees and customers. Other standard SUP conditions are included that regulate storage of trash, supply deliveries, litter on the site and control of toxic chemicals.

Staff supports the live entertainment use request at this charming arts-based retail/private commercial school use and believes the use would have a positive effect on the surrounding commercial neighborhood, by providing more live entertainment options and activity in the day and evening, as envisioned in the King Street Retail Strategy. 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. (P&Z) (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. 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)



8. No amplified sound shall be audible at the property line after 11 p.m. (T&ES)
9. Employees shall monitor the sound display board (as described in the application) and adjust amplification sound levels, as needed, to ensure compliance with the noise code.(T&ES)
10. Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z)
11. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
12. 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)
13. 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)
14. The applicant shall require its employees who drive to use off-street parking. (T&ES)
15. 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)
16. 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. (P&Z)

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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 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 No amplified sound shall be audible at the property line after 11 p.m. (T&ES)
- R-7 Employees shall monitor the sound display board (as described in the application) and adjust amplification sound levels, as needed, to ensure compliance with the noise code (T&ES)
- R-8 Chemicals, solvents, cleaning agents, etc. shall not be stored outside.
- R-9 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-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](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
- R-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](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)

- R-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)
- 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)
- 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)
- 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 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:

Per the permit application histories, the latest certification of occupancy OCC98-01456 was found which shows that the subject space was used as a retail and sales room (M use). A permit was applied in BLDC2019-03091 for interior renovation to create additional showroom and storage space for existing occupants. No new CO is found. Here are the review comments:

- C-1 The space was used as an art gallery, which is A-3 use (depending on the occupant load factor and occupant loads, it could be B use if the occupant load is less than 50), the existing building CO was M use, for change of use, a new CO is required.
- C-2 The proposed SUP is to change the Art Gallery to an event holding place with food and drink served, and the use of space will change from A-3 to A-2 (depending on the occupant load factor and occupant loads, it could be B use if the occupant load is less than 50). A new building permit and CO are required for a change of use.
- C-3 There is only one bathroom. Separate bathrooms are required for M use with 100 occupants, B use with 25 Occupants, and A use with 15 Occupants. The subject space use changes from M to others, separate bathrooms may be required.

In summary, the application of SUP2023-00065 is a change in the use of the space. A building permit is required for review, and a new CO is required afterward.



Fire:

- C-1 A fire prevention permit will be required for this new use. Applicant shall submit a fire prevention permit application that will result in an inspection by the Fire Marshal's office. Application can be accessed online at: [www.alexandriava.gov/fire-department/the-fire-marshals-office](http://www.alexandriava.gov/fire-department/the-fire-marshals-office)

Health:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

**APPLICATION****SPECIAL USE PERMIT****SPECIAL USE PERMIT #** \_\_\_\_\_**PROPERTY LOCATION:** 1303 King St. Alexandria, VA 22314**TAX MAP REFERENCE:** 064.03-10-16KR, King Street  
Urban Retail**ZONE:** \_\_\_\_\_**APPLICANT:**Name: Galactic Panther Gallery (Erik Muendel)Address: 1303 King St. Alexandria, VA 22314**PROPOSED USE:** Art Workshops, Live events: Comedy, Live Music, Receptions, Sound Baths, Yoga

- ☒ 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.

Erik MuendelPrint Name of Applicant or Agent  
1303 King St.Mailing/Street Address  
Alexandria, VA.

City and State

22314

Zip Code

Signature

Aug. 3, 2023

Date

703 615 2995

Telephone #

Fax #

erik@galacticpanther.com

Email address

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 1303 King St. Alexandria, VA 22314, I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the gathering/show/reception use as  
 (use)  
 described in this application.

Name: 1303 King LLC Phone: 703 548 3022  
 Please Print  
 Address: 1313 King Street, Alexandria VA 22314 Email: ian@alexandriapm.com  
 Signature: [Signature] Date: 5/18/23  
Its Manager

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.  
 Erik Muendel, 2809 Schooley Drive Alexandria, VA 22306 - 50% Ownership

Eli Pollard, 1004 Grand St., Morgantown WV 26501 - 50% Ownership



**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
<sup>1</sup> Erik Muendel	2809 Schooley Drive Alexandria, VA 22306	50%
<sup>2</sup> Eli Pollard	1004 Grand St., Morgantown WV 26501	50%
3.		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1303 King St. Alexandria, VA 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
<sup>1.</sup> Alexandria Commercial Realty LLC	Alexandria, VA	20%
<sup>2.</sup> Farley Enterprises, Inc	Arlington, VA	80%
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.)
<sup>1.</sup> NONE	NONE	NONE
<sup>2.</sup>		
<sup>3.</sup>		

**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.

Aug. 3, 2023

Date

*Erik Muendel*  
Printed Name

*[Signature]*  
Signature

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

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

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

## NARRATIVE DESCRIPTION

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

We plan to host paid events at the art gallery. These events include Art Workshops  
Comedy, Live Music, Yoga, Sound Baths, and Receptions. We have an ABC Market  
License. The space is 1,200 Sqft and it completely open rectanglar floor plan.

Live Events Consists of:

Opening/Closing Exhibits

Live Music

Comedy Skits

Improv Nights

Classes Consists of:

Art Class/Workshop

Sound Baths

Yoga

\*Galactic Panther will host both live events and classes.

\*Food will always be catered from a third-party provider.

## 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).  
20 to 30 people Wed-Sunday. Times vary by day and event. Noon to Midnight
- B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).  
2 to 4 staff members Wed-Sunday. Times vary by day and event. Noon to Midnight
6. Please describe the proposed hours and days of operation of the proposed use:
- |                           |                                   |
|---------------------------|-----------------------------------|
| Day:<br><u>Wed-Sunday</u> | Hours:<br><u>Noon to Midnight</u> |
| _____                     | _____                             |
| _____                     | _____                             |
| _____                     | _____                             |
7. Please describe any potential noise emanating from the proposed use.
- A. Describe the noise levels anticipated from all mechanical equipment and patrons.  
PA System - 80 decibels
- B. How will the noise be controlled?  
Sound Meter on display to the staff. Sound board.



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

There should be no unique odors, but some soundbaths use sage / incense.

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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)  
Drink containers, napkins, food containers

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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)  
One to two 30 gallon trash bags

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C. How often will trash be collected?  
Each event the trash will be removed.

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

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

[ ] Yes. [✓] No.

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

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

☐ Yes. ☒ No.

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

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

Two staff members will be on-site, Some events will have extra security at the door.

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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.

We have obtained an ABC Market License which allows us to provide patron up to two drinks. They are not for sale though. The cost to enter is for the event and entertainment.

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## PARKING AND ACCESS REQUIREMENTS

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

0 \_\_\_\_\_ Standard spaces  
 0 \_\_\_\_\_ Compact spaces  
 0 \_\_\_\_\_ Handicapped accessible spaces.  
 Street \_\_\_\_\_ Other.

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A \_\_\_\_\_

Does the application meet the requirement?

☐ Yes ☐ No

- B. Where is required parking located? (check one)

☐ on-site

☒ off-site

If the required parking will be located off-site, where will it be located?

Street \_\_\_\_\_

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

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 \_\_\_\_\_

Does the application meet the requirement?

☐ Yes ☐ No

- B. Where are off-street loading facilities located? 1303 King St. Alexandria
- C. During what hours of the day do you expect loading/unloading operations to occur?  
11:30am-12:30am
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
Once a week. Not all events require loading and unloading.

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?

Yes.

## 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?

1200 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = \_\_\_\_\_ sq. ft. (total)

19. The proposed use is located in: (check one)

☒ a stand alone building

☐ a house located in a residential zone

☐ a warehouse

☐ a shopping center. Please provide name of the center: \_\_\_\_\_

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

☐ other. Please describe: King St.

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

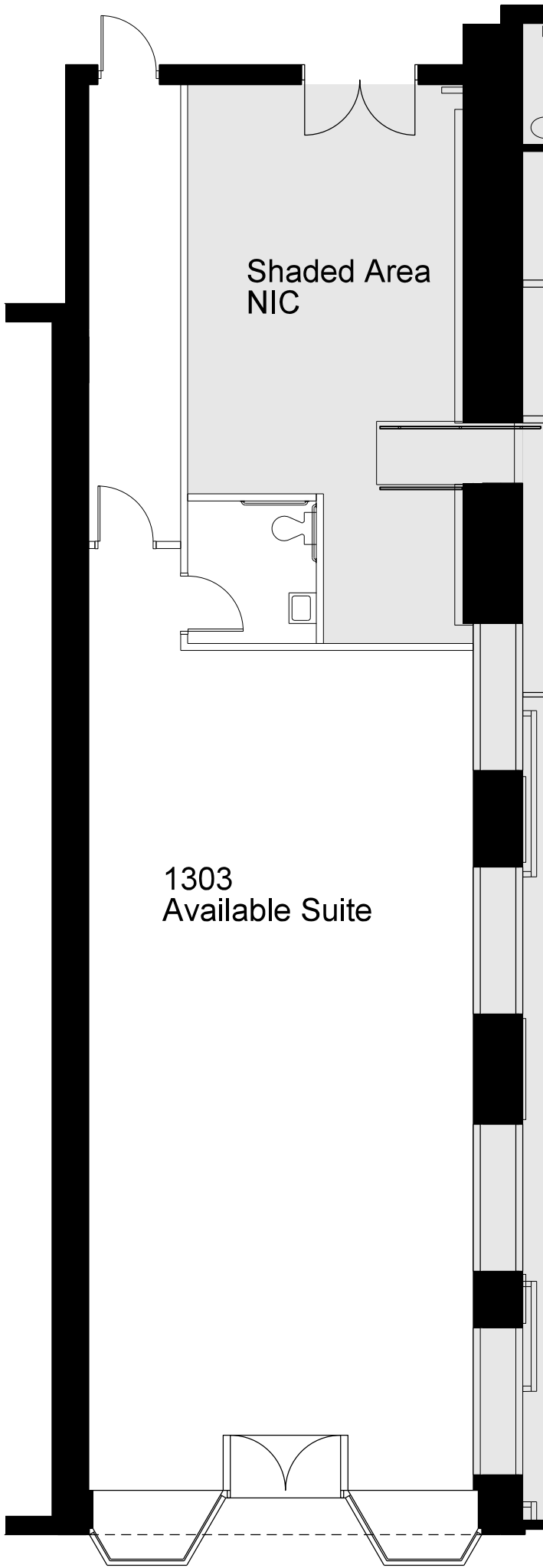
- ☐ Include labels to indicate the use of the space (doors, windows, seats, tables, counters, equipment)

### If Applicable

- ☐ Plan for outdoor uses

### Contextual site image

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



Neil P. Byrne  
110 N. Payne Street  
Alexandria, VA 22314

Planning Commission  
City of Alexandria

RE: Special Use Permit #2023-00065, 1303 King Street - Galactic Panther

Dear Sirs/Madams:

I wish to share some concerns I have with the above referenced Special Use Permit.

I have lived at 110 N. Payne Street since 1996, 27 years, where I as a single parent I raised my daughter.

The goal of this letter is to hopefully help establish and maintain parameters in order that Galactic Panther can operate and I am able to enjoy my house without the intrusion of noise from them.

From late 2022 till about May 2023 the noise, especially the bass from Galactic Panther made it impossible for me enjoy my house in the evening or to be able to sleep due to the extremely loud music, which often lasted until 2 am. As a comparison The Rock It Grill is nearly as close and in my 27 years here have had no issue with noise.

Erik Muendel and I have worked together since late December 2022 until the present to try and mitigate the noise issue and for the most part since May 2023 it has improved with a few exceptions. In December 2022 Erik and I worked to determine the music level that limited the noise intrusion into my house and he agreed to keep it at those levels. The problem from the next four to five months was that the third parties putting on the shows would not abide by those levels unless I contacted Erik and even then they would only lower the music for a short time and then turn it back up.

In mid April Erik and I had a talk with the conclusion being that the sound levels for all events would be below those that we determined intruded into my house and that all music events would end earlier than 11pm. As stated earlier since shortly after this meeting things have been quite a bit better, with only an occasional issue. Erik has stated he will continue to work to correct these.

I request that any Special Use Permit issued to Galactic Panther include limitations that will result in the agreement that Erik and I have worked out and for the most part have been implemented by Galactic Panther for the past few months.

Thanks for your consideration.

Sincerely,



Neil P. Byrne

From: Nicholas Talarico <nick.talarico@gmail.com>  
Sent: Tuesday, October 10, 2023 10:42 AM  
To: Lanning J Blaser <lanning.blaser@alexandriava.gov>  
Subject: [EXTERNAL] special use permit #2023-00065

Hi Mr. Blaser.

My name is Nick and I live at 108 N Payne Street, along with my wife and our 18-month old daughter. I am writing to voice our strong opposition to special use permit #2023-00065 regarding live music at Galactic Panther, 1303 King Street.

First of all, I want to state that we're young parents who believe in the importance of arts in our communities. So our opposition isn't with Galactic Panther. It's with the noise that they already create and their desire to create more.

As it stands, Galactic Panther has frequent after-hours parties that spill into the back alley, with people listening to loud music into the early hours of the morning, yelling, smoking cigarettes, and generally causing disruption. All of this happens in the back alley, which is feet away from our house and our daughter's room. It messes with the toddler's sleep and keeps us up at night. Our neighbors have spoken to us about their experience, which may even be worse than ours.

A special use permit to allow for live music would only make things worse. Please reject Galactic Panther's request on this matter. That part of Old Town isn't suited for live music and parties.

If you have any questions, please feel free to contact me. Thank you.

Nicholas Talarico



From: Zeke Dalman <zeke@galacticpanther.com>

Sent: Wednesday, October 11, 2023 5:00 PM

To: Mavis E Stanfield <mavis.stanfield@alexandriava.gov>

Cc: Erik Muendel <erik@galacticpanther.com>; Ann Horowitz <ann.horowitz@alexandriava.gov>; Eli Pollard <eli@galacticpanther.com>

Subject: Re: FW: [EXTERNAL]special use permit #2023-00065

Hi Mavis,

Just got an update from Erik. He mentions that he's talking with Nicholas and he mentioned and confirmed that the issues weren't from what was going on inside Galactic Panther.

They are more concerned about the sound coming from the back alley. It's the first time that Erik became aware of it and they're both working on resolving it now.

--

Best,

Ezekiel Dalman

Galactic Panther Gallery

1303 King St.

Alexandria, VA 22314