



DOCKET ITEM #7
Special Use Permit #2015-0092
Encroachment #2015-0004
728 N. Henry Street – Mason Social, LLC

Application	General Data	
Public hearing and consideration of requests (A) to add rooftop dining to an existing restaurant, (B) for a parking reduction, and (C) for an encroachment into the public right of way.	Planning Commission Hearing:	November 5, 2015
	City Council Hearing:	November 14, 2015
Address: 728 N. Henry Street	Zone:	CRMU-M/Commercial Residential Mixed Use (Medium)
Applicant: Mason Social, LLC	Small Area Plan:	Braddock Metro

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: Alex Dambach, AICP, alex.dambach@alexandriava.gov & Peter Leiberg peter.leiberg@alexandriava.gov



SUP #2015-0092, ENC #2015-0004
728 North Henry Street



I. DISCUSSION

The applicant, Mason Social, LLC, requests a Special Use Permit (A) to add rooftop dining to an existing restaurant, (B) for a parking reduction, and (C) for an encroachment into the public right of way to add exterior stairways.

SITE DESCRIPTION

The subject site consists of a 2,920 square foot corner lot with approximately 35 feet of frontage on N. Henry Street and approximately 83.5 feet of frontage on Madison Street. It is improved with a one-story block building covering almost the entirety of the lot. The site is across Madison Street from the mixed-use Belle Pre complex that contains restaurants, retail services, and apartments. It is caddy-corner to townhouses, and it is across N. Henry Street from a cross-fit gym. The site abuts a parking lot and a play area for a day-care center to its south and a 10 foot wide alley to the west that provides access to another parking area for the day care center.



BACKGROUND

The site's building was built in 1940 and contains the Mason Social restaurant, which operates as a grandfathered restaurant. The restaurant use there predates the requirements for a special use permit in that zone. It has been used as a restaurant under various owners and styles over the years and became the current Mason Social restaurant in early 2015. In 2011, there was a complaint that a prior restaurant, Esmeralda's, had featured dancers and was charging a cover charge for admission. That complaint was resolved, and there are no more recent complaints on record, and there have been no complaints filed about the current establishment.

PROPOSAL

The applicant seeks an encroachment and SUP approval to add rooftop dining to the restaurant. Access to the proposed rooftop dining would be through two exterior straight-run staircases that would be built in the public right of way abutting the building's Madison Street façade wall. Both would rise from east to west with landings at the ground and at the roof level. These stairways would be architecturally screened and covered. (see image on following page)



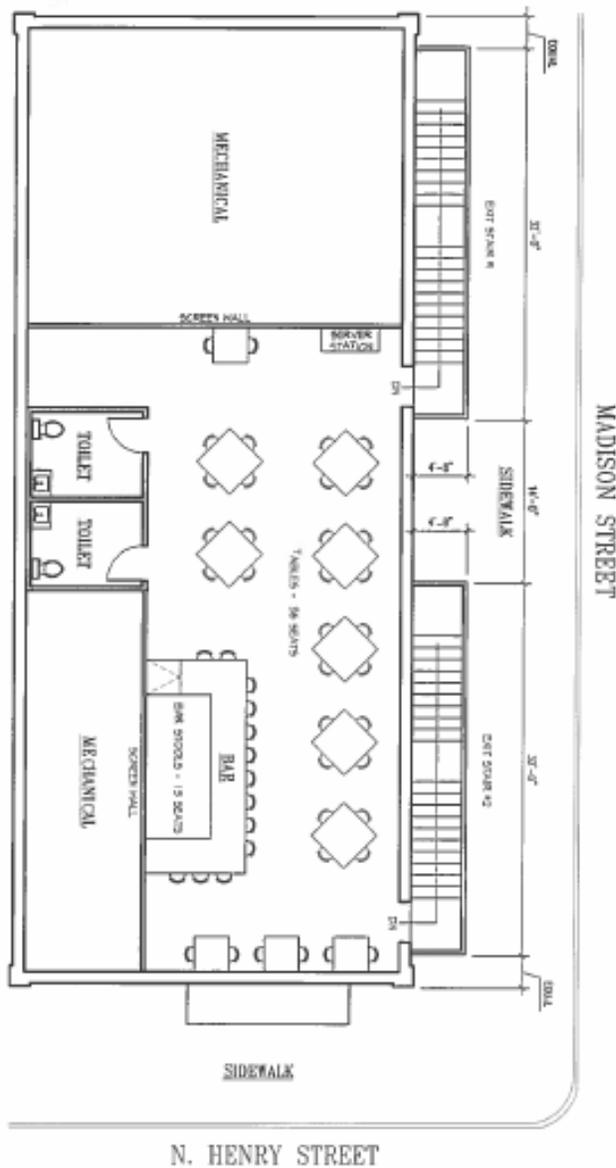
ENCROACHMENT

A 4.7 to 4.8 foot wide and 83.5 foot long encroachment is requested in the public right of way along Madison Street between the existing paved sidewalk and the north wall of the project's building. This area currently contains a grass planting strip, utility meters, and raised planters. The existing 8.00 foot wide concrete public sidewalk adjacent to the encroachment area would remain. The encroachment would contain the two access stairways to the rooftop dining area and the enclosure.



ROOFTOP DINING AREA

The existing grandfathered restaurant would maintain its current operations, but a new outdoor dining area would be constructed on the roof. The rooftop area would feature seating for 49 patrons with 39 table seats and 13 stools around a bar. The dining area would be positioned toward the front corner of the building leaving the back and south edge for mechanical and utility areas including two new bathrooms in a 150 square foot structure. The rooftop would also include a server station, an open trellis cover, and screen walls to hide mechanical areas from rooftop patron view. No amplified music or outdoor entertainment is proposed. Additionally, the applicant originally requested closing times for the rooftop as late as 2 a.m. on weekends. After meeting with area neighbors, the applicant revised its request to request closing times of 11 p.m. on weeknights and midnight on weekends.



Elements of the applicant's existing business and proposed changes are as follows:

<u>Hours of Operation:</u>	Existing Indoor Restaurant (Grandfathered Standards): 9 a.m. – midnight Monday – Wednesday 9 a.m. – 2 a.m. Thursday - Saturday 10 a.m. – 11 p.m. Sunday Proposed Rooftop Restaurant (Revised Request): 11 a.m. – 10 p.m. Sunday – Thursday 11 a.m. – midnight Friday – Saturday
<u>Existing Number of Seats:</u>	46 seats in front area (Grandfathered Standards) 48 seats in back area (Grandfathered Standards) 94 total seats existing
<u>Proposed Number of Seats:</u>	94 existing indoor seats 49 outdoor rooftop seats 143 total seats proposed
<u>Type of Service:</u>	Dine-in and carry-out only
<u>Delivery:</u>	None.
<u>Alcohol:</u>	On-premises alcohol service (only) would continue
<u>Existing Live Entertainment:</u>	Limited live entertainment is permitted in the existing indoor restaurant
<u>Proposed Live Entertainment:</u>	Indoor entertainment would continue, but no amplified noise/music would be generated in the rooftop dining area
<u>Employees:</u>	3-6 employees per shift for rooftop area
<u>Noise:</u>	Typical restaurant noises are expected in the rooftop area, and applicant states it would insure that patrons would keep noise at an acceptable level.
<u>Odors:</u>	Typical food odors
<u>Trash/Litter:</u>	Typical restaurant trash is stored in a fenced area on the adjacent lot and collected on a regular basis

ZONING/MASTER PLAN DESIGNATION

The subject property is located within the CRMU-M/Commercial Residential Mixed Use (Medium) zone. The existing restaurant is permitted as a grandfathered use, and its expansion requires a special use permit. This business is in the Braddock Metro Neighborhood Plan chapter of the Master Plan which designates the property and its surrounding as an existing retail/commercial area.

PARKING REQUIREMENTS

The Zoning Ordinance ordinarily requires one off-street parking space for every four restaurant seats. The existing restaurant is grandfathered as to its parking requirement, but the proposed rooftop area would require 13 exclusive parking spaces. The site does not have any land for parking, but the applicant has entered an agreement with Alexandria Lighting and Supply to use 21 parking spaces in its lot, located approximately 130 feet from the restaurant site, after 6 p.m. Monday through Friday, after 3 p.m. Saturday, and after 10 a.m. Sunday. This parking agreement would provide parking at the peak demand times for a restaurant of this type while retaining daytime parking for patrons of Alexandria Lighting and Supply.

II. STAFF ANALYSIS

Staff supports the applicant's Special Use Permit and Encroachment requests. The Braddock Metro Neighborhood area has recently added several new restaurants including Bastille and Lost Dog Café, and the proposed changes to this restaurant would greatly enhance the dining options in the area and add to its fledgling liveliness and activity. Additionally, the proposed addition would greatly enhance the design and appearance of the existing building. Other restaurants in the area have outdoor dining on the sidewalk, and this proposal would add one of very few rooftop dining options to Alexandria, creating a unique dining experience. As the proposed encroachment area is now used as a planting strip and utility area, the addition of stairways to the rooftop by way of an encroachment would not negatively affect pedestrian travel along Madison Street, which is well served by an 8 foot wide sidewalk. The proposed decorative stairways would enhance the appearance of that general area and increase the architectural diversity of the area (see Condition #6).

Given that outdoor dining both at ground level and at rooftops helps enhance liveliness and overall security in a neighborhood, this proposal would positively affect the community. To reduce the possibility of nuisance noise staff proposes in Condition #13 that no loudspeakers or amplified noise be permitted outdoors including on the rooftop dining areas. Additional discussion is needed about the proposed closing hours. The applicant originally requested closing hours as late as 2 a.m. on weekends, but has amended its request to midnight on weekends and 10 p.m. on weeknights. The site is directly across the street from apartments in a newer mixed-use building and caddy-corner to an older complex of affordable townhouses, which were built without soundproofing. Staff remains concerned that a closing hour that is too late would negatively affect the quality of life for the nearby residents. Recent outdoor dining approvals for Bastille and Lost Dog Café both require closing times of 10 p.m. on weeknights and 11 p.m. on weekends. Staff considers the earlier closing times to be more reasonable for this proposal, given that the proximity to residents in this application is similar to the proximity at

those others and proposes those closing times in Condition #4. Although the applicant requests a parking reduction, it proposes to provide adequate parking for the proposed use during typical peak hours for a business of this type. Condition #16 further stipulates that proximate parking would be provided as a condition of this SUP. Staff further considers the parking reduction request to be reasonable because the site is proximate to the Braddock Road Metro Station and is well served by buses, Capital BikeShare, and many residences and offices where patrons could walk to the establishment.

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) (SUP#2010-0011)
2. The indoor portion of the restaurant shall remain grandfathered and compliant with the City's February 4, 2015 letter to Teddy Kim of Mason Social, LLC defining the operational parameters of this establishment.
3. The maximum number of outdoor seats at the rooftop dining area shall be 49. (P&Z)
4. The hours of operation for the rooftop area shall be limited to between 11 a.m. and 10 p.m. Sunday-Thursday and between 11 a.m. and 11 p.m. Friday and Saturday. The outdoor dining area shall be closed and cleared of all customers by 10 p.m. Sunday-Thursday and by 11 p.m. Friday and Saturday and shall be cleaned and washed at the close of each business day that it is in use. (P&Z) (T&ES)
5. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
6. The applicant shall design the outdoor dining area and its screening, stairway, canopies, trellises, and enclosures in a manner consistent with the rendering shown on page 4 of the staff report and the final design shall be reviewed and approved by the Director of Planning and Zoning. (P&Z)
7. On-premises alcohol service may be permitted, but no off-premises alcohol sales shall be allowed. (P&Z) (SUP#2010-0011)
8. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all special use permit provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z) (SUP#2010-0011)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2010-0011)
10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by

- animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
11. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
 12. 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)
 13. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.(T&ES)
 14. The applicant shall require its employees who drive to use off-street parking. (T&ES)
 15. The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact the Transportation Planning Division at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES)
 16. A minimum of 21 parking spaces shall be provided for this establishment from 6 p.m. until closing Monday through Friday, from 3 p.m. until closing Saturday, and from 10 a.m. until closing Sunday at a location within 500 feet of the establishment's entrance or at a location proximate to the establishment that is found satisfactory by the Director of Planning and Zoning. The applicant shall provide and maintain an up-to-date parking agreement for these off-street parking spaces to serve patrons during business hours to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. The applicant shall post information regarding the availability of parking for patrons in a conspicuous location within the restaurant and shall include such notice in any advertising. The applicant shall provide an up-to-date parking contract to the Director of Planning and Zoning on January 1st of each year. (T&ES) (P&Z)
 17. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
 18. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from becoming a nuisance to neighboring properties, as determined by the Departments of Transportation & Environmental Services and Planning and Zoning. (T&ES)
 19. The applicant shall maintain rooftop screening for all rooftop mechanical equipment. (P&Z)
 20. Supply deliveries, loading, and unloading activities shall not occur between the hours of

11:00pm and 7:00am, and all delivery vehicles shall not back up and shall turn off engines during deliveries. (P&Z)

21. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and robbery readiness training for all employees. (Police) (SUP#2010-0011)
22. 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, (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)
23. The applicant (and its successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his /her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
24. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
25. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
26. 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)
27. 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 Local Motion at 703-746-4686 or www.alexandriava.gov/LocalMotion for more information about available resources (T&ES)
28. Due to occupant load, a fire prevention permit is required for this use and occupancy condition. (FIRE)

29. A structural engineer will need to be hired to determine the live and dead load capacity of the roof before any use can be considered. (FIRE)
30. The applicant shall provide a lighting plan prior to submitting for permits to verify that lighting meets City standards. The plan shall be to the satisfaction of the Directors of T&ES, P&Z and Code in consultation with the Chief of Police and shall include the following:
 - a. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information.
 - b. A lighting schedule that identifies each type and number of all fixtures, mounting height, and strength of fixture in Lumens or Watts.
 - c. Manufacturer's specifications and details for all proposed fixtures.
 - d. A photometric plan with lighting calculations that include all existing and proposed light fixtures.
 - e. Photometric lighting plan shall be coordinated with architectural/building mounted lights, site lighting, and street lights to minimize light spill into adjacent residential areas.
 - f. The lighting for the areas not covered by the City of Alexandria' standards shall be designed to the satisfaction of Directors of T&ES and P&Z.
 - g. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties. (P&Z)(T&ES)(Police)(Code)
31. The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Strategy (Old Town Area Parking Study). (T&ES)

STAFF: Peter Leiberg, Zoning Manager, Department of Planning and Zoning
Alex Dambach, Division Chief, Department of Planning and Zoning

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:

Comments

- R-1 Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
- R-2 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-3 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-4 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-5 All loudspeakers shall be prohibited from the exterior of the building and roof top, and no amplified sounds shall be audible at the property line.(T&ES)
- R-6 The applicant shall provide and maintain an up-to-date parking agreement for 22 off-street parking spaces to serve patrons during business hours to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. The applicant shall post information regarding the availability of parking for patrons in a conspicuous location within the restaurant and shall include such notice in any advertising. The applicant shall provide an up-to-date parking contract to the Director of Planning and Zoning on January 1st of each year. (T&ES)
- R-7 The applicant shall require its employees who drive to use off-street parking. Prior to issuance of a CO, provide the City with details about how employees will travel to the site and where they will park if they drive. (T&ES)
- R-8 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-9 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 Local Motion at 703-746-4686 or www.alexandriava.gov/LocalMotion for more information about available resources.

- R-10 The applicant (and his successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his /her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
- R-11 Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
- R-13 In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
- R-14 The operating hours at night shall be limited to 10:00 PM, Sunday to Friday, and to 11 PM on Saturdays. (T&ES)
- R-15 The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Strategy (Old Town Area Parking Study). (T&ES)
- R-16 The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact the Transportation Planning Division at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES)
- R-17 Provide a lighting plan prior to submitting for permits to verify that lighting meets City standards. The plan shall be to the satisfaction of the Directors of T&ES, P&Z and Code in consultation with the Chief of Police and shall include the following:
- h. Clearly show location of all existing and proposed street lights and site lights, shading back less relevant information.
 - i. A lighting schedule that identifies each type and number of all fixtures, mounting height, and strength of fixture in Lumens or Watts.
 - j. Manufacturer's specifications and details for all proposed fixtures.
 - k. A photometric plan with lighting calculations that include all existing and proposed light fixtures.
 - l. Photometric lighting plan shall be coordinated with architectural/building mounted lights, site lighting, and street lights to minimize light spill into adjacent residential areas.
 - m. The lighting for the areas not covered by the City of Alexandria' standards shall be designed to the satisfaction of Directors of T&ES and P&Z.

- n. Full cut-off lighting shall be used at the development site to prevent light spill onto adjacent properties. (P&Z)(T&ES)(Police)(Code)
- C-1 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-2 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 City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

Code Enforcement:

- F-1 No code comment for addition of live music and outdoor seating. Applicant will need to update Fire prevention permit for additional seating.

Health:

- F-1 No comments received

Parks and Recreation:

- F-1 No comments received

Police Department:

- F-1 No comments received

Fire Department:

- R-1 Due to occupant load, a fire prevention permit is required for this use and occupancy condition.
- R-2 A structural engineer will need to be hired to determine the live and dead load capacity of the roof before any use can be considered.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2015-0092

PROPERTY LOCATION: 728 N. Henry St.

TAX MAP REFERENCE: 054.03-03-05 **ZONE:** CRMU/M

APPLICANT:

Name: Mason Social, LLC

Address: 728 N. Henry Street, Alexandria, VA 22314

PROPOSED USE: Rooftop dining for existing restaurant, with a parking reduction.

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.

<u>Mary Catherine Gibbs, Hart, Calley, Gibbs & Karp.</u>		<u><i>Mary Catherine Gill</i></u>	<u>7/28/15</u>
Print Name of Applicant or Agent		Signature	Date
<u>307 N. Washington Street</u>		<u>703-836-5757</u>	<u>703-548-5443</u>
Mailing/Street Address		Telephone #	Fax #
<u>Alexandria, VA</u>	<u>22314</u>	<u>mcgk.hcgk@verizon.net</u>	
City and State	Zip Code	Email address	

ACTION-PLANNING COMMISSION: _____ **DATE:** _____

ACTION-CITY COUNCIL: _____ **DATE:** _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 728 N. Henry Street, I hereby
(Property Address)
grant the applicant authorization to apply for the Rooftop Dining for Existing Restaurant use as
(use)
described in this application.

Name: Nazar L. Shabaar Phone: 703-288-1122
Please Print
Address: 6363 Old Dominion Dr., McLean, VA 22101 Email: NA
Signature: Nazar Shabaar by me with permission Date: 7/28/15

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 ten percent.

Justin Sparrow, 728 N. Henry St., Alexandria, VA 22314 - 22 %

Chad Sparrow, 728 N. Henry St., Alexandria, VA 22314 - 29 %

Larry Walston, Jr., 728 N. Henry St., Alexandria, VA 22314 - 29 %

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 ten 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. Mason Social, LLC	728 N. Henry St., Alex., VA 22314	
2. See above page for same.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 728 N. Henry St. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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. Nazar or Marie Shabbar	6363 Old Dominion Dr.	100%
2.	McLean, VA 22101	
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. Mason Social, LLC	None	
2. Nazar or Marie Shabbar	None	
3. Justin Sparrow, Chad Sparrow,	Larry Walston, Teddy's LLC -	None

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.

7/28/15 Mary Catherine Gibbs
Date Printed Name


Signature

SUP2015-0092/ENC2015-0004
728 N. Henry St
Application Materials
8/18/15

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 is seeking to add rooftop dining to an existing grandfathered restaurant, with access
via two stairwells that would attach to the north face of the existing building to take patrons to the roof.

The applicant is seeking to add 36 seats at tables and 13 bar seats to the roof, under the hours

of the existing restaurant. Currently the restaurant is open from 11 a.m. to 12:00

midnight M-W, 11 a.m. to 2:00 a.m. Th-Sat., and 11 a.m. to 11 p.m. on Sundays.

See the attached floor plan for the proposed seating. The applicant is also filing for an encroachment

so that the stairs can encroach beyond 4 feet into the right of way on Madison Street, but there is

ample room for the encroachment as there is an existing grass strip between the building and the sidewalk.

That grass strip is 4 feet 8 inches wide from the building to the back of the sidewalk so the sidewalk will remain unimpeded.

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: An addition of rooftop dining to a grandfathered restaurant, the grandfathered restaurant is not part of this application.

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).

50-100, depending on the day, during the typical lunch and dinner shifts.

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

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

3-6 for this area alone, not including the existing restaurant.

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

Day:

Monday-Wed.

Hours:

11 a.m. to Midnight

Thurs.-Sat.

11 a.m. to 2 a.m.

Sunday

11 a.m. to 11 p.m.

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

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

The mechanical equipment already exists on the roof, it will be relocated and screened.

The only other noise would be noise from patrons.

B. How will the noise be controlled?

The applicant will ensure that its patrons keep the level of noise at an acceptable level.

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

NA

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)
The trash would be typical for a restaurant use, food/paper/bottles, same as existing restaurant.

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)
Simply the incremental amount for the 36 new table seats and 13 bar seats.

C. How often will trash be collected?
As often as necessary.

D. How will you prevent littering on the property, streets and nearby properties?
The management will ensure that the adjacent areas are picked up on a regular basis.

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:

- 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:

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

The restaurant is monitored by security cameras on a regular basis.

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 has an existing ABC license and wouldn't be looking to change that.

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.
- 0 Other.

<p>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? <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?

Alexandria Lighting at 701 N. Henry Street provides off street parking on evenings and weekends, 22 spaces.

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 _____</p> <p>Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

- B. Where are off-street loading facilities located? Unloading occurs on N. Henry Street.

- C. During what hours of the day do you expect loading/unloading operations to occur?
8 am to 10 a.m.

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

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? @150 square feet. The addition is merely for the two bathrooms on the roof.

18. What will the total area occupied by the proposed use be?
2814 sq. ft. (existing) + @150 sq. ft. (addition if any) = @2960 sq. ft. (total)

19. The proposed use is located in: (check one)
 a stand alone building
 a house located in a residential zone
 a warehouse
 a shopping center. Please provide name of the center: _____
 an office building. Please provide name of the building: _____
 other. Please describe: _____

End of Application



APPLICATION - SUPPLEMENTAL

PARKING REDUCTION

Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).

1. Describe the requested parking reduction. (e.g. number of spaces, stacked parking, size, off-site location)

13 seats would be required by the additional 49 seats and the applicant has an agreement to use 22 spaces at Alexandria Lighting, located at 701 N. Henry Street, across the street from the restaurant.
The parking is available M-F from 6 p.m. to close, Sat. from 3 p.m. to close and all day Sunday.

2. Provide a statement of justification for the proposed parking reduction.

The applicant has made arrangements to provide offsite parking caddie corner across N. Henry Street in the evenings and weekends when the restaurant is most busy. Many of the patrons of the restaurant walk from nearby neighborhood homes, and plenty of street parking is available during the times that the off-street parking is not available.

3. Why is it not feasible to provide the required parking?

The building takes up the whole site and there is not room for any parking on site.

4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?

 Yes. x No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a **Parking Management Plan** which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.



SUPPLEMENTAL APPLICATION

RESTAURANT

All applicants requesting a Special Use Permit or an Administrative Use Permit for a restaurant shall complete the following section.

1. How many seats are proposed?

Indoors: _____ Outdoors: 36 at tables Total number proposed: 49
13 at the bar

2. Will the restaurant offer any of the following?

Alcoholic beverages (**SUP only**) Yes No

Beer and wine — on-premises Yes No

Beer and wine — off-premises Yes No

3. Please describe the type of food that will be served:

Modern american cuisine.

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

table service bar carry-out delivery

5. If delivery service is proposed, how many vehicles do you anticipate? NA

Will delivery drivers use their own vehicles? Yes No

Where will delivery vehicles be parked when not in use?

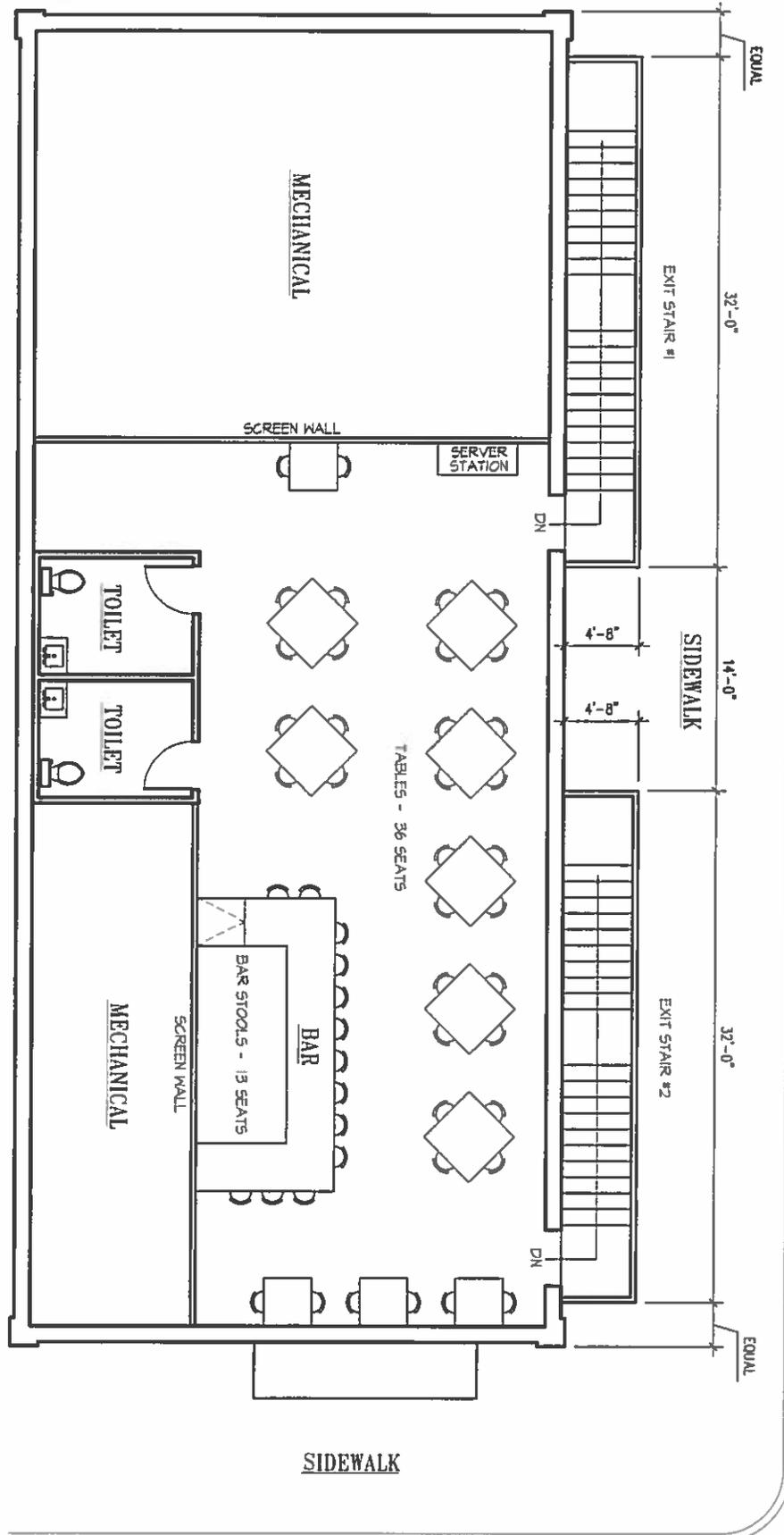
6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?

Yes No

If yes, please describe:

The applicant would like to use low volume speakers for ambient music.

MASON SOCIAL - PROPOSED ROOF TOP DECK
 36 TABLE SEATS AND 13 BAR SEATS





APPLICATION

ENCROACHMENT

ENC# 2015-0004

PROPERTY LOCATION: 728 N. Henry St.
TAX MAP REFERENCE: 054.03-03-05 **ZONE:** CRMU/M

APPLICANT

Name: Mason Social, LLC
Address: 728 N. Henry St., Alexandria, VA 22314

PROPERTY OWNER

Name: Nazar or Marie L. Shabbar
Address: 6363 Old Dominion Dr., McLean, VA 22101

PROPOSED USE: Encroachment for stairs to extend beyond 4 feet beyond the property line to access a rooftop deck of a restaurant.

INSURANCE CARRIER (copy attached) _____ **POLICY #** _____

A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

THE UNDERSIGNED hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby applies for an Administrative Use Permit in accordance with the provisions of Article VI, Section 6-600 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 to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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

Mary Catherine Gibbs, Hart, Calley, Gibbs & Karp. *Mary Catherine Gibbs*
Print Name of Applicant or Agent Signature
307 N. Washington St. 703-836-5757 703-548-5443
Mailing/Street Address Telephone # Fax #
Alexandria, VA 22314 mcg.hcgk@verizon.net
City and State Zip Code Email address
7/28/15
Date

Application Received: _____ Date and Fee Paid: \$ _____
ACTION - PLANNING COMMISSION: _____ ACTION - CITY COUNCIL: _____

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 ten 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. Mason Social, LLC	728 N. Henry St., Alex., VA 22314	
2. Larry Walston, Jr.,	728 N. Henry St., Alex., VA 22314	29 %
3. Chad Sparrow,	728 N. Henry St., Alex., VA 22314	29 %
4. Justin Sparrow	728 N. Henry St., Alex., VA 22314	22 %

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 728 N. Henry St. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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. Nazar or Marie Shabbar	6363 Old Dominion Dr. McLean, VA 22101	100%
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 require to disclose any business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. Mason Social, LLC	None	
2. Nazar or Marie Shabbar	None	
3. Justin Sparrow, Chad Sparrow and Larry Walston - None		

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.

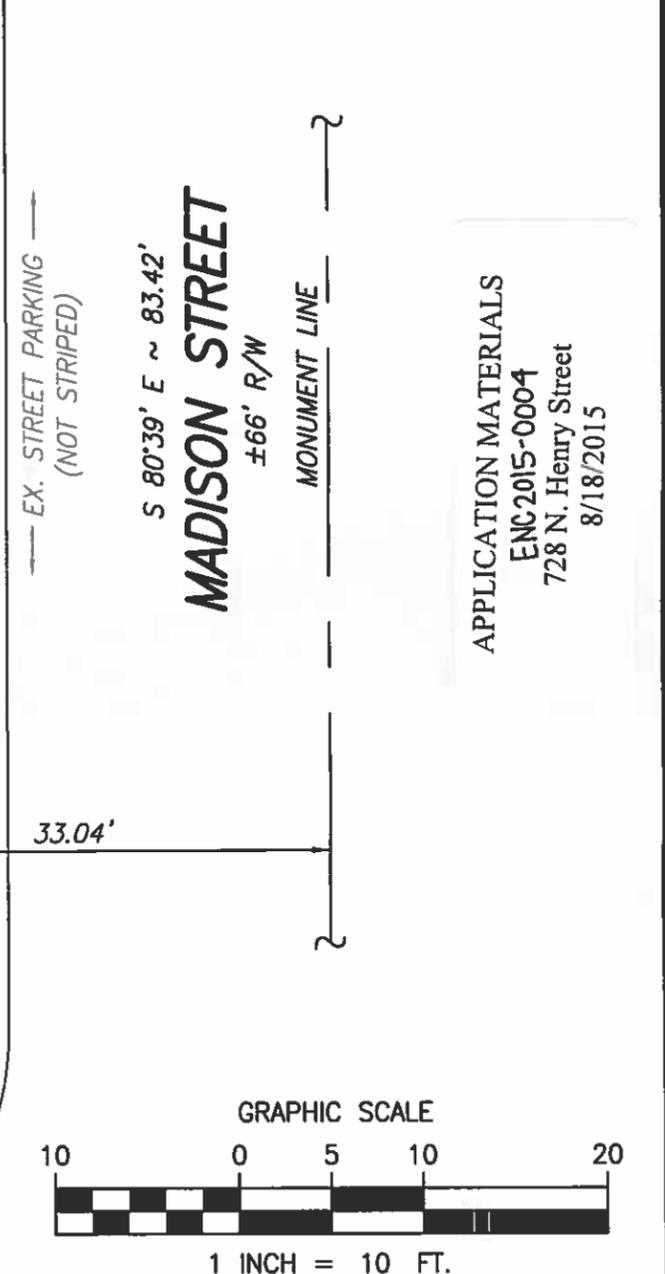
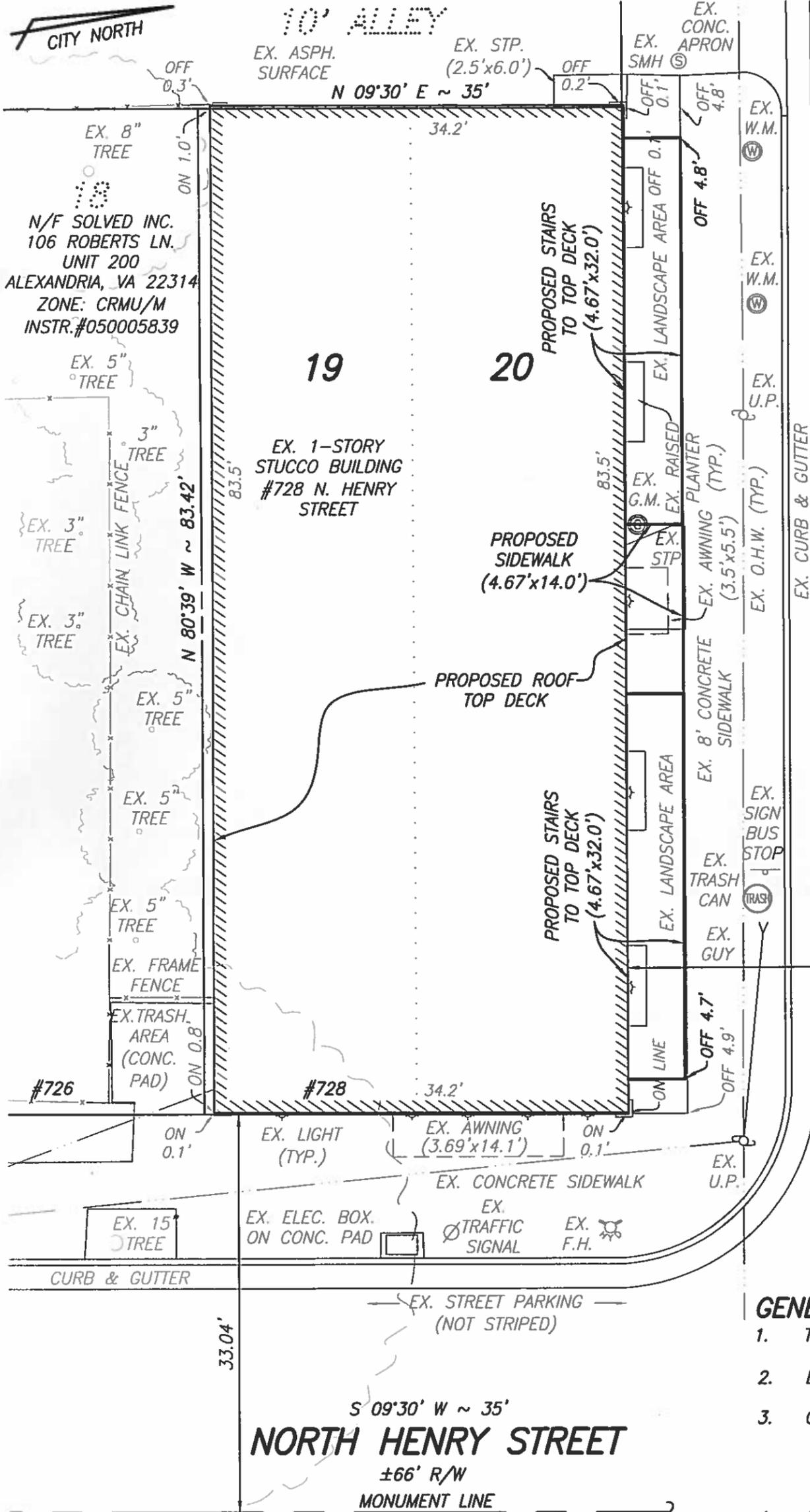
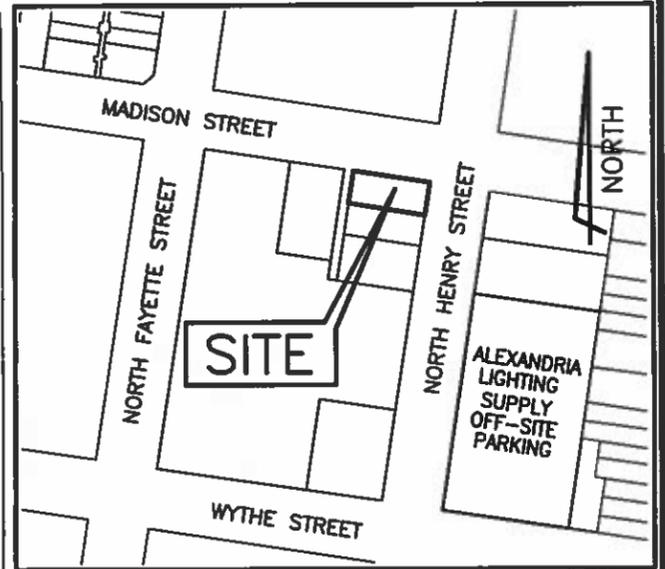
7/28/15 Mary Catherine Gibbs
Date Printed Name


Signature

SUP2015-0092/ENC2015-0004
728 N. Henry St
Application Materials
8/18/15

VICINITY MAP

SCALE : 1" = 200'



APPLICATION MATERIALS
ENC2015-0004
728 N. Henry Street
8/18/2015

GENERAL NOTES:

1. TAX MAP: #054.03-03-05
2. EX. ZONING: CRMU/M
3. OWNER: NAZAR OR MARIE L. SHABBAR
6363 OLD DOMINION DRIVE
McLEAN, VA 22101
DB. 990, PG. 358
4. PLAT SUBJECT TO RESTRICTIONS OF RECORD
5. TOTAL SITE AREA = 2,920 SQ. FT. OR 0.0670 AC.
6. OFF SITE PARKING PROVIDED BY ALEXANDRIA LIGHTING SUPPLY AT #704 N. HENRY STREET.

FILE NO. 15-113	COMP.	WDS
SHEET 1 OF 1	DRAWN	WDS
EXISTING CONDITIONS & PROPOSED CONSTRUCTION	CHECKED	TG

SPECIAL USE PERMIT PLAT
LOTS 19 & 20
J.K.M NORTON &
SAML. G. BRENT SUBDIVISION
(DB. 30, PG. 594)
CITY OF ALEXANDRIA, VIRGINIA
SCALE: 1" = 10' DATE: JULY 27, 2015



● ENGINEERING ● LAND SURVEYING ● PLANNING
730 S. Washington St. Alexandria, Virginia 22314 (703) 549-6422

FW: Mason Social Rooftop Deck

Alex Dambach

Mon 10/19/2015 3:15 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Alex Dambach, AICP
Division Chief – Land Use Services
City of Alexandria
301 King Street, Rm 2100
Alexandria, VA 22314
Office: 703-746-3829
Mobile: 571-393-7339
alex.dambach@alexandriava.gov
www.alexandriava.gov

From: Mary Catherine Gibbs [mailto:mcg.hcgk@verizon.net]
Sent: Monday, October 19, 2015 3:11 PM
To: Alex Dambach
Cc: 'Justin Sparrow'
Subject: Mason Social Rooftop Deck

Alex,

On behalf of the applicant, this email is written to formally change the requested hours of operation for the proposed rooftop deck at Mason Social to a closing hour of ten p.m. on weeknights and midnight on weekends.

The applicant would also be willing to accept an expedited review condition, with community input, after the rooftop operation has been open for its first season. Construction will take place this Winter with a proposed opening in the Spring, so a review in late October 2016 might be appropriate.

Thanks in advance, Mary Catherine Gibbs

Hart, Calley, Gibbs & Karp, P.C.
307 N. Washington Street
Alexandria, VA 22314
(703) 836-5757 (phone)

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