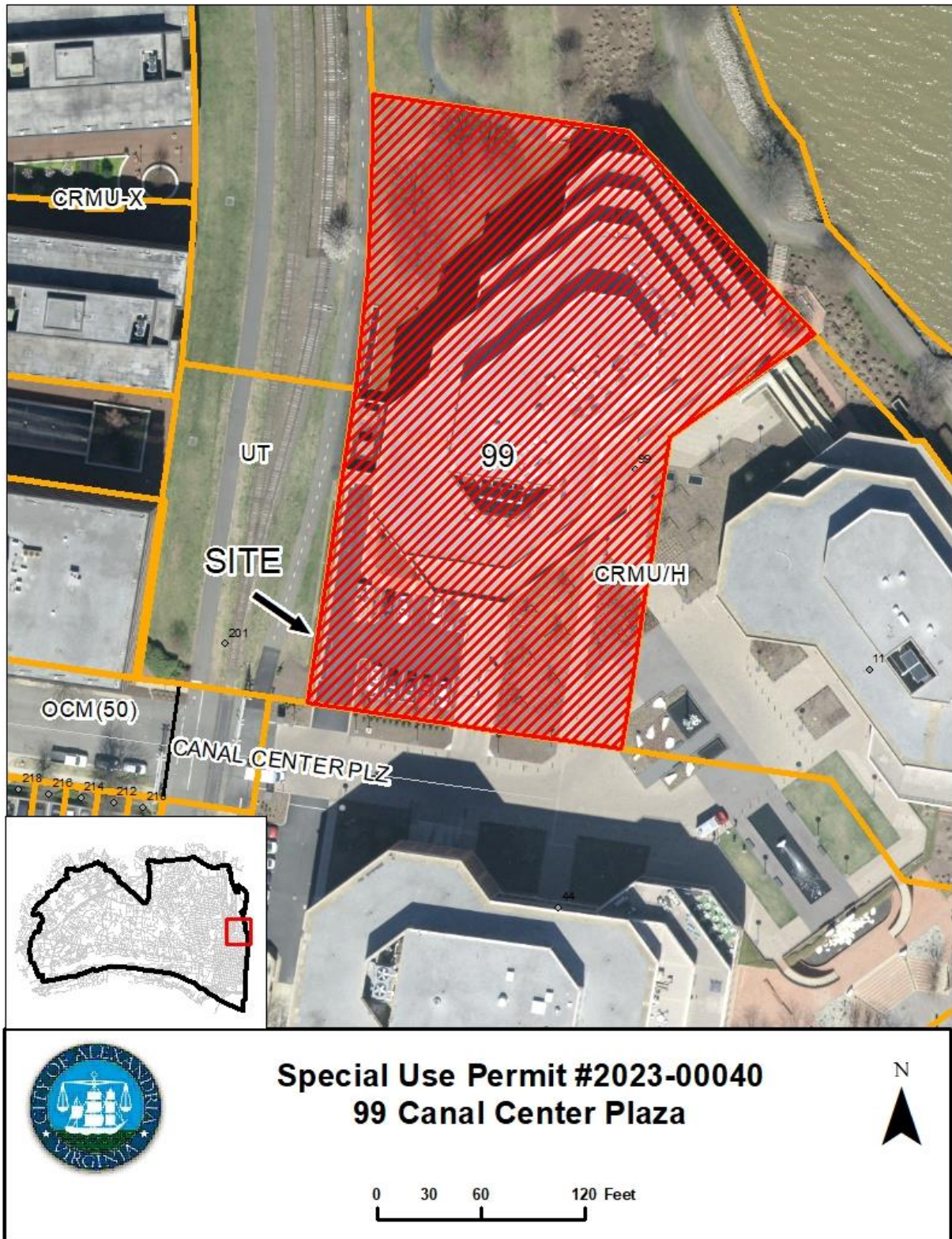


Docket Item #5
Special Use Permit #2023-00040
99 Canal Center Plaza
The Bike Club

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

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

Staff Reviewers: Mavis Stanfield mavis.stanfield@alexandriava.gov
Ann Horowitz ann.horowitz@alexandriava.gov



I. DISCUSSION

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

SITE DESCRIPTION

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

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



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

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

BACKGROUND

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

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

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

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

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

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

PROPOSAL

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

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

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

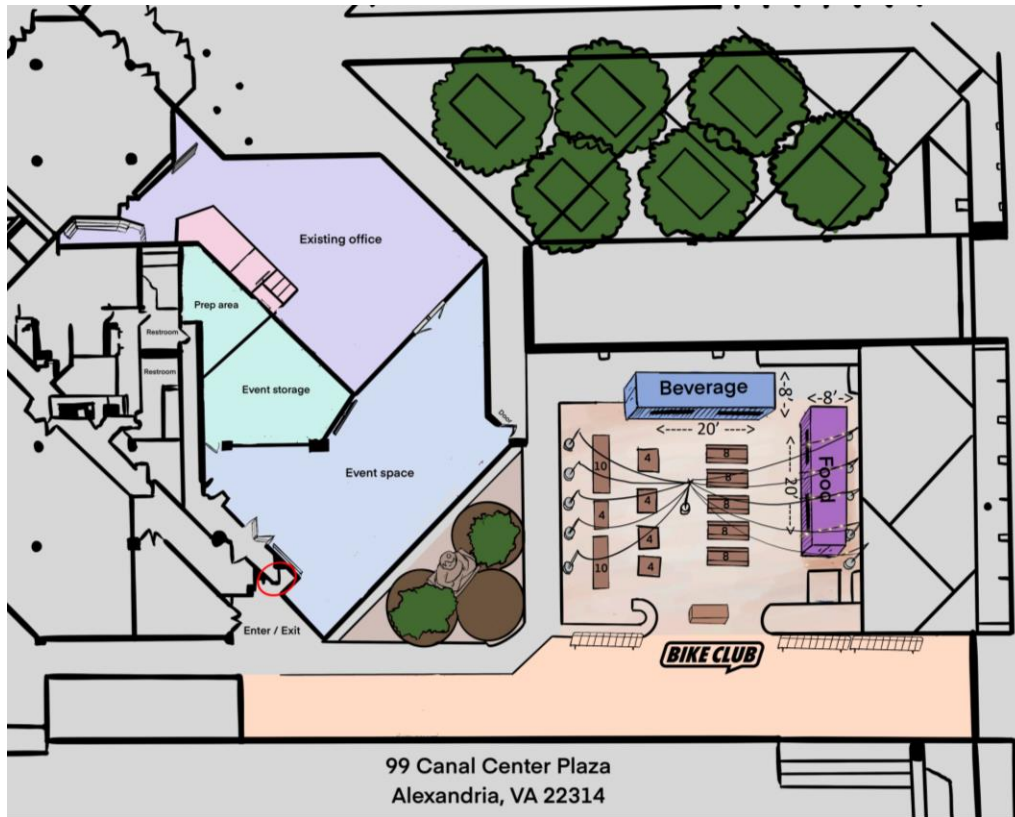


Figure 2: Site Graphic

PARKING

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

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

ZONING/MASTER PLAN DESIGNATION

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

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

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

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

II. STAFF ANALYSIS

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

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

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

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

III. RECOMMENDED CONDITIONS

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

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
3. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
4. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (T&ES)
5. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11 p.m. and 7 a.m. (T&ES)
6. Litter on the site and on public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up by the applicant at least twice a day, and more often if necessary, to prevent an unsightly and unsanitary accumulation on such day that the business is open to the public. (T&ES)
7. No equipment, including kitchen and cleaning equipment, or other items such as floor mats shall be cleaned outside. No cooking residue or other wastes shall be washed onto the streets, alleys, sidewalks or into storm sewers. (T&ES)
8. All waste products including but not limited to organic compounds (solvents and cleaners), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (P&Z)
9. 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)

10. Noise from live entertainment and activities, such as music, performances, and trivia, shall end no later than 11 p.m. (T&ES)
11. Orientation of speakers and stage shall be toward the water and away from residential areas. (T&ES)
12. Exterior power washing of the trailers shall not be completed using any kind of detergents. (P&Z)
13. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
14. If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. Used cooking grease drums/containers should be stored outside of the Resource Protection Area (RPA) if practicable. Spills shall be cleaned up by mopping or dry methods that do not produce a discharge to the gutter, storm, or combined inlets. (T&ES)
15. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
16. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. The business shall contact Go Alex at goalex@alexandriava.gov for more information on establishing an employee transportation benefits program. (T&ES)
17. The applicant shall require its employees who drive to use off-street parking. (T&ES)
18. The applicant shall encourage patrons to park off-street through the provision of information about garages or lots in the business' advertising and website. (T&ES)
19. The temporary trailer shall be permitted at the site for two years after Special Use Permit approval until July 5, 2025 with an opportunity to increase the term for an additional three years through an Administrative Special Use Permit. (P&Z)

20. 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)

Staff Note: In accordance with section 11-506(C) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

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

- R-8 No equipment, including kitchen and cleaning equipment, or other items such as floor mats shall be cleaned outside. No cooking residue or other wastes shall be washed onto the streets, alleys, sidewalks or into storm sewers. (T&ES)
- R-9 Used cooking grease drums/containers should be stored outside of the RPA if practicable. Lids must always remain closed on waste grease drums/containers and spills cleaned up by mopping or dry methods that do not produce a discharge to the gutter, storm, or combined inlets. (T&ES)
- R-10 No equipment, including kitchen and cleaning equipment, or other items such as floor mats shall be cleaned outside. No cooking residue or other wastes shall be washed onto the streets, alleys, sidewalks or into storm sewers. (T&ES)
- R-11 Used cooking grease drums/containers should be stored outside of the RPA if practicable. Lids must always remain closed on waste grease drums/containers and spills cleaned up by mopping or dry methods that do not produce a discharge to the gutter, storm or combined inlets.
- R-12 Chemicals, solvents, cleaning agents, etc. shall not be stored outside.
- R-13 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-14 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-15 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
- R-16 The applicant shall encourage patrons to park off-street through the provision of information about nearby garages or lots in the business' advertising and website. (T&ES)

City Code Requirements:

1. The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
2. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property

line. (T&ES)

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

Code Enforcement:

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

Fire:

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

Health:

No comments received.

Parks and Recreation:

No comments received.

Police Department:

No comments received.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 99 Canal Center Plaza

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

APPLICANT:

Name: Chalkboard Canal Center, LLC

Address: 3904 Sulgrave Drive, Alexandria, VA 22309

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

- ☒ THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Kenneth W. Wire, Wire Gill LLP

Print Name of Applicant or Agent

700 N. Fairfax Street, Suite 600

Mailing/Street Address

Alexandria, VA 22314

City and State

Zip Code

Signature

May 3, 2023

Date

703-677-3129

Telephone #

Fax #

kwire@wiregill.com

Email address

PROPERTY OWNER'S AUTHORIZATION

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

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

Please Print

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

Signature: *Eric Zabarkus*

Phone: 703-234-3059
7034784424

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

Date: 4.27.23

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

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

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

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

☐ Owner

☐ Contract Purchaser

☐ Lessee or

☒ Other: lessee for outdoor space of the subject property.

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

Please see attached Disclosure Attachment.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. See attached		
2.		
3.		

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

Name	Address	Percent of Ownership
1. See attached		
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose **any** business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).**

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


Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. See attached	None	None
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

May 3, 2023
Date

Kenneth W. Wire, Wire Gill LLP
Printed Name


Signature

Disclosure Attachment

Applicant: Chalkboard Canal Center, LLC:

100% owned by Carville J. Cross III

3904 Sulgrave Drive
Alexandria, Virginia 22309

Owner: 99 Canal Center Plaza:

100% owned by 99 Canal Properties LLC

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

No Individual owns more than 3%

USE CHARACTERISTICS

4. The proposed special use permit request is for (*check one*):

- ☒ a new use requiring a special use permit,
☐ an expansion or change to an existing use without a special use permit,
☐ an expansion or change to an existing use with a special use permit,
☐ other. Please describe: _____

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect?

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

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

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

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

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

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

Day:

Monday - Thursday

Hours:

8 am - 10 pm

Friday - Sunday

10 am - Midnight

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

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

Music at low background levels, never exceeding noise ordinance.

B. How will the noise be controlled?

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

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

None anticipated; all cooking equipment includes air scrubbing technology

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

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

Food and beverage waste; packaging

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

A maximum of 6 - 10 bags per day

- C. How often will trash be collected?

Daily collection from plaza carried to office building dumpsters

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

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

- 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:

Cleaning supplies typical for restaurants

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

ALCOHOL SALES

- 13.** A. Will the proposed use include the sale of beer, wine, or mixed drinks?

☒ Yes ☐ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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

PARKING AND ACCESS REQUIREMENTS

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

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

Planning and Zoning Staff Only	
Required number of spaces for use per Zoning Ordinance Section 8-200A	_____
Does the application meet the requirement?	
<input type="checkbox"/> Yes	<input type="checkbox"/> 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?

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

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

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

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

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

Planning and Zoning Staff Only	
Required number of loading spaces for use per Zoning Ordinance Section 8-200	_____
Does the application meet the requirement?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

- B. Where are off-street loading facilities located? Canal Center private drive
- C. During what hours of the day do you expect loading/unloading operations to occur?
8 am - 2pm
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
A maximum of 2 times daily
- 16.** Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
Access to the proposed use is adequate

SITE CHARACTERISTICS

- 17.** Will the proposed uses be located in an existing building? ☐ Yes ☒ No
- Do you propose to construct an addition to the building? ☐ Yes ☒ No
- How large will the addition be? _____ square feet.
- 18.** What will the total area occupied by the proposed use be?
_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = 320 sq. ft. (total)
- 19.** The proposed use is located in: *(check one)*
- ☐ a stand alone building
- ☐ a house located in a residential zone
- ☐ a warehouse
- ☐ a shopping center. Please provide name of the center: _____
- ☐ an office building. Please provide name of the building: _____
- ☒ other. Please describe: Temporary outdoor area including the two 160sq foot trailers

End of Application



Department of Planning & Zoning Special Use Permit Application Checklist

Supplemental application for the following uses:

- ☐ Automobile Oriented
- ☐ Parking Reduction
- ☐ Signs
- ☐ Substandard Lot
- ☐ Lot modifications requested with SUP use

Interior Floor Plan

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

If Applicable

- ☒ Plan for outdoor uses

Contextual site image

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

