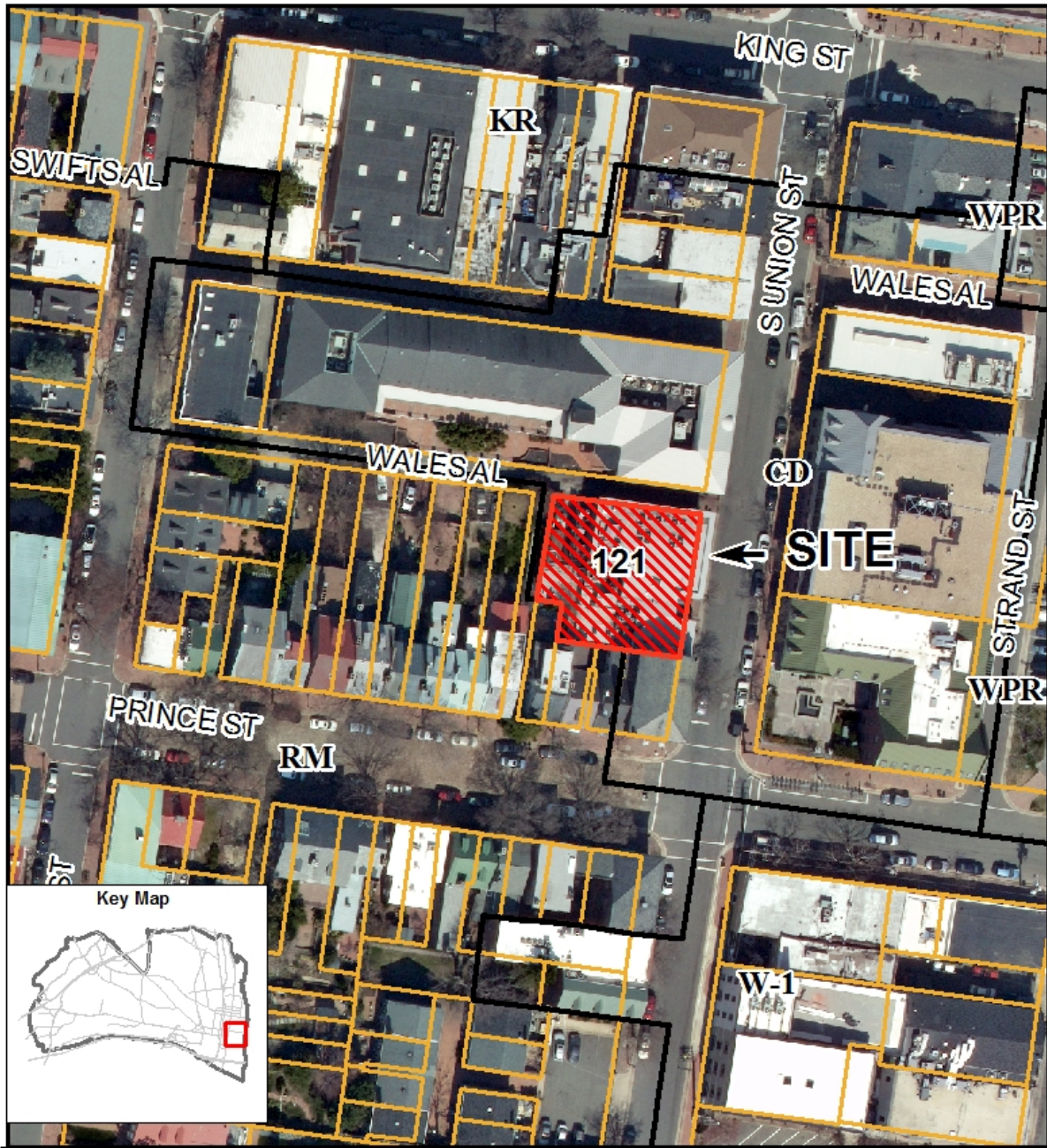


***DOCKET ITEM #11***  
***Special Use Permit #2016-0047***  
***121 South Union Street --Union Street Public House***

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<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request for outdoor dining on the rooftop of an existing restaurant.	<b>Planning Commission Hearing:</b>	September 8, 2016
	<b>City Council Hearing:</b>	September 17, 2016
<b>Address:</b> 121 South Union Street	<b>Zone:</b>	CD/Commercial Downtown
<b>Applicant:</b> John MacBrian, Inc, t/a Union Street Public House	<b>Small Area Plan:</b>	Old Town Small Area Plan
<b>Staff Recommendation:</b> APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.		
<b>Staff Reviewers:</b> Sara Brandt-Vorel, <a href="mailto:Sara.BrandtVorel@alexandriava.gov">Sara.BrandtVorel@alexandriava.gov</a>		



**Special Use Permit #2016-0047**  
**121 South Union Street**



## I. DISCUSSION

### REQUEST

The applicant, John MacBrian, Inc, requests Special Use Permit approval for outdoor dining on the rooftop of an existing restaurant at 121 South Union Street, commonly known as the Union Street Public House, a grandfathered restaurant.

### SITE DESCRIPTION

The subject site is one parcel of record. The parcel has an approximate frontage of 80 feet along South Union Street and an approximate depth of 78 feet for a total parcel area of 6,200 square feet. It has frontage on Union Street and along Wales Alley to the north. The building, which has three sections, has been renovated on the interior to create one continuous structure. The two end sections have two stories which are connected by a middle portion, which reads as a one story building. The total area of the building is approximately 8,900 square feet. Although three entrances exist, the primary entrance to the restaurant is located in the middle, one-story section.



*Figure 1: Exterior of Union Street Public House as seen from South Union Street, with area for proposed rooftop dining highlighted.*

The restaurant is located on a block with a range of commercial uses including four other restaurants, such as Ben & Jerry's and Virtue Feed and Grain, which features outdoor dining in Wales Alley, on the other side of South Union Street. Other uses in the block include two personal service uses, three retail shops, and office uses. The block also contains three vacant ground floor spaces, including 105 and 115 S Union Street, and 102-104 S Union Street which is undergoing building renovations.



## BACKGROUND

A restaurant has been located at 121 South Union Street since at least 1971 when the City has record of a business license for King's Landing restaurant. In October 1973, City Council passed Zoning Ordinance #1902 which required any restaurant located on land abutting residential uses to obtain a Special Use Permit. At the time of passage the ordinance was deemed prospective and did not affect King's Landing restaurant which was, and is still located adjacent to residential uses. However, in 1974 King's Landing restaurant applied for an addition in order to add 70 restaurant seats and staff interpreted Zoning Ordinance #1902 as applicable to both restaurant additions and new restaurants. Under this interpretation, King's Landing restaurant was required to apply for a Special Use Permit, which the owner filed for under protest. Special Use Permit #905 was approved by City Council on February 24, 1974 for an expansion of the restaurant and the existing restaurant operations.

Special Use Permit #905 governed the operations of King's Landing restaurant until the passage of Zoning Ordinance #2373 by City Council on May 12, 1979 which stated that any grandfathered restaurants, in operation on or prior to May 31, 1979 did not require a Special Use Permit to operate. Under this provision of the Zoning Ordinance, Special Use Permit #905 was no longer in effect and Kings Landing was recognized as a grandfathered restaurant. In 1986 King's Landing restaurant underwent an internal renovation and rebranding to become known as Union Street Public House and has operated as such. The internal renovations were not deemed an intensification of the use and the restaurant maintained its grandfathered status. A summary of the grandfathered restaurant operating conditions was established on March 16, 1994:

- The restaurant contains 203 seats at booths or tables and 56 stools at three bars for a total of 256 seats. If a banquet or private party is set up, the maximum number of seats in the restaurant must remain under the maximum of 256;
- The hours of operation have been from 11:00 a.m. to 2:00 a.m., seven days a week;
- Parking is not provided for employees or patrons; and
- No live entertainment is allowed.

The Board of Architectural Review (BAR) approved BAR #2016-0100 on May 4, 2016 which approved a certificate of appropriateness for the installation of a railing along an exterior rooftop terrace and to convert an existing window to a door to access the proposed rooftop terrace. After receiving the certificate of appropriateness the applicant applied for this Special Use Permit to request rooftop dining.

In recent years the restaurant has received two complaints related to trash, most recently in January 2013 and again in July 2015. In both instances the restaurant's dumpsters were found with open and damaged lids. In both cases the restaurant repaired the dumpsters and closed the lids, thereby addressing the complaint.

## PROPOSAL

The applicant proposes to create an outdoor rooftop dining area of approximately 140 square feet with up to four tables and up to 15 seats. Access to the outdoor dining space would be created by transforming an existing window into a doorway. The outdoor dining would be located on top of the middle portion of the building, which reads as a one story connection between the two two-

story components of the building. The outdoor dining would be along South Union Street and buffered from nearby buildings by the rear stairways of the building and the two two-story brick structures on either side. An aerial view of the proposed outdoor dining area is indicated in Figure 2.

Additional elements include:

**Proposed Hours of Operation for Rooftop Dining:**    **11:30 a.m. – 11 p.m., Monday – Friday (outdoor dining)**  
**11a.m. – 11 p.m., Saturday – Sunday (outdoor dining)**

**Proposed Number of Seats:**    **15 outdoor dining seats**

Existing (Indoor) Hours of Operation:    11 a.m. – 2 a.m., daily (Existing grandfathered restaurant)

Existing Number of Seats (Grandfathered restaurant):    203 seats at booths/tables (Existing grandfathered restaurant )  
56 seats at one of three bars (Existing grandfathered restaurant )  
**256 total seats (Existing grandfathered restaurant)**

Type of Service:    Dine-in and carry-out only.

Delivery:    None.

Alcohol:    On-premises alcohol sales.

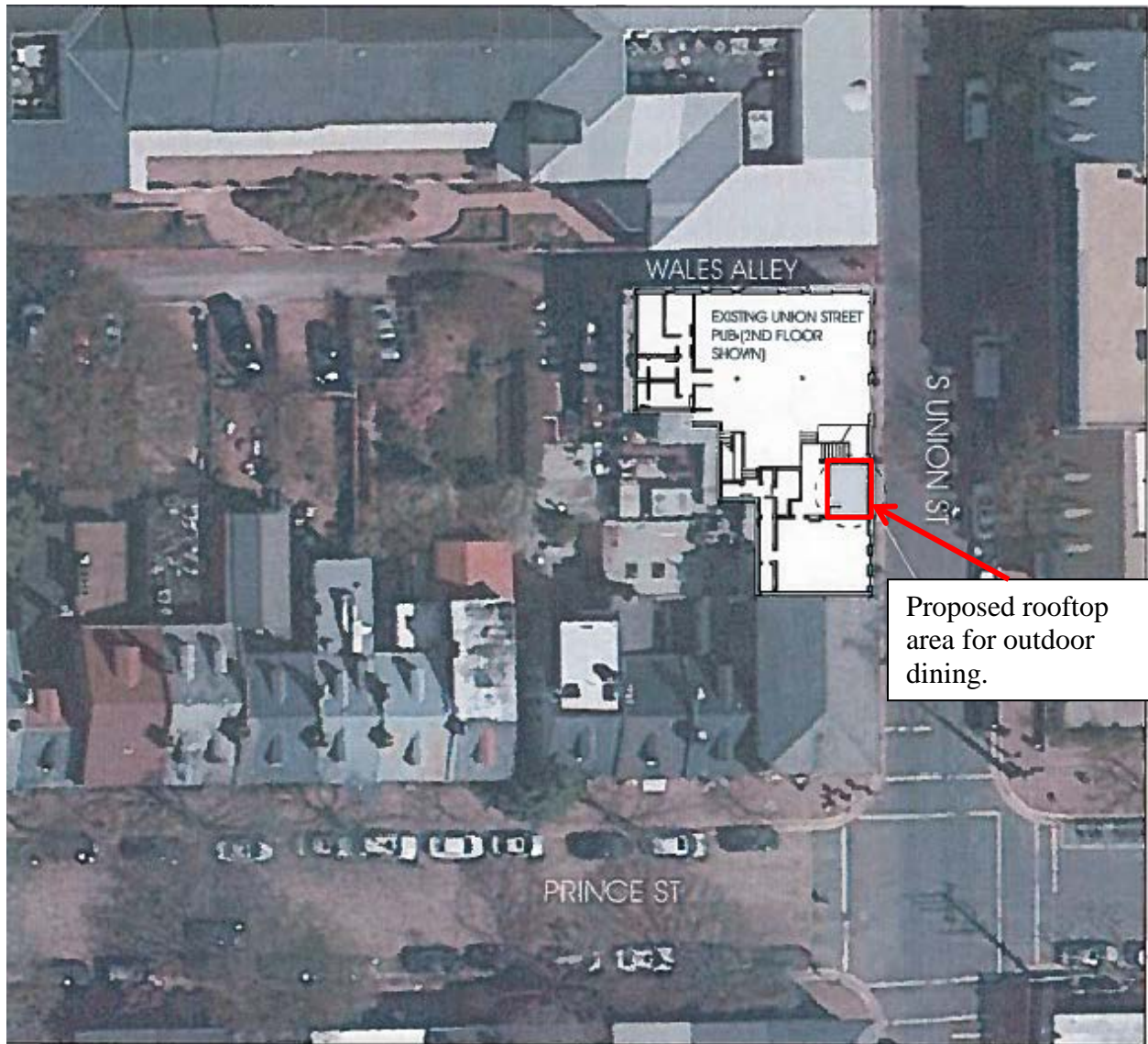
Live Entertainment:    No live entertainment.

Employees per shift:    **2 additional employees (outdoor dining)**  
20 employees (Existing grandfathered restaurant)  
22 total employees

Noise:    Noise levels are expected to be similar to other outdoor dining located along King Street.

Odors:    Minimal odors from a restaurant use are addressed through proper ventilation.

Trash/Litter:    Dumpsters associated with the restaurant are emptied six days a week.



UNION STREET PUB BLOCK DIAGRAM  
UNION STREET PUBLIC HOUSE  
16.015

*Figure 2: Proposed location of rooftop dining in context of Union Street Public House restaurant and surrounding buildings.*

### PARKING

The applicant's restaurant is located within the Central Business District. In accordance with Section 8-300(B) of the Zoning Ordinance, parking is not required for restaurants located within the Central Business District. As such, the applicant is not required to provide parking for the proposed additional outdoor seating.

## ZONING/MASTER PLAN DESIGNATION

The subject site is located in the CD/Commercial Downtown Zone. The existing restaurant is permitted as a grandfathered use. While a new restaurant use could be reviewed administratively by staff, the rooftop dining could result in impacts, so the use is being reviewed as a full-hearing Special Use Permit. Staff applied a similar review and approval process to a rooftop dining request at another grandfathered restaurant, Mason Social, through SUP #2015-0092. This site is located within the Old and Historic District, so any exterior renovations and changes require approval by the Board of Architectural Review.

The subject site is located within the boundaries of the Old Town Small Area Plan which indicates the continued commercial use of the site. The Old Town Small Area Plan also includes the Old Town Restaurant Policy which requires an analysis of a proposed restaurant's impact on parking, late hours, alcohol sales, and littering.

## **II. STAFF ANALYSIS**

Staff supports the applicant's proposal to establish outdoor rooftop dining and finds the request similar to outdoor dining granted under the King Street Outdoor Dining Program. The Waterfront Plan and King Street Retail Strategy encourage lively streetscapes and unique experiences to create a dynamic experience for visitors, residents, and workers. The applicant's proposed rooftop dining takes advantage of seasonally available dining and creates a unique opportunity to experience the activity of lower King Street from a new vantage point. Staff finds that outdoor dining is a strategic component of creating a lively streetscape.

While staff acknowledges that the applicant's proposed rooftop dining could potentially be louder than dining on the street-level because it is on the second floor, the proposed location of the rooftop terrace, directly adjacent to the street and buffered on three sides by buildings would reduce the potential for noise affecting residential properties. A similar rooftop terrace at the nearby Daniel O'Connell's restaurant has operated for several years without generating noise complaints and serves as an indicator that this proposed use is contextually appropriate. In addition, staff finds the addition of 15 seats to be minimal and would function as seasonally appropriate seating during warmer months only.

The applicant's proposal is consistent with the Old Town Restaurant Policy, which staff has reviewed in regards to parking, litter, alcohol, and late hours as well as the restaurant's potential impact on the balance of uses along King Street.

### Parking

Staff finds the addition of 15 seasonal restaurant seats would have little impact on the overall parking demand in lower King Street. Staff anticipates that many of the patrons who would use the outdoor dining would already have been frequenting the restaurant and choose to sit outdoors instead of indoors. The potential reallocation of diners from indoor to outdoor would therefore not drastically increase the net number of patrons to the restaurant. In addition, the proposed rooftop terrace is located in a popular area of King Street which is well served by public transportation options such as the King Street Trolley, Capital Bikeshare, and the Dash bus. The

restaurant is also located in close proximity to several parking garages which are open to the public and available for customer parking. Nonetheless, staff included standard conditions regulating parking such as Condition #14 which requires employees to park off-street; Condition #15 encouraging the applicant to contact Local Motion to establish a transportation benefits program for employees; Condition #16 which requires future participation in a parking strategy which may result from the Old Town Parking Study; Condition #17 which requires the applicant to provide information to patrons and employees in regards to alternative transportation options; and Condition #18 which requires the provision of information on nearby parking garages.

#### Litter

With a relatively low number of new seats at a primarily dine-in restaurant which uses permanent dishware, staff does not expect litter to be an issue as a result of the outdoor dining. However, staff has included Condition #19 which requires the applicant to pick up litter in front of their establishment three times a day. In addition, due to the previous complaints in regards to the open dumpsters and the potential for trash to accumulate in the alleyway, staff has included Condition #8 requiring the applicant to use dumpsters which seal, preventing the escape of trash and odors, and requires the applicant to repair any damage to dumpsters to ensure they function properly.

#### Alcohol and Late Hours

Staff recognizes that late hours for outdoor dining has the potential to create a disturbance in the surrounding area and could negatively impact residents located in the vicinity. As the proposed rooftop terrace is located within the boundaries of the King Street Outdoor Dining program, which allows outdoor dining until 11 p.m., staff finds a similar closing hour for the applicant's outdoor dining consistent with the City's outdoor dining policy. Staff has included Condition #3 which sets the hours of operation for the outdoor dining and requires the rooftop terrace to be cleared of customers by 11 p.m., daily.

The grandfathered restaurant has maintained a valid ABC liquor license for the sale of beer, wine, and mixed drinks since opening. Staff finds the addition of 15 outdoor seats will not impact the overall sales of alcohol at the restaurant, but has included Condition #5 requiring all staff to be trained on the prevention of alcohol sales to minors.

Subject to the conditions stated 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 corporation in which the applicant has a controlling interest. (P&Z)
2. The maximum number of outdoor seats at the rooftop dining area shall be 15. (P&Z)



3. The hours of operation for the rooftop area shall be limited to between 11 a.m. and 11 p.m., daily. The outdoor dining area shall be closed and cleared of all customers by 11 p.m., daily and shall be cleaned and washed at the close of each business day that it is in use. (P&Z)
4. The design of the outdoor dining area and all its components must comply with the King Street Outdoor Dining guidelines or have separate BAR approval. The applicant shall submit illustrations and specifications to the Director of Planning & Zoning or, if required, the Board of Architectural Review, for review and approval. (P&Z)
5. 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)
6. No live entertainment shall be permitted in the outdoor rooftop dining area. (P&Z)(T&ES)
7. No food, beverages, or other material shall be stored outside. (P&Z)
8. 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. 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)
9. 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)
10. 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)
11. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
12. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11p.m. and 7 a.m. (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 Local Motion at [localmotion@alexandriava.gov](mailto:localmotion@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
16. 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)
17. 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 [localmotion@alexandriava.gov](mailto:localmotion@alexandriava.gov) for more information about available resources. (T&ES)
18. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)
19. 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)
20. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
21. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations, or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions; or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Alex Dambach, Land Use Division Chief, Department of Planning and Zoning;  
Sara Brandt-Vorel, Urban Planner

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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 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 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-3 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-4 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-5 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
- R-6 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-7 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-8 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 Local Motion at [localmotion@alexandriava.gov](mailto:localmotion@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
- R-9 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-10 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 [localmotion@alexandriava.gov](mailto:localmotion@alexandriava.gov) for more information about available resources. (T&ES)
- R-11 The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)

- R-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)
- 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 City Council 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)

Fire Department:

- F-1 An updated fire prevention permit is required for this use and occupancy condition – assembly.

Code Enforcement:

- F-1 A building permit is required for outdoor dining on the roof. A building permit, plan review and inspections are required after SUP application approval.

Health Department:

- F-1 No food preparation shall take place in the outdoor dining area. If the facility intends to have food preparation outdoors then the submission of construction plans and a plan review process are required.

Recreation, Parks and Cultural Activities:

No comments received.

Police Department:

No comments received.

Board of Architectural Review:

- F-1 This project is located within the locally regulated Old and Historic Alexandria District. Exterior alterations visible from a public way require review and approval by the OHAD Board of Architectural Review (BAR).



- F-2 The window to door conversion proposed as part of this SUP application was approved by the BAR on May 4, 2016 (BAR2016-00100), the applicant is reminded that any additional exterior alterations, including lighting, window and door replacement, and all signs require BAR approval. Most of these items may administratively approved by staff.



## APPLICATION

# SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** 2016-0047

**PROPERTY LOCATION:** 121 S Union Street

**TAX MAP REFERENCE:** 075.01-06-15

**ZONE:** CD

**APPLICANT:**

Name: John MacBrian, Inc., 1/a Union Street Public House

Address: 121 S Union Street

**PROPOSED USE:** Full Service Restaurant, Exterior Seating

☒ **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.

Robert Test, Managing Partner

Print Name of Applicant or Agent

121 S Union Street

Mailing/Street Address

Alexandria, VA

City and State

22314

Zip Code

Signature

6/10/2016

Date

(703) 819.4072

Telephone #

(703) 836.7459

Fax #

info@unionstreetpublichouse.com

Email address

**ACTION-PLANNING COMMISSION:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**ACTION-CITY COUNCIL:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 121 S Union Street, I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the full service restaurant, exterior seating use as  
 (use)  
 described in this application.

Name: 121 S Union Street, LLC Phone: \_\_\_\_\_  
 Please Print  
 Address: 811 MARSHALL LN NEX 22314 Email: \_\_\_\_\_  
 Signature: [Handwritten Signature] Date: 6/10/2016

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.

see attached

## 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. <u>See Attached</u>		
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 121 S Union Street (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. <u>121 S. Union LLC</u>	<u>811 Marshall Ln Alexandria , VA 22314</u>	<u>100</u>
2. <u>(NICKI WARREN)</u>		
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.	<u>none</u>	<u>none</u>
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.

6/10/2016

Robert Test

Date

Printed Name



Signature



Union Street Public House  
121 S Union Street  
Alexandria, VA 22314

<sup>SUP</sup>  
~~BAR~~ Case No 2016-0047

#### Description of Proposed Work

The applicant proposes to enlarge an existing window into a full sized door for access to a deck above the existing entrance. The deck is currently not in use. The applicant will add approximately 14 seats to the existing restaurant as outdoor dining in a manner consistent with the City's outdoor dining policies.

#### Ownership and Disclosure Statement

The applicant, Union Street Public House, is owned by John MacBrian, Inc. a Virginia corporation. Those individuals with more than 10% ownership are:

James J Matthews	121 S Union Street, Alexandria, VA 22314	50%
Jane M Test	1403 Coventry Ln, Alexandria, VA 22304	17%
Julie E Howard	2107 Wakefield Tr, Alexandria, VA 22307	17%
Joan M Matthews	121 S Union Street, Alexandria, VA 22314	17%

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

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

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

## NARRATIVE DESCRIPTION

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

The applicant proposes to convert an existing window into a door to allow restaurant patrons access to a first floor roof top dining area, to be built in accordance with the plans and drawings attached.

15 SEATS PROPOSED,

HOURS Mon - Fri 11:30 TO 2:00 AM

Sat. Sun 10:00 AM TO 2:00 AM

## 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).

approximately 15 patrons, daily from opening to close in accordance with posted hours.

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

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

one or two added employees, daily from opening to close in accordance with posted hours

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

Day:

Monday to Friday

Hours:

11:30 am to 2:00 am

Saturday and Sunday

10:00 am to 2:00 am

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

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

patron noise will be not be significant, seating will be in the east (river side) of the  
building, enclosed on three sides by the existing brick structure

B. How will the noise be controlled?

staff will monitor patron noise levels

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

there will be no food preparation or cooking in the added area, smoking is prohibited, odors should be minimal

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)  
normal restaurant use, some paper products (napkins, etc.) meals to be consumed on site

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

additional trash and garbage will be nominal

C. How often will trash be collected?

trash is collected 6 days a week

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

staff will monitor patrons use of dining space and will continue to routinely walk the exterior of the property as they do now

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.

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

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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.

Va Dept of Alcohol and Beverage Control License for  
beer, wine and liquor in place since 1986, includes on and off premise  
sales

**PARKING AND ACCESS REQUIREMENTS**

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

\_\_\_\_\_ Standard spaces  
 \_\_\_\_\_ Compact spaces  
 \_\_\_\_\_ Handicapped accessible spaces.  
 \_\_\_\_\_ 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?

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**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? 3

**Planning and Zoning Staff Only**

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

Does the application meet the requirement?

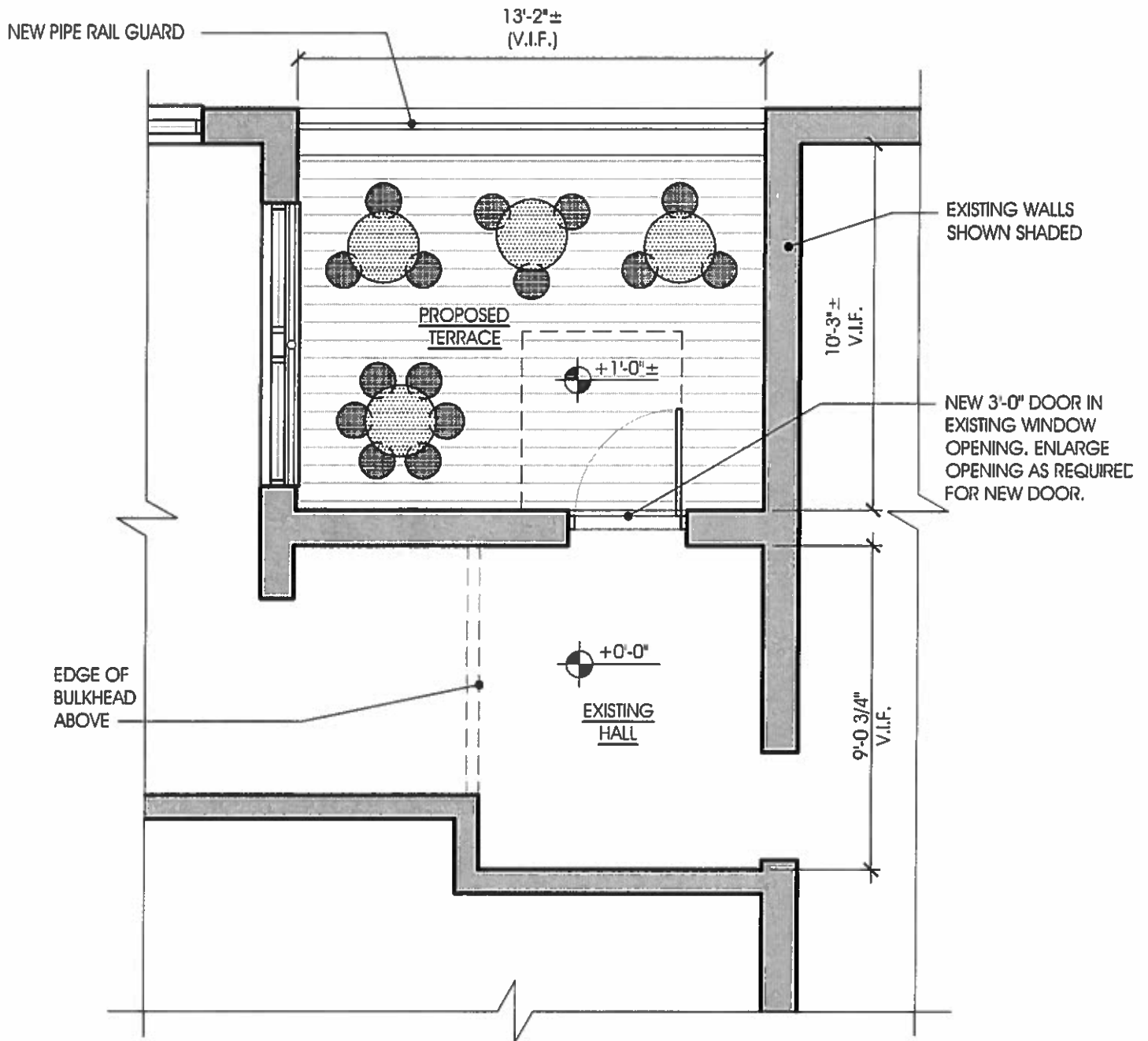
☐ Yes ☐ No

- B. Where are off-street loading facilities located? alley next to building
- C. During what hours of the day do you expect loading/unloading operations to occur?  
8:00 am to 11:00 am
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
3 to 4 times a day, 3 to 4 days a week
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?  
n/a

## 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? +/- 140 square feet.
18. What will the total area occupied by the proposed use be?  
8900 sq. ft. (existing) + 140 sq. ft. (addition if any) = 9040 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: converted warehouse, attached to 125 S Union Street

End of Application



04.22.16

PROPOSED TERRACE PLAN

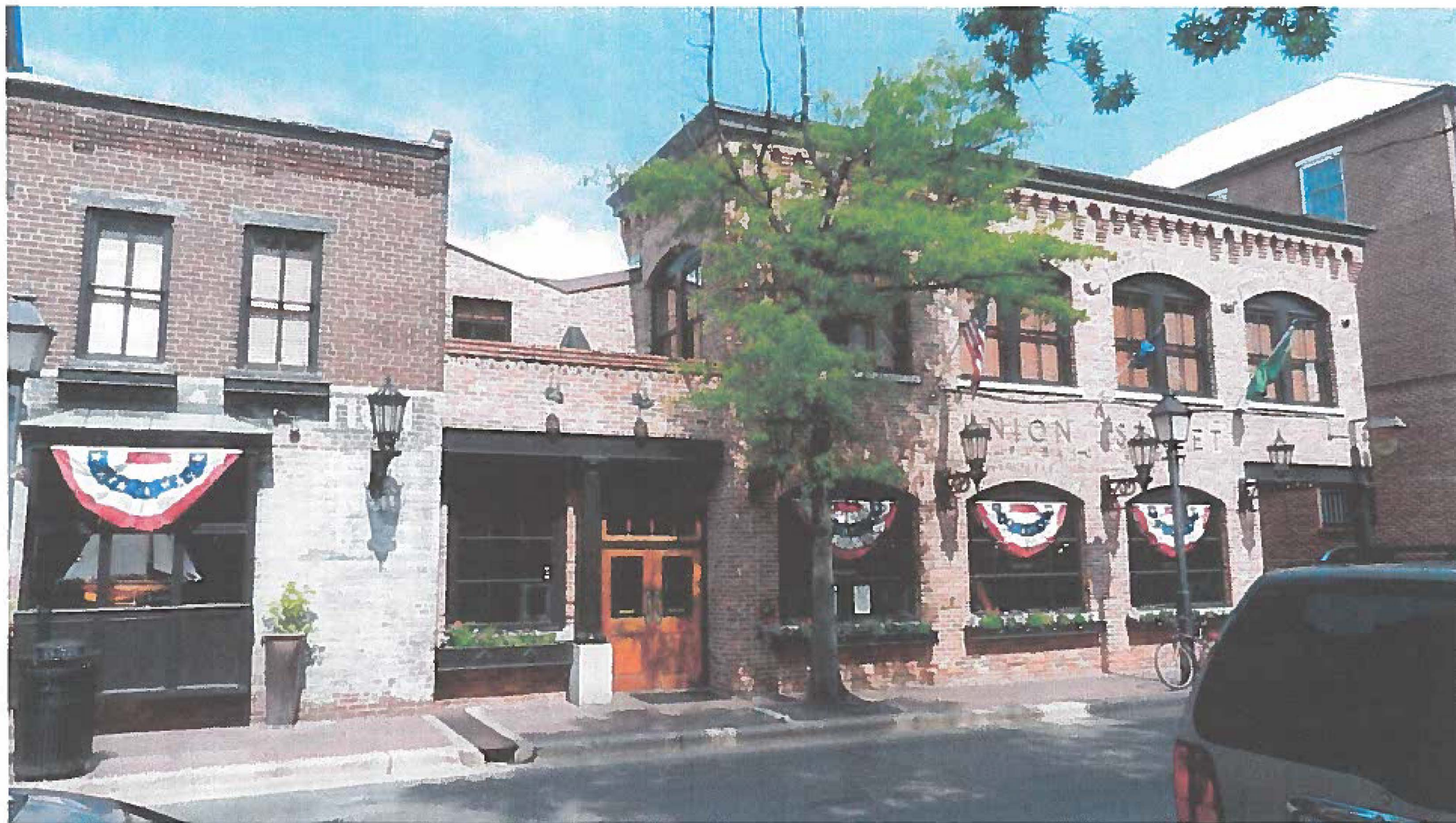
1/4"=1'-0"

UNION STREET PUBLIC HOUSE

11.031

RUST | ORLING  
ARCHITECTURE





August 15, 2011

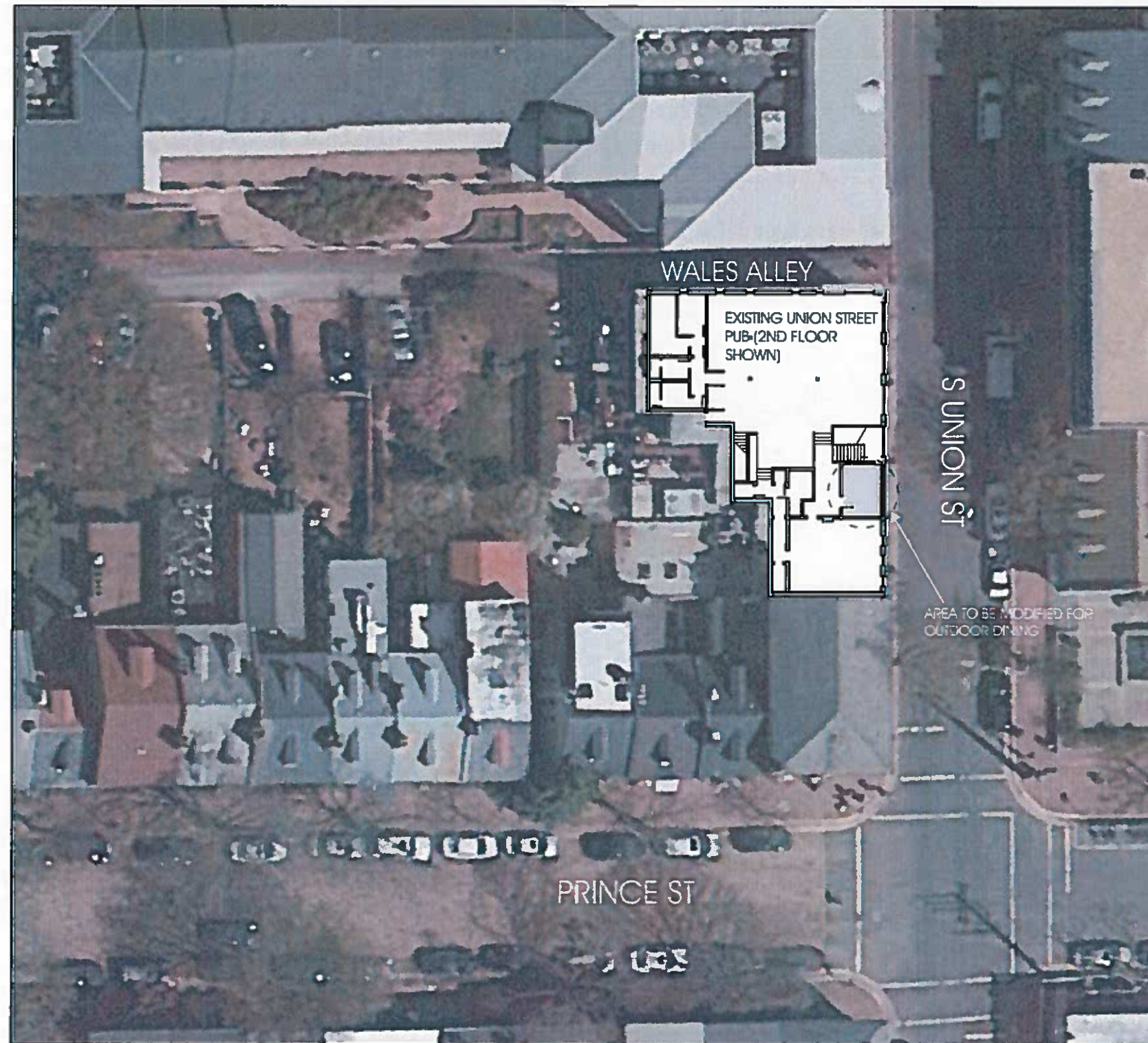
PHOTOGRAPH OF EXISTING CONDITIONS  
UNION STREET PUBLIC HOUSE

11.031

NOT TO SCALE

RUST | ORLING  
ARCHITECTURE





06.23.16

UNION STREET PUB BLOCK DIAGRAM  
UNION STREET PUBLIC HOUSE  
16.015

1/32"=1'-0"