



***Special Use Permit #2016-0050***  
***2 South Whiting Street – Alley Cat Restaurant***

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Application	General Data	
<b>Request:</b> Public hearing and consideration of an amendment to SUP#1058 for an expansion of operating hours.	<b>Planning Commission Hearing:</b>	September 8, 2016
	<b>City Council Hearing:</b>	September 17, 2016
<b>Address:</b> 2 South Whiting Street	<b>Zone:</b>	CRMU/M: Commercial Residential Mixed Use (Medium) Zone
<b>Applicant:</b> Abdelkader Elgarch	<b>Small Area Plan:</b>	Landmark/Van Dorn Small Area Plan

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

**Staff Reviewers:** Sara Brandt-Vorel, [Sara.brandtVorel@alexandriava.gov](mailto:Sara.brandtVorel@alexandriava.gov)

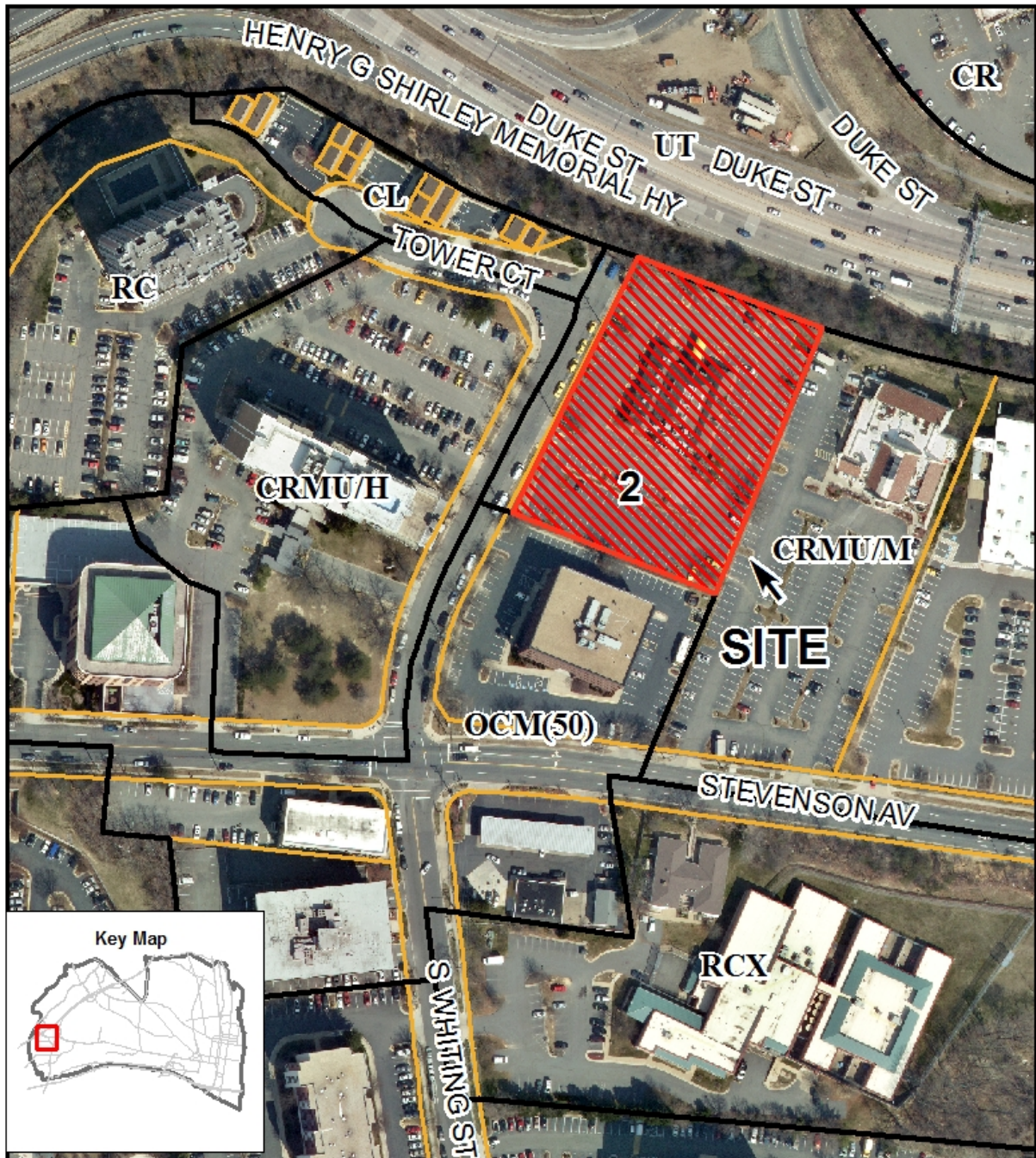
**PLANNING COMMISSION ACTION, SEPTEMBER 8, 2016:** On a motion made by Vice Chairman Macek and seconded by Commissioner Wasowski, the Planning Commission voted to recommend approval of Special Use Permit #2016-0050 subject to compliance with all applicable codes, ordinances, staff recommendations, and an amendment to Condition 31. The motion carried on a vote of 6-0, with Commissioner Lyle absent.

**Reason:** The Planning Commission agreed with staff analysis. In response to neighbor comments regarding noise and litter impacts, Chairwoman Lyman and Vice Chairman Macek supported an amendment to Condition 31, requiring a six month SUP review in addition to the standard one year review. Vice Chairman Macek backed the 2 a.m. closing hour as some restaurants in the area are open until that time, the restaurant is located away from residences, and the surrounding parking lot would act as a noise buffer. He believed that SUP conditions would mitigate potential impacts. Further, Vice Chairman Macek encouraged neighbors to report violations of SUP conditions through Call.Click.Connect, and staff would respond to the concerns. He suggested staff consider administrative SUP reviews for other restaurants that may have conditions for afternoon lapses in operation. Commissioner Brown acknowledged that the litter removal requirement in Condition 29 requires the applicant to pick up litter three times a day on the property and up to 75 feet beyond the property line.

Speakers:

Jan Davis, 6003 Tower Court, spoke in opposition to the application, citing that late night hours of operation would result in litter and noise.

Raj Patel, applicant's attorney, supported the request and stated that additional hours of operation would allow the applicant to achieve desired business revenues. He stated that SUP conditions related to noise and litter mitigation would resolve neighbor concerns.



**Special Use Permit #2016-0050**  
**2 South Whiting Street**





## I. DISCUSSION

### REQUEST

The applicant, Abdelkader Elgarch, requests an amendment to previous Special Use Permit #1058 to expand operating hours to allow the restaurant to remain continuously open between 11 a.m. and 2 a.m., daily.

### SITE DESCRIPTION

The subject site is a trapezoidal parcel located at 2 South Whiting Street with approximately 320 feet of frontage along S. Whiting Street and approximately 230 feet of frontage along the southern side of Duke Street, and a total parcel area of approximately 73,800 square feet.

The site is developed with a two story wooden structure of approximately 8,100 square feet and surrounded by a surface parking lot of 141 parking spaces, which is accessed from S. Whiting



*Figure 1: Exterior of Alley Cat restaurant, at 2 South Whiting Street, as seen from surface parking lot.*

Street. Commercial access to the building occurs through the main entrance of the building which faces Duke Street however, there is no direct access from Duke Street to the subject site.

The subject site is used entirely as a restaurant and surrounded by residential and commercial uses, all of which are situated in the middle of individual surface parking lots. Directly east of the subject site is Dunya Banquet Hall. A four-story office building is located directly to the south. Landmark Towers is located across S. Whiting Street to the west. Duke Street separates the subject site from uses to the north.

### BACKGROUND

A restaurant with live entertainment has operated at this location since 1977. The subject site was first approved under Site Plan SIT #76-011 by Planning Commission on May 6, 1976. City Council approved Special Use Permit, SUP #1058 on May 25, 1976 for a 376 seat restaurant with 94 parking spaces and proposed lunch hours of 11 a.m. – 2:30 p.m. and dinner hours of 5:30 p.m. to 12 a.m., midnight, daily with limited live entertainment. On October 27, 1976 a revised Site Plan, SIT #78-006 was approved to reconfigure the existing parking lot and add supplemental parking, increasing the number of parking spaces to 141 spaces. The first

restaurant on site became known as Rafters, due to the internal support rafters visible inside the restaurant. That restaurant offered lunch and dinner, on-premises alcohol service, and live entertainment for patrons. City Council denied SUP #1587 on September 17, 1983 for an arcade and an expansion of hours for the next restaurant operator, Bennigan's. By 2004, the Bennigan's restaurant had become Fanatico's restaurant, which offered dining, along with live entertainment and dancing. The current restaurant, known as Alley Cat restaurant was in operation by 2009 and offers dining, carry-out and limited live entertainment including performances by local bands, karaoke, trivia and dancing instruction for line dancing approximately 10 times a month. All live entertainment, however, is secondary to the restaurant's operations and ends by midnight. No cover charge is collected for live entertainment at the restaurant. In addition to live entertainment the applicant maintains several large televisions throughout the restaurant which are used to show sports events.

The restaurant received complaints in August 2013 and March 2014 for violations of the City's sign ordinance. In both instances the restaurant received tickets and the illegal signage was removed. More recently, in January 2016 the city received a complaint about smoking on the second floor. During an inspection city staff determined the restaurant was in violation of its hours of operation established in SUP #1058 by remaining open between 2:30 and 5 p.m. and after midnight. The applicant was informed they would need an amendment to Special Use Permit #1058 to pursue extended hours of operation. However, by April 2016 the applicant had failed to apply for an amendment and staff issued a ticket. The applicant subsequently submitted an SUP request in June 2016 to amend the restaurant's hours of operation.

#### PROPOSAL

The applicant, Abdelkader Elgarch, requests Special Use Permit approval to expand operating hours by four and one half hours each day to allow the restaurant to remain continuously open between 11 a.m. and 2 a.m., daily. All other restaurant operations would remain the same, and the applicant would continue operating a restaurant of 235 indoor seats with dine-in and carry-out options and limited live entertainment. The restaurant contains an upstairs room that is rented out for private events. Typical staffing may include up to eight individuals per shift. The applicant does not offer any delivery services.

Elements of the restaurant operations are:

Hours of Operation:      **Proposed Hours of Operation**  
**11 a.m. – 2 a.m., daily.**

Current Hours of Operation  
Lunch: 11 a.m. – 2:30 p.m., daily.  
Dinner: 5 p.m. – 12, Midnight, daily.

Number of Seats:      27 bar seats  
152 downstairs seats  
56 upstairs seats  
**235 total indoor seats.**

<u>Type of Service:</u>	Dine-in and carry-out only.
<u>Delivery:</u>	None.
<u>Live Entertainment:</u>	Live entertainment, such as small bands, karaoke, and a live D.J., are proposed to occur once a week. Live trivia is scheduled for once a week. Line dancing classes take place in the evenings once a month.
<u>Alcohol:</u>	On-premises sales of alcohol.
<u>Employees:</u>	Generally, up to eight employees at any one time.
<u>Noise:</u>	Some noise is expected from typical restaurant operations. Potential noise from live entertainment will be moderated and is not expected to be a concern as the restaurant is surrounded by surface parking lots.
<u>Odors:</u>	Minimal odors associated with cooking will be addressed through proper ventilation and hood systems.
<u>Trash/Litter:</u>	Five trash bags are expected each day. Dumpsters associated with the restaurant are emptied three times each week.

#### PARKING

Section 8-200(A)(8) requires restaurants to provide one off-street parking space for every four seats, therefore with 235 indoor seats the applicant would be required to provide 59 off-street parking spaces. As the restaurant is surrounded by a private surface parking lot with 141 spaces the applicant exceeds their parking requirement.

#### ZONING/MASTER PLAN DESIGNATION

The subject site is zoned CRMU(M)/Commercial Residential Mixed Use (Medium) which allows for a restaurant use through an administrative Special Use Permit. However, the applicant's request to operate after midnight, and to add over two hours of operation per day exceeds what is allowed through an administrative Minor Amendment under Section 11-513(L)(3) and requires the applicant to seek full-hearing Special Use Permit approval.

The Landmark/Van Dorn Small Area Plan designated the subject site CRMU-M/Commercial Residential Mixed Use (Medium) which allows the continued operation of a restaurant use. The more recently adopted amendment to the plan, the Van Dorn/Landmark Corridor Plan, envisions the subject site as a regional town center with mixed-use development including office, retail, and residential uses.

## II. STAFF ANALYSIS

Staff finds the applicant's request to extend the restaurant's hours of operation as reasonable. As many restaurants are typically open between 2:30 p.m. and 5 p.m. staff finds it appropriate for the applicant's restaurant to enact similar hours to grant the restaurant greater flexibility in their operations.

Staff also finds the applicant's requested closing hour of 2 a.m. to be reasonable for a restaurant use in this location. While late night hours vary in the general area, staff finds the restaurant's location away from other uses minimizes potential noise and activity impacts, and extending the hours of operation has a low likelihood of creating a negative impact. Physically, the restaurant is located in the middle of a surface parking lot and all adjacent uses are similarly surrounded by large surface parking lots, creating a sizable buffer between the applicant's site and other uses. In addition, the public entrance for the applicant's restaurant is oriented towards Duke Street, which faces away from adjacent uses. Therefore it is likely that most patron activity would occur on the far end of the parking lot, away from other uses. Staff also feels a restaurant with dining choices open until 2 a.m. would provide a dining opportunity for both residents and workers with late shifts. Staff developed Condition #12 to enable the applicant to remain open until 2 a.m., daily, allowing them the flexibility to adjust their restaurant hours to meet market demand. Nonetheless, staff has included additional conditions for the applicant's request to further minimize the potential impact of noise during later hours. Condition #13 requires that all live entertainment must end by 1 a.m. and Condition #14 prohibits the use of cover charges for events at the restaurant to ensure live entertainment is secondary to the primary nature of the use as a restaurant.

Staff has also added modern-day standard Special Use Permit conditions to this SUP report. Standard conditions include those regulating parking, littering, delivery vehicles, and the storage and disposal of trash. In addition to new conditions, staff deleted Conditions #1 - #6 regulating the specific landscaping requirements that were relevant to site development. The applicant is required, however, to maintain the existing landscaping in good condition, as stated in Condition #8, which has been added to replace Conditions #1 - #6. Staff carried forward Condition #7 which requires the applicant to replace plant for plant all plant material which dies.

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. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 8:**  
~~Eliminate all Dogwood trees in all areas where there is enough room to place a 2 1/2" - 3" caliper deciduous tree, use Zelkova serrata, Japanese Zelkova or similar in place of Dogwood trees. (SUP #1058)~~

2. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 8:** ~~Use one type of Dogwood, i.e., use Kornus florida rubra and eliminate Kornus Kousa. (SUP #1058)~~
3. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 8:** ~~Use 2"—3" of mulch in all planted areas. (SUP #1058)~~
4. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 8:** ~~Use ground cover material such as Ivy and Vinca in all other earthen areas not covered by shrubs around entire perimeter of site. (SUP #1058)~~
5. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 8:** ~~All plants except the ground cover will be balled and burlapped. (SUP #1058)~~
6. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 8:** ~~All Zelkova trees to be of hardy stock and true to natural habitat. (SUP #1058)~~
7. That the owner replace plant for plant, (at a reasonable size) all plant material which for any reason dies and replace the plant material within two weeks of removal of the dead plants. (SUP #1058)
8. **CONDITION ADDED BY STAFF:** All landscaping shall be maintained in good condition. (P&Z)
9. **CONDITION ADDED BY STAFF:** 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)
10. **CONDITION ADDED BY STAFF:** The maximum number of indoor seats shall be 235. (P&Z)
11. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance to the business. (P&Z)
12. **CONDITION ADDED BY STAFF:** The hours of operation shall be limited to between 11 a.m. and 2 a.m., daily. Meals and drinks ordered before 2 a.m., may be served, but no new patrons may be admitted and no alcoholic beverages may be served after 2 a.m. All patrons must leave by 3 a.m., daily. (P&Z)
13. **CONDITION ADDED BY STAFF:** Live entertainment is permitted between 11 a.m. and 1 a.m., daily. (P&Z) (T&ES)
14. **CONDITION ADDED BY STAFF:** No admission or cover fee shall be charged for live entertainment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment to the principal function of the restaurant as an eating establishment by featuring the food service as well as the entertainment. (P&Z)



15. **CONDITION ADDED BY STAFF:** No delivery of food to customers may operate from the restaurant. (P&Z)
16. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent the underage sales of alcohol. (P&Z)
17. **CONDITION ADDED BY STAFF:** No food, beverages, or other materials shall be stored outside. (P&Z)
18. **CONDITION ADDED BY STAFF:** On-premises alcohol sales may be permitted at the restaurant. (P&Z)
19. **CONDITION ADDED BY STAFF:** 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 the 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)
20. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)
21. **CONDITION ADDED BY STAFF:** 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)
22. **CONDITION ADDED BY STAFF:** 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)
23. **CONDITION ADDED BY STAFF:** No outdoor dining is permitted. (T&ES)
24. **CONDITION ADDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
25. **CONDITION ADDED BY STAFF:** 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)

26. **CONDITION ADDED BY STAFF:** 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)
27. **CONDITION ADDED BY STAFF:** 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)
28. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11 p.m. and 7 a.m. (T&ES)
29. **CONDITION ADDED BY STAFF:** 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)
30. **CONDITION ADDED BY STAFF:** 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)
31. **CONDITION ADDED BY STAFF AND AMENDED BY PLANNING COMMISSION:** The Director of Planning and Zoning shall review the special use permit after it has been operational for six months and 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) (PC)

**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:

- F-1 The restaurant is within 150 feet from residential buildings, and potentially could result in noise issues associated with loud music. (T&ES)
- R-1 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-2 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-3 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-4 No outdoor dining is permitted. (T&ES)
- R-5 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-6 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-7 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
- R-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. (T&ES)
- R-9 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES)
- R-10 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

- R-11 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 the 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-12 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)
- 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:

No comments or concerns.

Code Enforcement:

No comments or concerns.

Health Department:

No comments.

Recreation, Parks and Cultural Activities:

No comments received.

Police Department:

No comments or concerns.



## APPLICATION SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** 2016-0050

**PROPERTY LOCATION:** 2 S Whiting Street, Alexandria, Virginia 22304

**TAX MAP REFERENCE:** 047.03-04-18

**ZONE:** CRMU/M

**APPLICANT:**

Name: Abdelkader Elgarch

Address: 2 S Whiting Street, Alexandria, VA 22304

**PROPOSED USE:** Alley Cat Restaurant

☒ **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.

George R.A. Doumar

Print Name of Applicant or Agent

2000 N 14th Street, Ste. 210

Mailing/Street Address

Arlington, VA

City and State

22201

Zip Code

[Signature]  
Signature

703-243-3737

Telephone #

703-524-7610

Fax #

gdoumar@doumarmartin.com

Email address

6/28/16  
Date

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

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



**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 2 S Whiting Street, Alexandria, VA 22304, I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the Alley Cat Restaurant use as  
 (use)  
 described in this application.

Name: 2 South Whiting Street, LLCPhone: 703-212-2009Please Print  
Address: 1818 New York Ave NE, Ste 219, Washington, DC 20002Email: MARK.STOFKOWSKI@briar.netSignature: Date: 6/29/16

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.

Applicant:

Alley Cat, LLC

Abdelkader Elgarch, 6345 8th St, Alexandria, VA 22312 (80% owner)

Khalid Moutawakkil, 535 St. Jude's Drive, Longboat Key, Virginia 34228 (20% owner)

Owner:

2 South Whiting Street, LLC

The Choi Companies, LLC (100% owner)

Sang K. Choi, 1540 Wellingham Court, Vienna, VA 22182 (100% owner)

REVISED

SUP2016-0050  
2 S. Whiting Street  
Application Materials  
7/11/2016

If property owner or applicant is being represented by an authorized agent such as 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.)

Alley Cat ("the Restaurant") is a restaurant serving food and alcoholic beverages, located at 2 S Whiting Street, Alexandria, Virginia 22304. The Restaurant currently operates under Special Use Permit #1058, which specifies 12:00am as the Restaurant's closing time. The Restaurant is requesting that a new Special Use Permit be granted to allow the Restaurant to operate until 2:00am, 7 days per week.

Thus, the Restaurant is requesting a new Special Use Permit to allow it to operate from 11:00am until 2:00am, 7 days per week.

Music events will be held from time to time,  
and will likely feature local bands

7/26/16

The restaurant will have approximately <sup>152</sup>~~95~~ seats.  
27 of which are at the bar.

There will be no changes to the existing ABC  
license under which the restaurant currently  
operates.

7/26/16 Live music every Saturday, no later than  
midnight  
\* live dancing sometimes hosted to promote community engagement.

Trivia every Tuesday night from 7-9pm  
on occasion, Karaoke and DJ, but follows same  
hours as live music events

Up to 2 times per month, live music may be hosted  
on days other than Saturday.

\* no cover charge for special events.

→

# REVISED

7/26/16

Upstairs space with 56 seats. Rented out for special events.

## 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).

Monday-Thursday: 75-100/day  
Friday-Sunday: 150-200/day

- B. How many employees, staff and other personnel do you expect?  
Specify time period (i.e., day, hour, or shift).

Approximately 22/day, approximately 6-8/shift

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

**Day:**  
**Weekday:** Monday-Friday

Hours:  
11:00 AM - 2:00 AM

**Weekend: Saturday-Sunday**

11:00 AM - 2:00 AM

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Age Group	Total	Male	Female	Male	Female
18-24	15.2%	14.1%	16.3%	14.1%	16.3%
25-34	22.1%	21.3%	22.9%	21.3%	22.9%
35-44	28.3%	27.5%	29.1%	27.5%	29.1%
45-54	21.5%	20.8%	22.2%	20.8%	22.2%
55-64	10.8%	10.2%	11.4%	10.2%	11.4%
65+	1.8%	1.6%	2.0%	1.6%	2.0%

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

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.
- All operations from the use will be located inside the Restaurant. The Restaurant is not located in close proximity to any residential areas, so any noise from patrons and/or events will not disturb residential locations.

- B. How will the noise be controlled?**
- All events and operations will take place inside the Restaurant.

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

The only odors expected from the proposed use would be those produced from cooking food. The Restaurant has operated under its current SUP without complaints of odors. The proposed use will not increase or otherwise impact the amount or odors currently emanating from The Restaurant.

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)

Discarded food, food packaging, paper products, restroom waste.

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

4-5 bags per day

- C. How often will trash be collected?

Trash is collected 3x per week; recycling is collected 1x per week. *There are 2 dumpsters for trash disposal. There are recycling collection bins at the end of S. Whiting St.*

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

An outdoor waste bin will be placed by each point of ingress or egress, and an employee will be responsible for outside litter cleanup 1-2 times per day.

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:

N/A



- 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:

N/A

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

Alley Cat is a family restaurant. It has not had any issues relating to crime or other delinquent/destructive forms of behavior. The restaurant is frequented by local police and firefighters as a well-known, community-oriented establishment

## 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 Restaurant currently holds a valid ABC license (license no. 59378). License No. 59378 permits the Restaurant to serve wine, beer, and mixed beverages on-premises. ABC sales will remain the same as under the current SUP.

**PARKING AND ACCESS REQUIREMENTS**

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

91 Standard spaces  
37 Compact spaces  
8 Handicapped accessible spaces.  
0 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?

N/A

**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 (approx 60'x20')

**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?**

There is a loading space measuring approximately 60 ft by 20 ft at the rear of the restaurant

**C. During what hours of the day do you expect loading/unloading operations to occur?**

The delivery schedule will not be changed. Loading/unloading operations generally occur between 11am and 3pm. The total duration of loading/unloading operations on any given day is approximately 30 minutes.

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

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?**

Street access is adequate. The Restaurant is located at the end of S Whiting St.

**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?**

8106 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 8106 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**

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SUP2016-0050  
2 S. Whiting Street  
Application Materials  
7/11/2016

SUP # \_\_\_\_\_

Admin Use Permit # \_\_\_\_\_



## SUPPLEMENTAL APPLICATION

### RESTAURANT

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

7/26/16

How many seats are proposed?

Indoors: ~~105~~ 179 (downstairs) Outdoors: 0

Total number proposed: ~~105~~ 179 235

56 (upstairs)

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:

Lunch and dinner appetizers and entrees (hot and cold), salads, soups

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? N/A

Will delivery drivers use their own vehicles? ☐ Yes ☐ No

Where will delivery vehicles be parked when not in use?

N/A

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

☒ Yes ☐ No

If yes, please describe:

The Restaurant will include televisions for the primary purpose of showing sports events. The Restaurant will also host events, such as live music, from time to time.

Other miscellaneous events may be planned as opportunities arise.

**Parking impacts.** Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
  - ☒ 100%
  - ☐ 75-99%
  - ☐ 50-74%
  - ☐ 1-49%
  - ☐ No parking can be accommodated off-street
  
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
  - ☒ All
  - ☐ 75-99%
  - ☐ 50-74%
  - ☐ 1-49%
  - ☐ None
  
3. What is the estimated peak evening impact upon neighborhoods? (check one)
  - ☒ No parking impact predicted
  - ☐ Less than 20 additional cars in neighborhood
  - ☐ 20-40 additional cars
  - ☐ More than 40 additional cars

**Litter plan.** The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

**Alcohol Consumption and Late Night Hours.** Please fill in the following information.

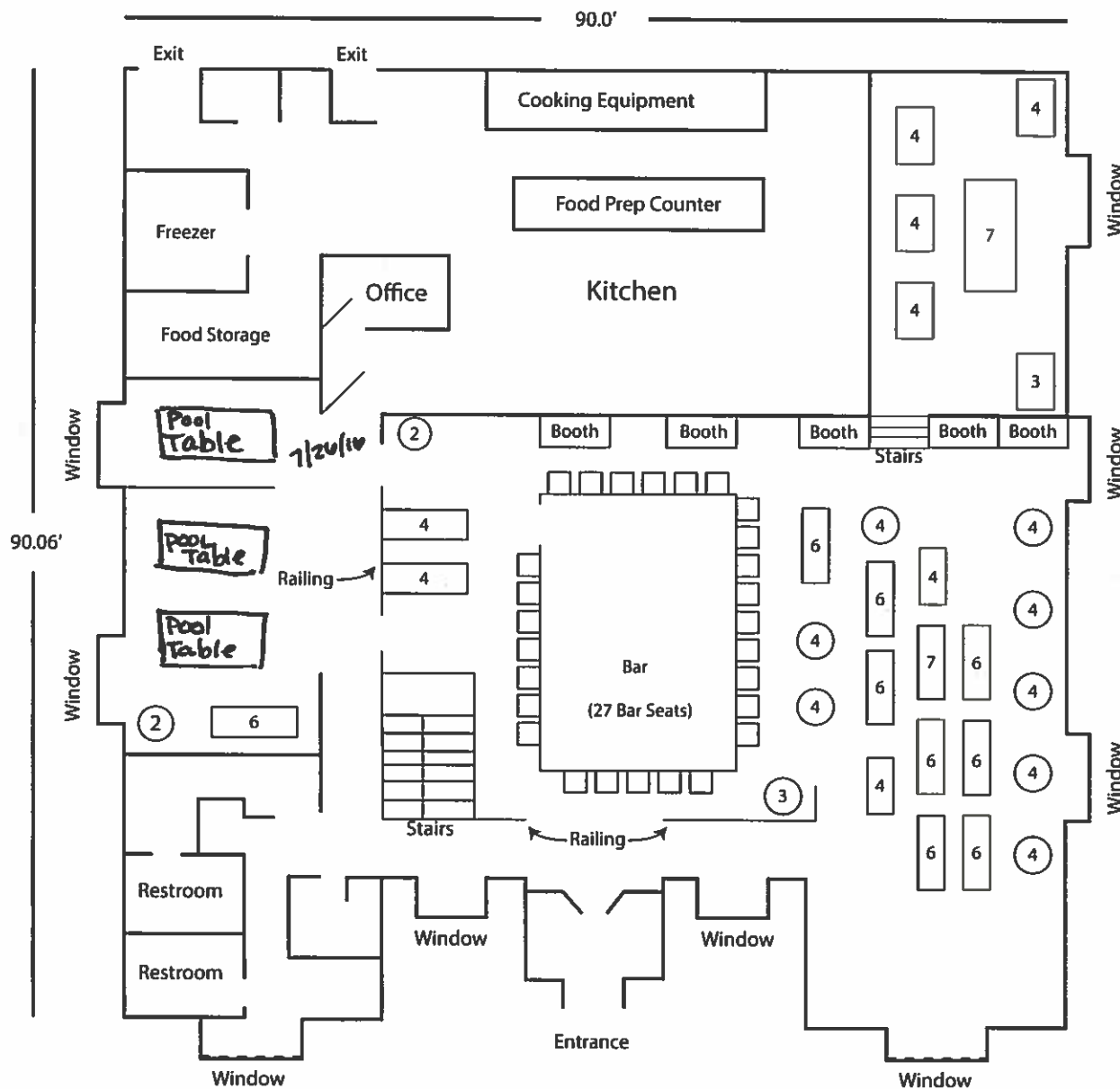
1. Maximum number of patrons shall be determined by adding the following:
 

168	Maximum number of patron dining seats
+	27 Maximum number of patron bar seats
+	30 Maximum number of standing patrons
=	225 Maximum number of patrons
  
2. 8 Maximum number of employees by hour at any one time
  
3. Hours of operation. Closing time means when the restaurant is empty of patrons.(check one)
  - ☐ Closing by 8:00 PM
  - ☐ Closing after 8:00 PM but by 10:00 PM
  - ☐ Closing after 10:00 PM but by Midnight
  - ☒ Closing after Midnight
  
4. Alcohol Consumption (check one)
  - ☐ High ratio of alcohol to food
  - ☒ Balance between alcohol and food
  - ☐ Low ratio of alcohol to food



## Site Map

# REVISED



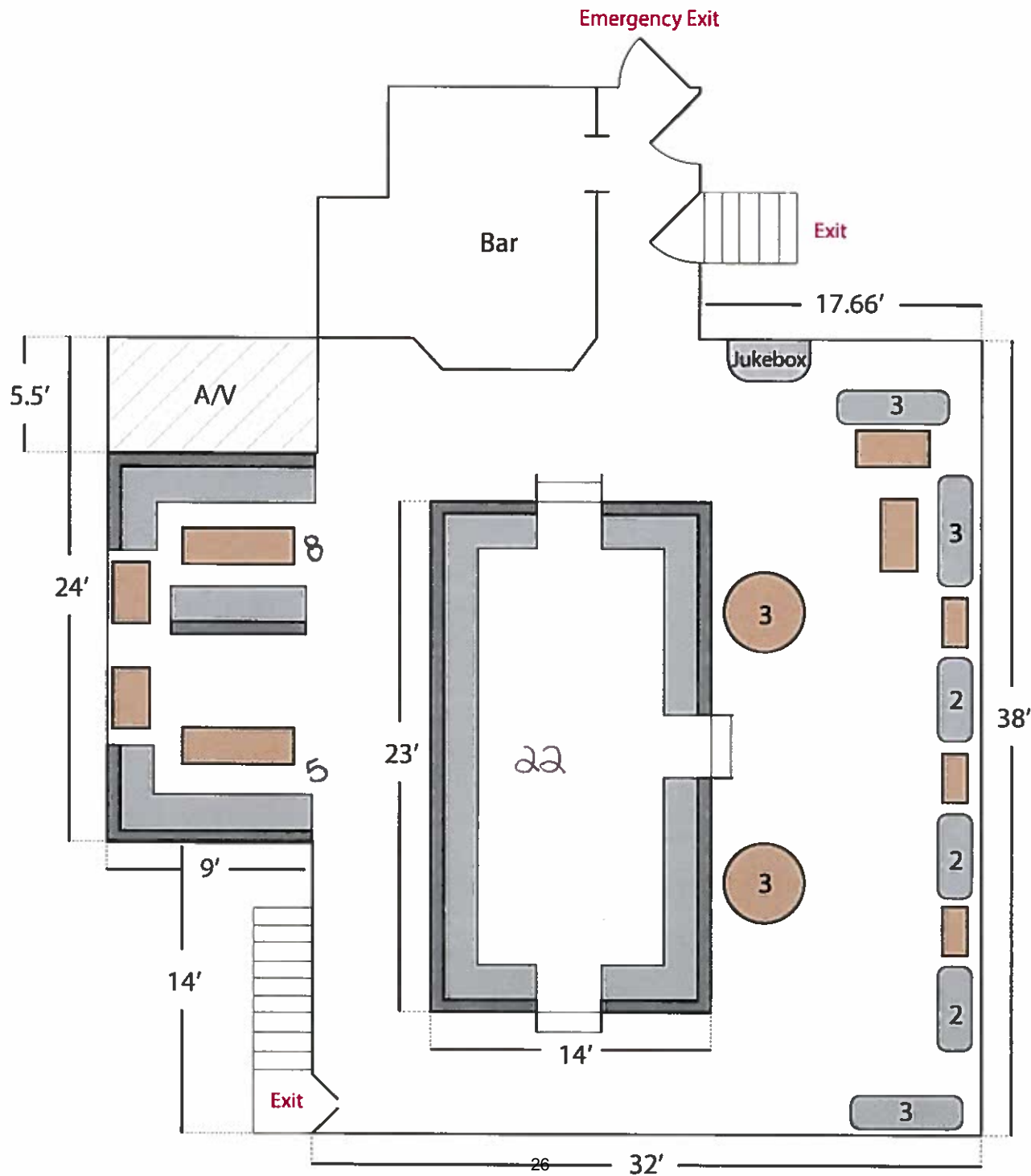
## Interior Floor Plan

### Property Info

Business:	Alley Cat Restaurant
Address:	2 S Whiting Street Alexandria, Virginia 22304
Applicant:	Abdelkader Elgarch
Dimensions:	Approx. 90.0' x 90.06'
Total Space:	Approx. 8,106 sq. ft.

SUP2016-0050  
2 S. Whiting Street  
Application Materials  
7/11/2016

Floor Plan  
2nd Floor



56 total seats

REVISED