



Special Use Permit #2016-0099
111 North Pitt Street – BurgerFi

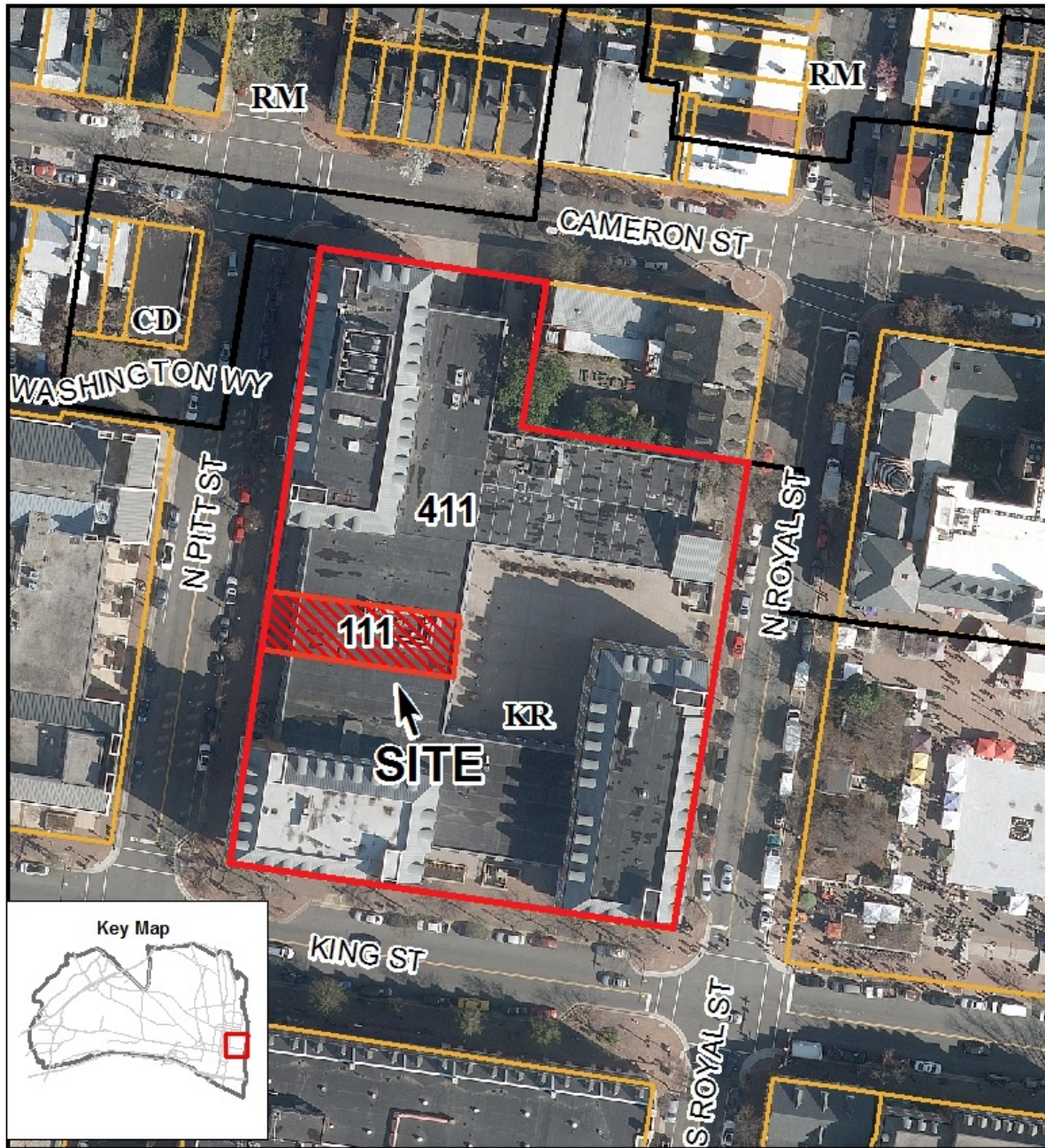
Application	General Data	
Request: Public hearing and consideration of an amendment to SUP#2015-0067 to permit off-premises alcohol sales.	Planning Commission Hearing:	February 7, 2017
	City Council Hearing:	February 25, 2017
Address: 111 N. Pitt Street (Parcel Address: 411 King Street)	Zone:	KR/King Street Retail
Applicant: David Landry	Small Area Plan:	Old Town

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

PLANNING COMMISSION ACTION, FEBRUARY 7, 2017: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.



Special Use Permit #2016-0099
111 North Pitt Street (parcel address: 411 King Street)



I. DISCUSSION

REQUEST

The applicant, David Landry, requests an amendment to previous Special Use Permit #2015-0067 to permit the sale off-premises beer and wine from an existing restaurant, known as BurgerFi, located at 111 North Pitt Street.

SITE DESCRIPTION

The subject site is a tenant space along the western side of the commercial complex known as Tavern Square. The complex is located on one lot of record which covers almost an entire city block with approximately 255 feet of frontage along King Street, approximately 345 feet of frontage along North Pitt Street, approximately 130 feet of frontage along Cameron Street and approximately 270 feet of frontage along North Royal Street for an approximate parcel area of 79,700 square feet. The north east corner of the same city block contains the historic Gadsby's Tavern complex.



The subject site, Tavern Square, is developed with a five-story mixed-use building with ground floor retail and personal service uses with upper floor office use. The building design contains an internal courtyard and an underground public parking garage with 326 parking spaces accessed from Cameron Street. Ground floor commercial uses include a bank, two clothing stores, and commercial office. The City of Alexandria uses upper floors for office space.

Surrounding uses include City Hall, Market Square, and the Market Square parking garage to the east, the Alexandrian Hotel and Jackson 20 restaurant are located to the south, a CVS pharmacy and florist are located to the west, and a mix of residential townhomes, a dry cleaner, small office building and a restaurant are located to the north.

BACKGROUND

The subject building was approved under Site Plan #65-035-1 as part of the City's urban renewal redevelopment program and constructed in 1965. The subject tenant space was first approved for a restaurant use by City Council in September 1999 through SUP #99-0081 for the restaurant known as Pat Troy's Restaurant and Pub which allowed up to 206 seats and live entertainment. Staff administratively approved a change of ownership through SUP #2012-0044 in October 2012 for the restaurant which was renamed Ireland's Own. The current restaurant, known as BurgerFi was approved by City Council in September 2015 through SUP #2015-0067 for a

counter-service restaurant with up to 184 seats and on-premises alcohol sales. Staff conducted an inspection in January 2016 and determined the applicant was missing information on the publication of alternative forms of transportation to the restaurant, required per Condition #21 of their current SUP. The applicant updated their online presence and was found to be in compliance with all terms and conditions of their SUP in a follow-up inspection.

PROPOSAL

The applicant, David Landry, requests Special Use Permit approval for off-premises alcohol sales to include the sale of beer and wine. The applicant would primarily sell beer in the form of growlers, although four packs, six packs and bottles of wine may be considered in the future. All other restaurant operations would remain the same, and the applicant proposes to continue operating a franchised location of BurgerFi, a restaurant specializing in custom-made burgers, hot-dogs, sides, milk-shakes, local craft beers and wine. The applicant would maintain the restaurant's 184 seats, with 118 located indoors and 66 located outdoors with a counter-service restaurant model that offers dine-in and carry out options. Typical staffing would include up to 15 employees per shift. The applicant does not propose any delivery service or live entertainment.

Elements of the restaurant operations are:

Hours of Operation: 11 a.m. – 12, Midnight, Sunday - Thursday
11 a.m. – 1 a.m., Friday - Saturday

Number of Seats: 118 indoor seats
66 outdoor seats (46 courtyard seats and 20 seats at restaurant entrance on North Pitt Street)
184 total seats

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

Delivery: None.

Live Entertainment: No live entertainment proposed.

Alcohol: On- and off-premises sales of alcohol, to include beer and wine.

Employees: Generally, up to 15 employees at any one time.

Noise: Some noise is expected from typical restaurant operations.

Odors: Minimal odors associated with cooking will be addressed through proper ventilation and hood systems.

Trash/Litter: Up to 15 trash bags are expected each day. Dumpsters associated with

the restaurant are emptied four times each week. The restaurant manager is tasked with hourly monitoring of the restaurant and outdoor areas to remove any litter.

PARKING

The restaurant is located within the Central Business District (CBD) and Section 8-300(B) of the Zoning Ordinance waives the parking requirement for restaurants within the CBD. As such, the applicant meets their parking requirement. However, restaurant patrons have access to the public parking located underneath the restaurant in the Tavern Square parking garage.

ZONING/MASTER PLAN DESIGNATION

The subject site is zoned KR/King Street Retail Zone and Section 6-702(c) of the Zoning Ordinance permits a restaurant through an administrative Special Use Permit as long as the restaurant complies with all the administrative restaurant conditions of Section 11-513(L) of the Zoning Ordinance. However, the applicant's request for off-premises alcohol sales cannot be granted through an administrative Special Use Permit per Section 11-513(L)(8) of Zoning Ordinance and therefore the applicant is required to seek full-hearing Special Use Permit approval.

The Old Town Small Area Plan designates the subject site for commercial uses and the continued use as a restaurant is consistent with the goals of the small area plan. The request was also assessed per the Old Town Restaurant Policy under the Staff Analysis section. The subject site is also located within the boundaries of the Old and Historic District and as such, any exterior renovations or changes, including construction, signage, and awnings may require separate review and approval by the Board of Architectural Review.

II. STAFF ANALYSIS

Staff supports the applicant's request to allow off-premises alcohol sales at the existing restaurant. As the applicant offers local craft beers and wine for on-premises consumption, the addition of off-premises sales will allow restaurant customers to purchase beer and wine they may have tried with their meal and enjoyed. In addition, the applicant's rotating selection of local craft beers offers a diverse and fluid beer selection and off-premises sales will enable customers to purchase these unique beers which may be difficult to find in other nearby stores and restaurants.

Furthermore, the applicant's request for off-premises alcohol sales is similar to recent requests of other City restaurants which offer off-premises alcohol sales to augment in-store sales. Citywide, recent restaurant requests for off-premises alcohol sales have been approved, and within the Old Town neighborhood, restaurants including Vola's Dockside Grill, Sonoma Cellar, Grape and Bean, and La Bergerie were previously approved for off-premises alcohol sales.

In addition, staff has evaluated the applicant's off-premises alcohol request in the context of the King Street Restaurant Policy and finds the restaurant would continue to comply with policy goals and would not create negative impacts.

Mix of Uses:

The request does not impact the mix of uses along King Street as the existing restaurant would continue to operate.

Parking:

As the applicant is not requesting additional seats, staff does not find that a request for off-premises alcohol sales would impact the existing parking demand generated by the restaurant. The applicant's restaurant is well served by public transportation, including the King Street Trolley, the DASH bus, Metrorail buses, and is located within a few blocks of several Capital Bikeshare Stations which provide alternative forms of transportation for customers to reach the restaurant. Additionally, restaurant patrons have access to the public Tavern Square parking garage located underneath the Tavern Square building. Staff has carried forward previous transportation conditions to continue mitigating potential parking impacts including Condition #18 requiring the applicant to provide information on nearby parking garages; Condition #19 requiring employees to park off-street; and Condition #21 to require the applicant to post information on alternative forms of transportation to the restaurant.

Litter:

The applicant has an established restaurant with a track record of maintaining a litter free environment around the restaurant and an on-site manager conducts an hourly survey of the restaurant and exterior to remove any litter. In addition, staff finds that the off-premises alcohol sales, focused on growlers and craft beers would be purchased for home consumption and the contents could not be consumed outdoors without violating existing open container laws. Nonetheless, staff has carried forward standard conditions regulating trash and litter removal by the restaurant such as Condition #7 which requires the outdoor dining area to be cleaned after every day it is in use; Condition #12 requiring all waste be securely stored; and Condition #22 which requires the applicant to monitor and remove all litter within 75 feet of their establishment.

Alcohol & Late Hours:

The applicant is proposing to maintain the previously approved hours and staff does not expect any impact on the neighborhood due to the applicant's request for off-premises alcohol sales. While the applicant is requesting off-premises alcohol sales, the applicant indicated the potential off-premises sales will remain a small percentage of total sales at the restaurant, which will primarily remain a dine-in and carry-out restaurant. As such, staff does not expect negative impacts from the sales of off-premises alcohol. Conditions regulating the off-premises sale of alcohol have been modified in Condition #9 which permits the sale of beer in the form of four-packs, six-packs and growlers and the sale of wine by the bottle. Staff also carried forward Condition #10 to ensure that restaurant staff are properly trained to prevent the sale of alcohol to underage individuals.

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) (SUP #2015-0067)
2. The indoor and outdoor hours of operation shall be limited to between 11 a.m. and 12 midnight, Sunday through Thursday and between 11 a.m. and 1 a.m., Friday and Saturday. Meals ordered before 12 midnight, Sunday through Thursday and before 1 a.m., Friday and Saturday may be served, but no new patrons may be admitted, no new alcohol may be served, and all patrons must leave by 1 a.m., Sunday through Thursday and by 2 a.m., Friday and Saturday. (P&Z) (SUP #2015-0067)
3. The maximum number of indoor seats shall be 118. The maximum number of outdoor seats in front of the restaurant shall be 20 and in the rear courtyard shall be 46. (P&Z) (SUP #2015-0067)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP #2015-0067)
5. No delivery of food to customers may operate from the restaurant. (P&Z) (SUP #2015-0067)
6. The design of the outdoor dining areas and all its components must comply with the King Street Outdoor Dining guidelines. Any outdoor seating areas, including umbrellas, shall not include advertising signage. The applicant shall submit illustrations and specifications to the Director of Planning & Zoning for review and approval. (P&Z) (SUP #2015-0067)
7. The outdoor dining area shall be cleaned and washed at the close of each business day that it is in use. (P&Z) (SUP #2015-0067)
8. Live entertainment is not permitted. (P&Z) (SUP #2015-0067)
9. **CONDITION AMENDED BY STAFF:** On-premises alcohol service shall be permitted, consistent with a valid Virginia ABC license. ~~Off-premises alcohol sales are not permitted.~~ Off-premises alcohol sales may be permitted at the restaurant. Beer may be sold only in 4-packs, 6-packs, or growlers. Wine may be sold in bottles of at least 375 ml. Fortified wines (or wine with an alcohol content of 16.5% or more by volume) may not be sold unless in the form of dessert wines, premium ports, sherries, madeiras, and similar wines. (P&Z) (SUP #2015-0067)
10. 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 underage sales of alcohol. (P&Z) (SUP #2015-0067)
11. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2015-0067)
 12. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be stored inside or placed in sealed containers that which do not allow odors to escape, invasion by animals, or leaking. and shall be stored inside or in closed containers which do not allow invasion by animals. No trash and 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) (~~SUP #2015-0067~~)
 13. 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) (SUP #2015-0067)
 14. 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) (SUP #2015-0067)
 15. 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) (SUP #2015-0067)
 16. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2015-0067)
 17. **CONDITION AMEDNED BY STAFF:** The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (~~SUP #2015-0067~~)
 18. 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) (SUP #2015-0067)
 19. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2015-0067)
 20. **CONDITION AMENDED 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 Transportation Planning Division Go Alex at 703-746-4686~~ goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES) (~~SUP #2015-0067~~)

21. **CONDITION AMENDED 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 ~~703-746-4686~~ or www.alexandriava.gov/LocalMotion Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES) (~~SUP #2015-0067~~)
22. 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) (~~SUP #2015-0067~~)
23. **CONDITION AMENDED BY STAFF:** 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) (~~SUP #2015-0067~~)
24. **CONDITION ADDED BY STAFF:** All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)
25. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
26. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
27. **CONDITION ADDED BY STAFF:** If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)

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

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:

Previous Conditions:

12. **AMENDED BY STAFF:** Trash and garbage shall be stored inside or placed in sealed containers that which do not allow odors to escape, invasion by animals, or leaking. ~~and shall be stored inside or in closed containers which do not allow invasion by animals.~~ No trash ~~and~~ 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 P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
13. 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) (SUP#2015-00067)
14. 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) (SUP#2015-00067)
15. 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)(SUP#2015-00067)
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22. 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)(SUP#2015-00067)

New Conditions

- R-1 **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-3 **CONDITION ADDED BY STAFF:** If used cooking oil is stored outside, the lid of the used cooking oil drum shall be kept securely closed (using a bung) when not receiving used oil. The drum shall be placed on secondary containment and situated under cover to prevent rainwater from falling on it. (T&ES)

City Code Requirements:

- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES) (SUP#2015-00067)
- 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) (SUP#2015-00067)
- C-3 **ADDED BY STAFF:** 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)

Fire Department:

F-1 No comments or concerns for off-site alcohol sales.

Code Enforcement:

F-1 No code comment for the request to add off-premises alcohol sales.

Health Department:

F-1 No comments or concerns in regards to off-premises alcohol sales.

Recreation, Parks and Cultural Activities:

No comments received.

Police Department:

No comments received.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2016-0099

PROPERTY LOCATION: 111 N. PITT ST

TAX MAP REFERENCE: 074.02-05-01 ZONE: KR

APPLICANT:
Name: DAVID LANDRY

Address: 9076 ACADIA PARK DR., BRISTOW, VA 20136

PROPOSED USE: Change To Allow Sale of Beer off Premises

☒ **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.

David J. Landry
Print Name of Applicant or Agent

9076 ACADIA PARK DR.
Mailing/Street Address

BRISTOW, VA 20136
City and State Zip Code

[Signature] 11/22/16
Signature Date

703-844-8316
Telephone # Fax #

DAVID7@AOL.COM
Email address

ACTION-PLANNING COMMISSION: _____ DATE: _____

ACTION-CITY COUNCIL: _____ DATE: _____

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. <u>DAVID LANDRY</u>	<u>9076 ACADIA PARK DR</u> <u>BAKESVILLE, VA 20136</u>	<u>100%</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 _____ (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. <u>TAVERN SQUARE, LLC</u>	<u>30 WALL ST. SUITE</u> <u>1100 NY, NY 10005</u>	<u>100%</u>
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. <u>DAVID LANDRY</u>	<u>NONE</u>	
2. <u>TAVERN SQUARE, LLC</u>	<u>NONE</u>	
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.

11/27/2016 DAVID LANDRY
Date Printed Name

[Signature]
Signature

PROPERTY OWNER'S AUTHORIZATION

As the property owner of Tavern Square, LLC, I hereby
 (Property Address) Sale of beer and wine
 grant the applicant authorization to apply for the for off premises consumption use as
 (use)
 described in this application.

Name: Jay B. Fischhoff Phone: 212-269-4888
 Please Print
 Address: 30 Wall St, Suite 1100, NY NY 10005 Email: JBFA@Pyneco.com
 Signature: [Signature] Date: 11/22/16

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 three percent.

Applicant - David Landry - 100%

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.)

REQUESTING A CHANGE TO ALLOW SALE OF
BEER AND WINE FOR OFF PREMISES
CONSUMPTION. VA ABC LICENSE (CURRENT)
ALLOWS ON AND OFF PREMISES SALES.
CROWLERS / BOTTLES

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).

Approx 400 Avg. Patrons Per Day

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

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

Max 15 employees in a peak hour

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

Day: SUN-THURS

Hours:

11:00 AM - MID

FRI-SAT

11:00 AM - 1 AM

THE ABOVE IS MAXIMUM HOURS - COULD ADJUST
TO CLOSING EARLIER AS BUSINESS CONVENIENT

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

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

NOISE WILL BE MINIMAL - BACKGROUND
MUSIC IS INTERIOR ONLY

B. How will the noise be controlled?

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

Food Cooking odors vent to roof and
DISSSIPATE.

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)

PAPER - Food Wrappers

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

10-15 bags per day

- C. How often will trash be collected?

3-4 x p. week

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

MANAGER REQUIRED TO WALK PROPERTY Hourly
WASTE AND RECYCLE CONTAINERS PROVIDED INSIDE AND
OUTSIDE NEAR DINING AREAS

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:

Typical Cleaning Liquids, Soaps and Solvents
(Drain safe). Containers disposed of per
Label Directions

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

Exterior premises and walkways will be
kept free of trash, debris, snow and ice, etc
Employees required to wear non-slip shoes, hats

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.

currently serve on-premises beer and wine.
Propose change to allow sale of beer off-
premises for home consumption. Current
ABC license is on and off.

PARKING AND ACCESS REQUIREMENTS

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

0 Standard spaces
0 Compact spaces
0 Handicapped accessible spaces.
0 Other.

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?

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? _____

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? _____

- C. During what hours of the day do you expect loading/unloading operations to occur?
8 AM - 11 AM
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
4-5 days p. week on Avg.

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?

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?

4000. sq. ft. (existing) + _____ sq. ft. (addition if any) = 4000. 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



SUPPLEMENTAL APPLICATION

RESTAURANT

SUP # _____

Admin Use Permit # _____

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

- How many seats are proposed?
Indoors: 118 Outdoors: 66 Total number proposed: 184
- 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
- Please describe the type of food that will be served:
BOURGERS, FRIES, ONION RINGS, HOT DOGS,
FROZEN CUSTARD, SOFT DRINKS, BEER, WINE.
- The restaurant will offer the following service (check items that apply):
☒ table service _____ bar ☒ carry-out _____ delivery
ORDER AT COUNTER, PICK-UP WHEN READY, TAKE TO TABLE
- 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?

- Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
☒ Yes _____ No
If yes, please describe:
3 FLAT Screen TV's (NO VOLUME)

Parking impacts. Please answer the following:*U/A Per Ann Honowitz*

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

REVISED

SUP2016-0099

Application Materials

1/4/2017

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.

Several containers provided inside AND on patio - Manager walk every 30 minutes. Trash pickup 3x per week.

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

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

184 Maximum number of patron dining seats
 + _____ Maximum number of patron bar seats
 + _____ Maximum number of standing patrons
 = _____ Maximum number of patrons

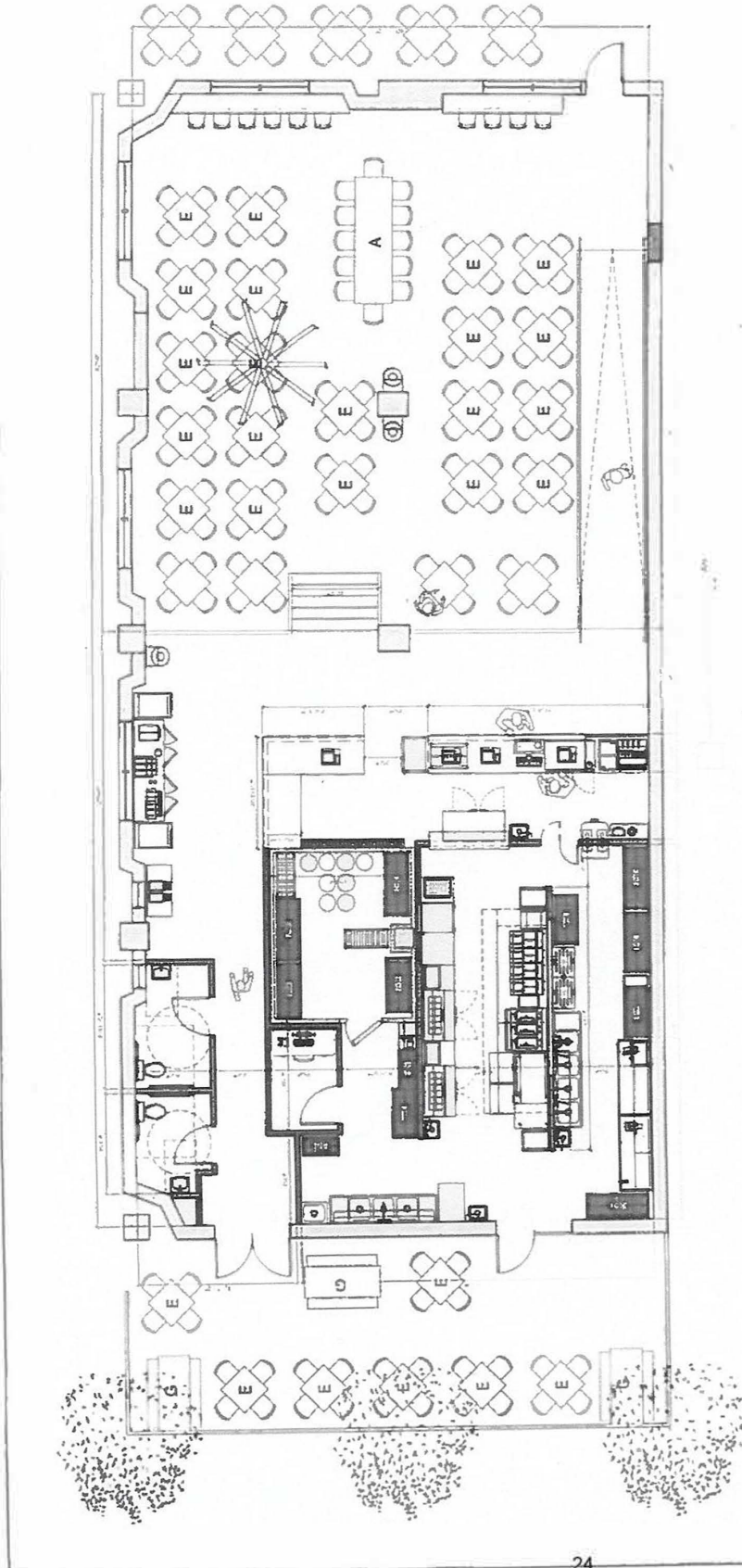
2. _____ Maximum number of employees by hour at any one time

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 *SUN - THURS*
☒ Closing after 10:00 PM but by Midnight *FRI - SAT only*
☐ 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



General Notes	Key Notes
<p>1. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE GIVEN TO THE CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>2. ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.</p> <p>3. ALL MATERIALS AND METHODS OF CONSTRUCTION ARE TO BE AS SHOWN ON THE SPECIFICATIONS.</p> <p>4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.</p> <p>5. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MECHANICAL, ELECTRICAL AND PLUMBING CODES AND STANDARDS.</p> <p>6. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FIRE AND LIFE SAFETY CODES AND STANDARDS.</p> <p>7. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENVIRONMENTAL AND SUSTAINABILITY CODES AND STANDARDS.</p> <p>8. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ACCESSIBILITY CODES AND STANDARDS.</p> <p>9. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENERGY EFFICIENCY CODES AND STANDARDS.</p> <p>10. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SAFETY AND HEALTH CODES AND STANDARDS.</p>	<p>1. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE GIVEN TO THE CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>2. ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.</p> <p>3. ALL MATERIALS AND METHODS OF CONSTRUCTION ARE TO BE AS SHOWN ON THE SPECIFICATIONS.</p> <p>4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.</p> <p>5. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MECHANICAL, ELECTRICAL AND PLUMBING CODES AND STANDARDS.</p> <p>6. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FIRE AND LIFE SAFETY CODES AND STANDARDS.</p> <p>7. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENVIRONMENTAL AND SUSTAINABILITY CODES AND STANDARDS.</p> <p>8. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ACCESSIBILITY CODES AND STANDARDS.</p> <p>9. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENERGY EFFICIENCY CODES AND STANDARDS.</p> <p>10. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SAFETY AND HEALTH CODES AND STANDARDS.</p>

