



***Special Use Permit #2017-0071  
Encroachment #2017-0002  
728 North Henry Street - Mason Social***

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Application	General Data	
Public hearing and consideration of requests for: (A) a Special Use Permit for outdoor dining and for a parking reduction; and (B) an Encroachment into the public right-of-way for outdoor dining	<b>Planning Commission Hearing:</b>	September 5, 2017
	<b>City Council Hearing:</b>	September 16, 2017
<b>Address:</b> 728 North Henry Street	<b>Zone:</b>	CRMU-M/Commercial Residential Mixed Use (Medium)
<b>Applicant:</b> Mason Social, LLC	<b>Small Area Plan:</b>	Braddock Road Metro Station

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

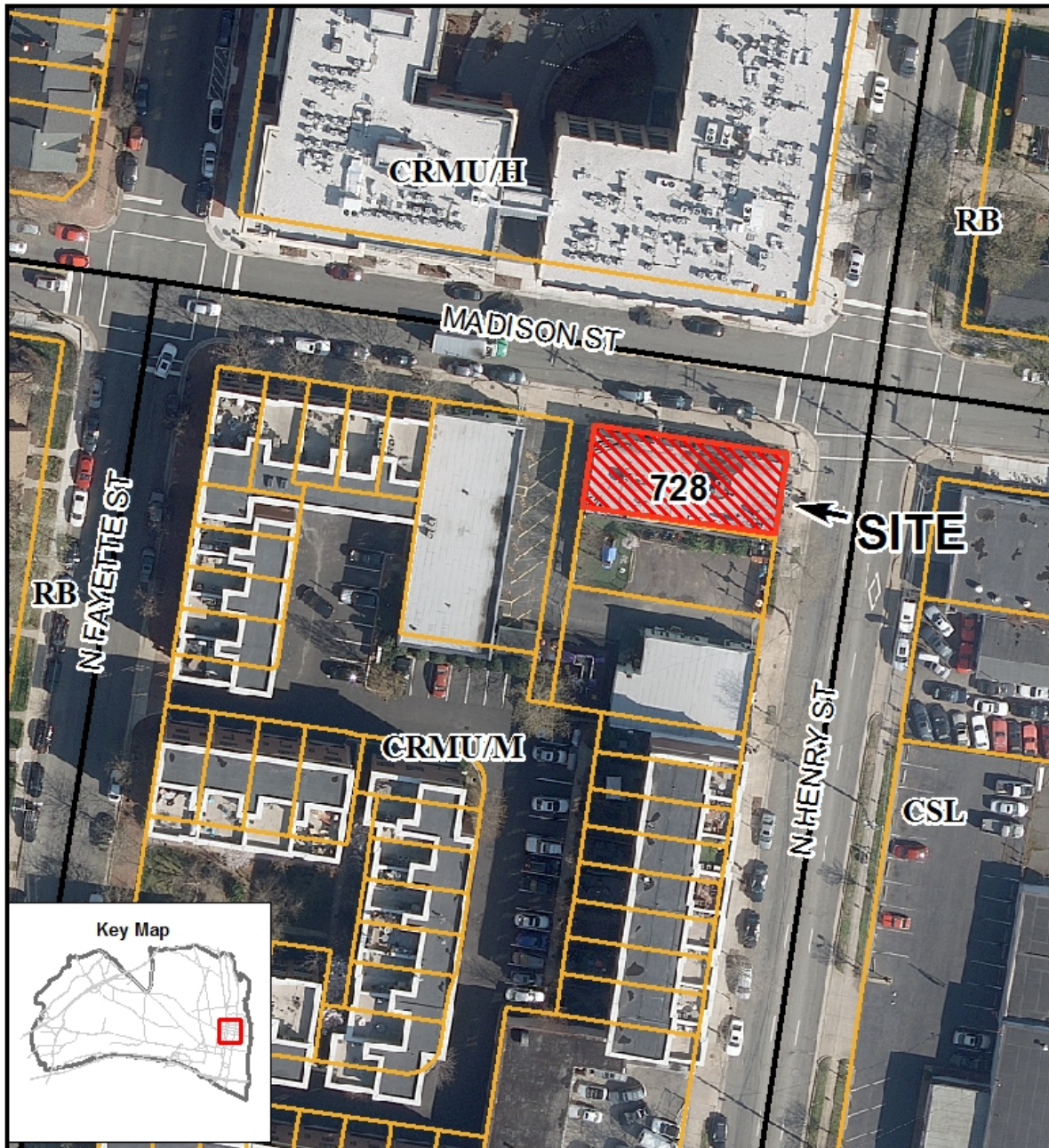
**Staff Reviewers:** Ann Horowitz, [ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)

**PLANNING COMMISSION ACTION, SEPTEMBER 5, 2017:** On a motion made by Commissioner Wasowski and seconded by Commissioner McMahon, the Planning Commission voted to approve Special Use Permit #2017- 0071 and ENC #2017-0002 with amendments to Conditions 4, 33, and 35. The motion carried on a vote of 6-0 with Commissioner Lyle absent.

**Reason:** The Planning Commission agreed with staff analysis.

Commissioner Wasowski asked staff to confirm that the relocation of the trash receptacle and the location of the bus sign pole would not restrict sidewalk access for individuals using wheelchairs. David Soares from the Transportation and Environmental Services Department responded that staff would coordinate the locations of these objects with the transit division to ensure appropriate access. Chairwoman Lyman and Commissioner Wasowski stated their support for the proposal as the hours of operation and the number of seats were fewer than those previously approved through SUP for the rooftop dining proposal, which was not constructed. Commissioner McMahon voiced support for the parking reduction citing the residential density of the neighborhood, the seasonality of outdoor dining, and the pedestrian traffic in the area. Chairwoman Lyman and Commissioner Brown recognized the Braddock Metro Citizens Coalition letter of support.

**Speakers:** None



**Special Use Permit #2017-0071**  
**Encroachment #2017-0002**  
**728 North Henry Street**





## I. DISCUSSION

Mason Social, LLC, represented by Justin Sparrow, requests Special Use Permit approval to operate an outdoor dining area and for a parking reduction at 728 North Henry Street. An encroachment into the public right-of way is also requested to accommodate the outdoor dining area.

### SITE DESCRIPTION

The proposed outdoor dining area would be contiguous to the Mason Social Restaurant and located to the north. It would be immediately to the south of a recently installed bus bulb which is located between the proposed outdoor dining area and Madison Street. The parcel at 728 North Henry Street is 2,920 square feet on the corner of North Henry and Madison Streets. The corner lot frontage on North Henry Street is 35 feet and the frontage on Madison Street is 83.5 feet. The lot is developed with a one-story building which contains the restaurant (Figures 1 & 2)

A mix of commercial and residential uses surround the lot. The Belle Pre mixed-use development is located to the north; a daycare center is located to the west and south; and townhouses and a variety of commercial uses are sited to the east.

### BACKGROUND

The building on the parcel was constructed in 1940 and contains Mason Social Restaurant. The restaurant is a grandfathered use with 94 indoor restaurant seats and operational hours between 9 a.m. and 12 a.m., Monday to Wednesday; 9 a.m. and 2 a.m., Thursday to Saturday; and 10 a.m. and 11 p.m. Sunday.

City Council approved SUP #2015-0092 on November 14, 2015 for a 49-seat rooftop dining area. Hours of operation were approved between 11 a.m. and 10 p.m., Sunday to Thursday, and



***Figures 1&2: Mason Social and proposed outdoor dining area***

11 a.m. and midnight, Friday and Saturday. City Council also approved ENC #2015-0004 for the construction of a stairway addition in approximately 400 square feet of the public right-of-way, replacing a landscaped area. The rooftop dining area was not constructed and the SUP approval expired for the rooftop dining project.

### PROPOSALS

#### A. SUP: OUTDOOR DINING AND PARKING REDUCTION

The applicant proposes to create an outdoor dining area with 36 seats in the public right-of-way along the Madison Street side of the existing restaurant at 728 North Henry Street. The applicant also requests a four-space parking reduction required for the addition of seats. Changes to the existing grandfathered restaurant are not proposed.

Elements of the outdoor dining proposal are:

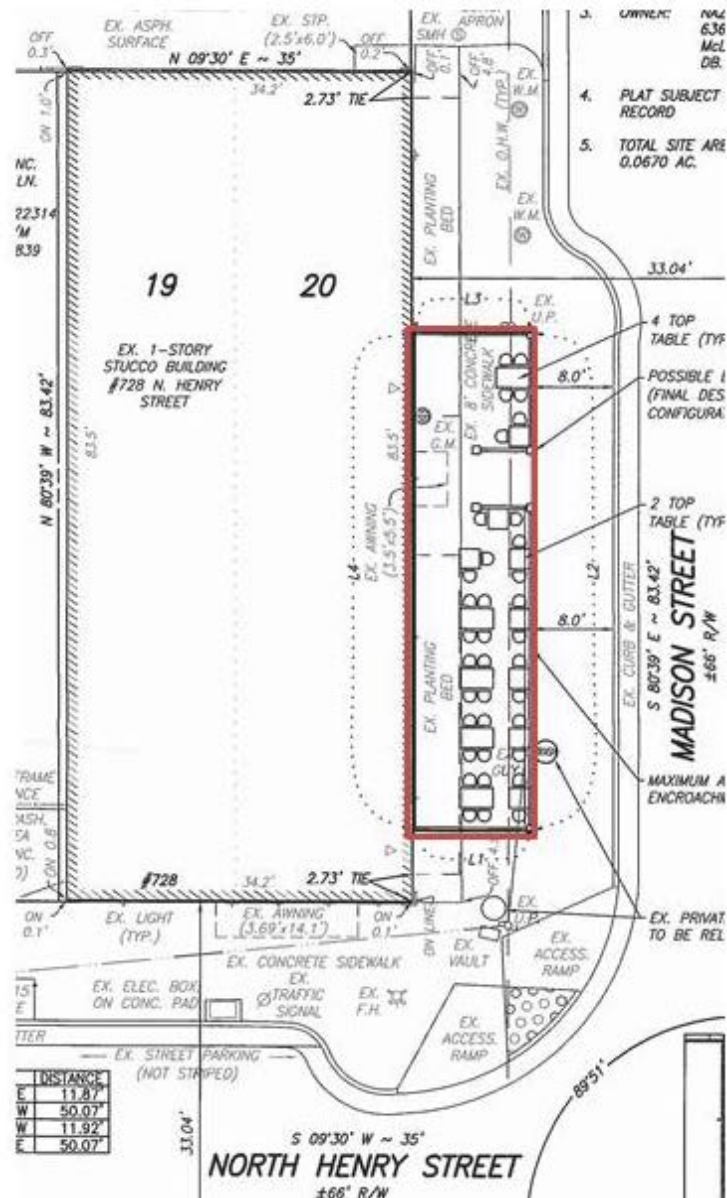
Hours of Operation:	Proposed Outdoor Dining 11 a.m. – 10 p.m. Monday – Wednesday 11 a.m. – 11 p.m., Thursday – Saturday 11 a.m. – 9 p.m., Sunday  <i>Existing Indoor Restaurant (Grandfathered Standards):</i> 9 a.m. – midnight, Monday – Wednesday 9 a.m. – 2 a.m. Thursday - Saturday 10 a.m. – 11 p.m. Sunday
Number of Seats:	Proposed Outdoor Dining – 36 seats <i>Existing Indoor (Grandfathered Standards) - 94 seats</i>
Type of Service:	Dine-in and carry-out only
Customer Delivery:	Not offered
Alcohol:	On-premises alcohol service
Live Entertainment:	Not proposed for outdoor dining
Employees:	1-2 employees per shift on a seasonable basis for outdoor dining area
Noise:	Conversational noise from outdoor dining patrons. Applicant would ensure that patrons maintain a reasonable noise level.
Odors:	Cooking odors would not exceed the level associated with the existing restaurant.

Trash/Litter:

Outdoor dining would generate a minimal increase in restaurant trash. Refuse is stored in a fenced area on the adjacent lot and collected on a regular basis.

## B. ENCROACHMENT

The applicant proposes a 596-square foot area of encroachment in the public right-of-way along the north side of the restaurant building to accommodate the proposed 36-seat outdoor dining area (Figure 3). The 12 feet by 50 feet encroachment area would be located along the Madison Street sidewalk public right-of-way. Approximately 3 feet by 50 feet of the requested encroachment contains a landscaped area that the applicant will continue to maintain and a doorway that provides access to the restaurant and to the proposed outdoor dining area. Eight feet of sidewalk clearance would remain for public and pedestrian travel.



### PARKING

Section 6-604(B) of the Zoning Ordinance exempts the first 20 outdoor dining seats from the restaurant parking requirement. As the applicant requests a total of 36 seats, it would require one off-street parking space for every four restaurant seats over 20 seats, pursuant to Section 8-200(A)(8). The applicant is therefore required to provide four parking spaces and is requesting a parking reduction as parking is not available on the lot or within 500 feet of the restaurant. Section 8-100(A)(4) establishes the criteria for review of a parking reduction. The grandfathered restaurant is not required to provide parking on-site as the building was constructed prior to June 25, 1963, as established in Section 8-200(F)(1).

### ZONING/MASTER PLAN DESIGNATION

The subject lot is sited in the CRMU-M Zone. As Section 5-202.1 of the Zoning Ordinance requires administrative Special Use Permit approval for outdoor dining up to 20 seats in the CRMU-M Zone, outdoor dining with 36 seats requires a docketed SUP review. The existing restaurant use predates the requirements for a Special Use Permit in that zone and does not require an SUP.

The site is within the Braddock Road Metro Station Small Area Plan, which designates the lot for commercial and industrial use. It is also located in the Braddock East Master Plan Overlay which encourages ground floor retail space that is neighborhood-serving and fosters pedestrian activity along Madison Street.

### VALUE OF ENCROACHMENT

The Department of Real Estate Assessments has valued the 596-square foot proposed area of encroachment at an annual fee of \$1,515. Staff has attached the memorandum from Real Estate Assessments (Attachment A) that discusses the process used to determine this value.

## **II. STAFF ANALYSIS**

Staff supports the applicant's SUP proposal for outdoor dining and a parking reduction as well as for an encroachment in the public right-of-way at 728 North Henry Street. The outdoor dining would enliven the pedestrian way in an area where street life is supported by the area's Small Area Plan. In addition, expansion of the business with outdoor dining would also support a locally owned, small business which serves the neighborhood.

Although, residential units are located nearby on the upper floors of the Belle Pre, staff believes noise impacts would be minimal as the outdoor dining would be at street level and across Madison Street. The proposed hours are consistent with those previously approved for the roof top dining which would have been located closer to residents on the second floor of the restaurant building. Outdoor dining patrons would not be permitted to linger in the area as Condition 4 requires the applicant to clear customers from the area promptly at closing hours.

Further, after-hours loitering in the outdoor dining area would not be possible given that the applicant must clear the tables and chairs each night, as mandated in Condition 5.

Staff also recommends approval of the parking reduction. Outdoor dining is seasonal in nature, and the area would be proximate to alternative forms of transportation including the Braddock Metro Station, DASH and Metro buses, and BikeShare. Parking impacts on the neighborhood are also not expected as outdoor dining is within convenient walking distance to residential townhomes as well as to approximately 1,500 recently constructed apartments and condominiums in mixed-use developments such as the Belle Pre and the Asher. To ensure parking effects on the neighborhood are minimized, the applicant is required to encourage employees and customers to use public transportation, as mandated in Conditions 22 and 24, respectively. Employees who drive must park off-street, pursuant to Condition 35.

Staff finds that the encroachment proposal represents a reasonable request to provide for the 36-seat outdoor dining area while retaining eight feet of sidewalk clearance, consistent with the City's Complete Streets Design Guidelines and requirements for the bus loading area. Eight feet of sidewalk clearance is required in the area adjacent to the bus bulb, as stated in Condition 32. The applicant originally requested a larger encroachment area to accommodate 42 seats, however, staff recognized that sidewalk clearance would be reduced to five feet at one section. The applicant complied by reducing the number of seats and the encroachment area.

To maintain eight feet of sidewalk clearance in the area of the outdoor dining and the bus bulb, as referenced in Condition 32, and to provide clear pedestrian access at all areas around the restaurant, staff requires that the applicant relocate the trash receptacle on Madison Street to a location approved by the Director of Transportation and Environmental Services, as required in Condition 33. The applicant must limit outdoor dining to the area designated in the plat, as stated in Conditions 6 and 30.

Staff recommends approval of the Special Use Permit and the Encroachment 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 shall be 36. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. **CONDITION AMENDED BY PLANNING COMMISSION:** The hours of operation for the outdoor seating shall be limited to between 11 a.m. – 10 p.m., Sunday – Wednesday and 11 a.m. – 11 p.m., Thursday – Saturday. The outdoor dining area shall be closed and cleared of all customers by 10 p.m. Sunday – Wednesday, and by 11 p.m., ~~Friday~~ Thursday - Saturday. The area shall be cleaned and washed at the close of each business day that it is in use. (~~P&Z~~) (PC)
5. Each day after the restaurant closes, tables and chairs used for outdoor dining shall be either brought inside the restaurant or secured outside in such a manner to preclude after-hours use. Tables, chairs, and other outdoor dining components shall not be secured or stored in the encroachment area. (P&Z)
6. Outdoor dining at the restaurant shall be substantially consistent with the plan submitted. The applicant shall submit final design specifications for all chairs, tables, barriers, umbrellas, planters, wait stations, and other components to be located within the outdoor dining area and the area of encroachment, for the review and approval by the Director of Planning & Zoning. Outdoor seating areas shall not include advertising signage, including on umbrellas. The final barrier configuration and design for the outdoor dining shall not impact the provided and required clear area for the transit stop loading/landing area. ( P&Z)
7. Outdoor dining, including all its components such as planters and barriers, shall not encroach onto the public right-of-way unless authorized by an encroachment ordinance. (P&Z)
8. On premises alcohol service shall be permitted; off-premises alcohol is not permitted. (P&Z)
9. Live entertainment shall not be permitted in the outdoor dining area. (P&Z)
10. Customer delivery service is not permitted. (P&Z)



11. Food, beverages, or other material shall not be stored outside. (P&Z)
12. 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)
13. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
14. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
15. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) 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)
16. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
17. 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)
18. 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)
19. 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)
20. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
21. 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)
22. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)

23. The applicant shall direct patrons to the availability of parking at nearby garages with public availability 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 Braddock Metro Neighborhood.
24. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
25. 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)
26. 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)
27. The applicant (and his successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his/her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
28. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
29. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
30. Per Alexandria's Complete Street Design Guidelines (3-12), outdoor dining shall not be located within a transit stop loading/landing area. While the 8' clear area for loading is recognized, the applicant's proposal directly abuts a transit loading area. (T&ES)
31. The final barrier configuration and design for the outdoor dining shall not impact the provided and required clear area for the transit stop loading/landing area. (T&ES)
32. Maintain an 8' wide unobstructed and clear area for the required bus bulb and landing area. Outside of the bus bulb and bus landing area, a minimum 6'-0" wide unobstructed and clear sidewalk shall be maintained at all times. (T&ES)

33. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~Relocate the solid waste can to the highlighted area shown below. The can may not be located in the 8' loading area. (T&ES)~~ Relocate City Standard receptacle to be outside the limits of the bus bulb and landing clear area in coordination with City staff, to the satisfaction of the Director of Transportation and Environmental Services. ~~(T&ES)~~ (PC)
34. 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)
35. **CONDITION ADDED BY PLANNING COMMISSION:** ~~The applicant shall require its employees who drive to use off-street parking. (T&ES)~~ (PC)

STAFF: Alex Dambach, Division Chief, Department of Planning and Zoning  
Ann Horowitz, Urban Planner III

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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 applicant has 94 indoor seats, and proposes 22 outdoor seats, 10 of which are existing. Per recent ordinance updates, the first 20 spaces are exempt, requiring a parking reduction of 3 spaces. (T&ES)
- F-1 Solid Waste can is City Standard solid waste receptacle, and is not a private can. (T&ES)
- R-1 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
- R-3 If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) 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-4 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- R-5 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-6 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-7 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-8 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

- R-9 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)
- R-12 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
- R-13 The applicant shall direct patrons to the availability of parking at nearby garages with public availability 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 Braddock Metro Neighborhood.
- R-14 The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
- R-15 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-16 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-17 The applicant (and his successors, if any) must obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the applicant (and his/her successors, if any) and the City of Alexandria, as an additional named insured, against all claims, demands, suits, etc., and all costs related thereto, including attorney fees, relating to any bodily injury or property damage which may occur as a result of the granting of this encroachment. (T&ES)
- R-18 Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
- R-19 In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
- R-20 Per Alexandria's Complete Street Design Guidelines (3-12), outdoor dining shall not be located within a transit stop loading/landing area. While the 8' clear area for loading is recognized, the applicant's proposal directly abuts a transit loading area. (T&ES)



- R-21 The final barrier configuration and design for the outdoor dining shall not impact the provided and required clear area for the transit stop loading/landing area. (T&ES)
- R-22 Maintain an 8' wide unobstructed and clear area for the required bus bulb and landing area. Outside of the bus bulb and bus landing area, a minimum 6'-0" wide unobstructed and clear sidewalk shall be maintained at all times. (T&ES)
- R-23 Relocate City Standard receptacle to be outside the limits of the bus bulb and landing clear area in coordination with City staff, to the satisfaction of the Director of Transportation and Environmental Services. (T&ES)
- R-24 The applicant shall require its employees who drive to use off-street parking. (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 SUP 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)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

No comments.

Fire:

- C-1 The fire prevention permit is required to be updated to reflect additional occupancy load.
- C-2 Applicant shall submit a seating layout for the exterior dining area showing aisle widths and exit locations.

Health:

No comments.

SUP #2017-0071  
ENC #2017-0002  
728 North Henry Street

Parks and Recreation:

No comments received.

Police Department:

No comments received.

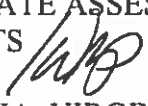
# City of Alexandria, Virginia

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## MEMORANDUM

**DATE:** AUGUST 17, 2017

**TO:** KARL MORITZ, DIRECTOR  
DEPARTMENT OF PLANNING AND ZONING

**FROM:** WILLIAM BRYAN PAGE, SRA, REAL ESTATE ASSESSOR  
OFFICE OF REAL ESTATE ASSESSMENTS 

**ADDRESS:** 728 NORTH HENRY STREET, ALEXANDRIA, VIRGINIA

**SUBJECT:** 4.67 FEET WIDE BY 83.5 FEET LONG ENCROACHMENT ALONG THE  
1100 BLOCK OF MADISON STREET, ALEXANDRIA, VIRGINIA

**ACCOUNT:** 10945500

**PROJECT:** ENCROACHMENT #2017-0002 (RELATED SUP: 2017-0071)

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Per your request, we have reviewed the requested encroachment in the public right-of-way along Madison Street between the existing paved sidewalk and the north wall of the project's building. The existing improvement consists of a one-story masonry block building originally constructed in 1940. The building contains a gross floor area of 2,856 square feet, and is sited on a lot containing 2,920 square feet indicating a lot coverage ratio of 97.81 percent. Physically, the property is located at the southwest corner of North Henry Street and Madison Street and is **zoned CRMU-M** (Commercial Residential Mixed Use - Medium).

The property was originally constructed for use as a restaurant which predates the requirements for a special use permit in the current zone, and is therefore a grandfathered use under a previous ordinance. It currently operates as the Mason Social Restaurant. Prior to early 2015, the property was home to Esmeralda's. With a lot coverage ratio of 97.81 percent there is no on-site parking. The area of the proposed encroachment is adjacent to an existing a grass planting strip, utility meters, and raised planters. Encumbering approximately 596 square feet, the proposed encroachment will be enclosed and designed to accommodate up to 36 patrons. The existing 8-foot wide public sidewalk would remain unobstructed.

The value of the encroachment can be determined by the application of **Section 3-2-85** of the City Code which defines the annual charge for commercial encroachments to be the equivalent of what would be the real estate tax upon the land being encroached if it were owned by the owner or owners of the encroaching property.

Based on a land value of \$225.00 per square-foot, a land area of 596 square feet and the 2017 tax rate of 1.13 per \$100 of assessed value, the indicated annual fee of the encroachment is \$1,515 (rounded).

**Fifteen Hundred and Fifteen Dollars**

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based on the current 2017 per square-foot assessed land values of the subject and similarly zoned parcels in the immediate area of the subject property, and complies with City policies and guidelines.

Attachments

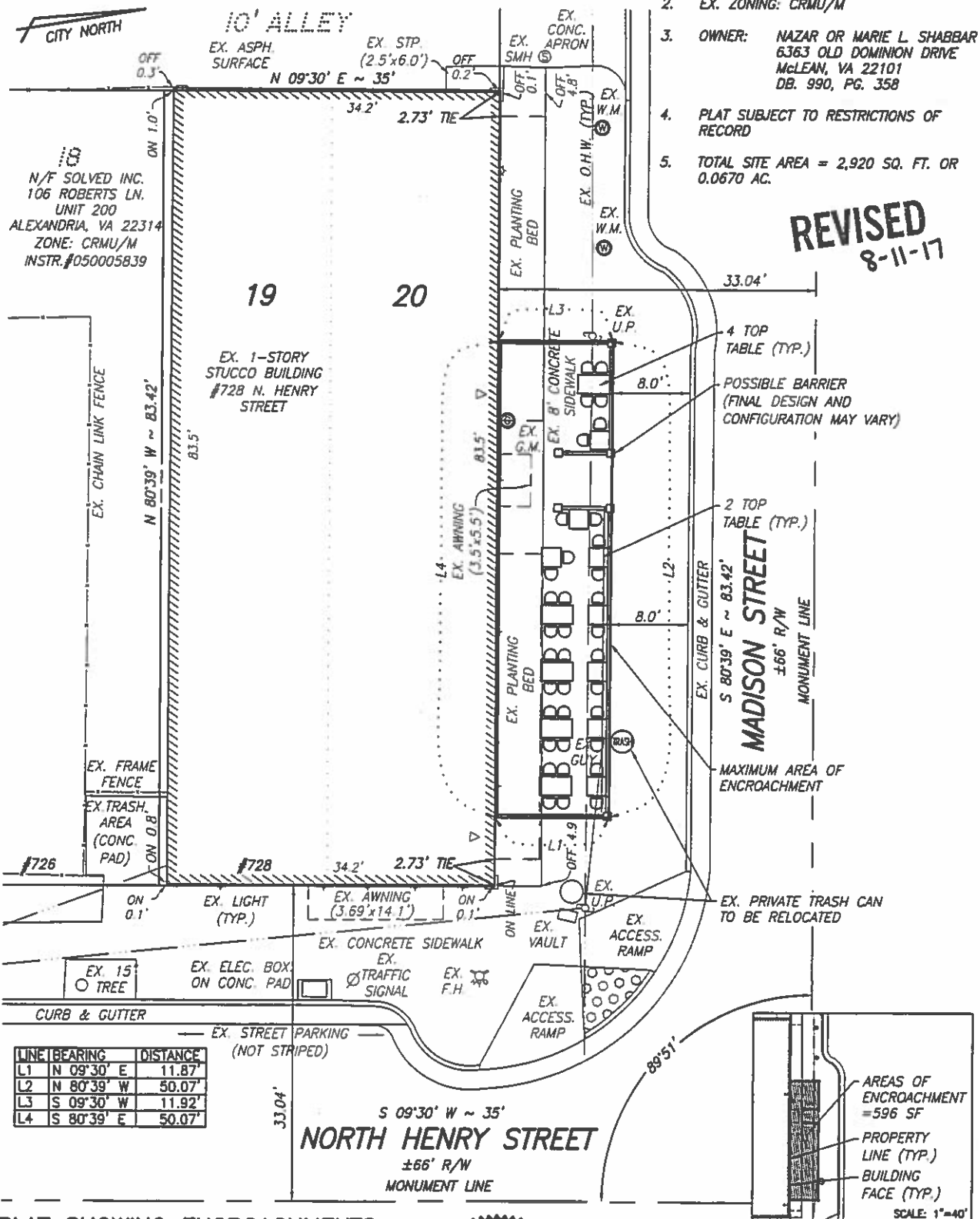
Encroachment Plat (ENC# 2017-0002)

cc: Ann Horowitz, Urban Planner III

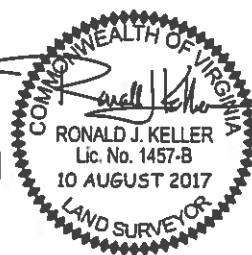
# GENERAL NOTES:

1. TAX MAP: #054.03-03-05
2. EX. ZONING: CRMU/M
3. OWNER: NAZAR OR MARIE L. SHABBAR  
6363 OLD DOMINION DRIVE  
MCLEAN, VA 22101  
DB. 990, PG. 358
4. PLAT SUBJECT TO RESTRICTIONS OF RECORD
5. TOTAL SITE AREA = 2,920 SQ. FT. OR 0.0670 AC.

**REVISED**  
8-11-17



**PLAT SHOWING ENCROACHMENTS**  
ON  
LOTS 19 & 20  
**J.K.M. NORTON &**  
**SAML. G. BRENT SUBDIVISION**  
(DB. 30, PG. 594)  
**CITY OF ALEXANDRIA, VIRGINIA**  
SCALE: 1" = 10' DATE: AUGUST 10, 2017



**RCF** **IELDS & ASSOCIATES**  
INCORPORATED

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





## APPLICATION

# SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** \_\_\_\_\_

**PROPERTY LOCATION:** 728 N. Henry Street

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

**APPLICANT:**

Name: Mason Social, LLC

Address: 728 N. Henry Street, Alexandria VA 223 14

**PROPOSED USE:** Outdoor dining for existing 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.

Justin A. Sparrow / Mason Social

Print Name of Applicant or Agent

728 N. Henry Street

Mailing/Street Address

Alexandria

VA

City and State

Zip Code

[Signature]

6/ 8 2017

Date

703-622-3282

Telephone #

Fax #

justin@mason-social.com

Email address

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

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

**PROPERTY OWNER'S AUTHORIZATION**

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

Name: Nazar L. Shabaar Phone: 703-218-1122  
 Please Print  
 Address: 6363 OLD DOMINION DR., McLEAN VA 22101 Email: N/A  
 Signature: Nazar Shabaar by Justin Sparrow Date: 6/8/2017  
with permission

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.

Justin Sparrow, 728 N. Henry Street, Alexandria VA 22314 - 31.5%

Chad Sparrow, 728 N. Henry Street, Alexandria VA 22314 - 37%

Larry Walston Jr., 728 N. Henry Street, Alexandria VA 22314 - 31.5%

# 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>MASON SOCIAL, LLC</u>	728 N. Henry Street, Alexandria VA 22314	
2. <u>SEE ABOVE PAGE FOR SAME</u>		
3.		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 728 N. Henry Street, Alexandria VA 22314 (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>NAZAR or MARIE SHABBAR</u>	6363 Old Dominion Dr., McLean VA 22101	100%
2.		
3.		

**3. Business or Financial Relationships.** Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are 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>MASON SOCIAL, LLC</u>	<u>NONE</u>	
2. <u>NAZAR or MARIE SHABBAR</u>	<u>NONE</u>	
3. <u>J. SPARROW / C. SPARROW / L. WALTON</u>	<u>NONE</u>	

**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.

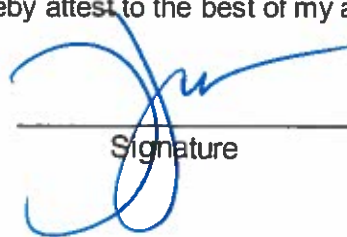
6/8/2017

Justin A. Sparrow

Date

Printed Name

Signature



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

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

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

## NARRATIVE DESCRIPTION

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

The Applicant is seeking to add outdoor/sidewalk seating to an existing grandfathered

restaurant along Madison Street. The Applicant is seeking to add 42 seats at tables

along the sidewalk of Madison Street with adjusted hours (different from restaurant).

Currently, the restaurant is open from 11:00 AM to 12:00 Midnight M-W, 11:00 AM to

2:00 AM Th-Sat and 11:00 AM to 11:00 PM Sundays. Applicant proposes outdoor

sidewalk seating from 11:00 AM - 10:00 PM M-W and 11:00 AM - 11:00 PM Th-Sat

and 11:00 AM - 9:00 PM Sundays. See attached seating plan for proposed outdoor

dining. The Applicant is also filing for an encroachment into the right of way on

Madison Street. The Applicant has prior SUP approved for Encroachment & Rooftop

Dining. The new sidewalk constructed by City of Alexandria is approximately 16' wide

plus additional 5'0 of landscape buffer along restaurant (see pictures). Applicant

proposes 8'0" & 5'0" clear sidewalk between seating & top of curb & gutter along

Madison Street (as outlined on plan) in order to maintain clear path.

**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: Addition of outdoor/sidewalk seating to a grandfathered restaurant; the grandfathered restaurant is not part of the Application.

5. Please describe the capacity of the proposed use:

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

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

42 max due to seating limitations

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

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

1-2 for this area alone, not including existing restaurant

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

Day:

Monday - Wednesday

Hours:

11:00 AM - 10:00 PM

Thursday - Saturday

11:00 AM - 11:00 PM

Sunday

11:00 AM - 9:00 PM

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

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

No additional noise from mechanical equipment and only other noise will be from dining patrons (similar to all other outdoor dining areas).

B. How will the noise be controlled?

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



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

N/A

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

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)  
The trash would be typical for a restaurant use, food/paper/bottles, same as existing restaurant.

---

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

Simply incremental amount for the new 42 seats

---

- C. How often will trash be collected?

As often as necessary

---

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

The management will continue to ensure that the adjacent areas are picked up on a regular basis (as we do now).

---

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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:

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

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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.

The Applicant has an existing ABC License and would not be looking to  
change.

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**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?

Belle Pre Apartments has off street retail parking in garage.

We post parking option on social media and in the restaurant.

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

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

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

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

- A. How many loading spaces are available for the use? 0 Madison Street has restricted parking from 7-11 AM daily for deliveries.

**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? \_\_\_\_\_

Unloading occurs along Madison Street in restricted loading zone parking spaces.

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

8:00 - 11:00 AM

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

Typically once per day

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is adequate

## SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☐ Yes ☒ No On Sidewalk

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? N/A square feet.

18. What will the total area occupied by the proposed use be?

2814 sq. ft. (existing) + 0 sq. ft. (addition if any) = 2814 sq. ft. (total) Sidewalk Seating Area is 385 SF

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

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.

1. How many seats are proposed?  
Indoors: \_\_\_\_\_ Outdoors: 42 Seats @ Tables Total number proposed: 42
2. Will the restaurant offer any of the following?  
Alcoholic beverages (**SUP only**) ☒ Yes \_\_\_\_\_ No  
Beer and wine — on-premises ☒ Yes \_\_\_\_\_ No  
Beer and wine — off-premises \_\_\_\_\_ Yes \_\_\_\_\_ No
3. Please describe the type of food that will be served:  
Modern American Cuisine  
\_\_\_\_\_  
\_\_\_\_\_
4. The restaurant will offer the following service (check items that apply):  
☒ table service \_\_\_\_\_ bar \_\_\_\_\_ carry-out \_\_\_\_\_ delivery
5. If delivery service is proposed, how many vehicles do you anticipate? N/A  
Will delivery drivers use their own vehicles? \_\_\_\_\_ Yes \_\_\_\_\_ No  
Where will delivery vehicles be parked when not in use?  
\_\_\_\_\_  
\_\_\_\_\_
6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?  
\_\_\_\_\_ Yes ☒ No  
If yes, please describe:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**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    Retail Parking is available @ Belle Pre Apartments
  
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:
 

_____	Maximum number of patron dining seats
+	_____ Maximum number of patron bar seats
+	_____ Maximum number of standing patrons
=	<u>42</u> Maximum number of patrons
  
2. 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
  - ☒ Closing after 10:00 PM but by Midnight    See Application for specific hours
  - \_\_\_\_\_ 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



## APPLICATION - SUPPLEMENTAL

### PARKING REDUCTION

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

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

Existing grandfathered restaurant requesting approval of outdoor seating (42 seats) and the subsequent reduction of 6 required parking spaces. Currently the restaurant is served by street parking and retail parking in the Belle Pre Apartments.

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

The restaurant has operated without designated parking. We currently post through social media and onsite the available parking located in the adjacent apartment building (Belle Pre).

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

Grandfathered restaurant that has no onsite parking

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

\_\_\_\_\_ Yes.      ☒ No.

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

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









## APPLICATION

### ENCROACHMENT

ENC# \_\_\_\_\_

**PROPERTY LOCATION:** 728 N. Henry Street

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

#### APPLICANT

**Name:** Mason Social, LLC

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

#### PROPERTY OWNER

**Name:** Nazar or Marie L. Shabbar

**Address:** 6363 Old Dominion Dr., McLean VA 22101

**PROPOSED USE:** Encroachment for outdoor dining on Madison Street sidewalk adjacent to existing restaurant.

**INSURANCE CARRIER** (copy attached) Erie Insurance **POLICY #** Q971453348

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

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

☒ **THE UNDERSIGNED** hereby applies for an Administrative Use Permit in accordance with the provisions of Article VI, Section 6-600 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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

Justin A. Sparrow / Mason Social LLC

Print Name of Applicant or Agent

728 N. Henry Street

Mailing/Street Address

Alexandria VA 22314

City and State Zip Code

Signature

703-622-3282

Telephone # Fax #

justin@mason-social.com

Email address

6/8/2017

Date

**Application Received:** \_\_\_\_\_ **Date and Fee Paid: \$** \_\_\_\_\_

**ACTION - PLANNING COMMISSION:** \_\_\_\_\_ **ACTION - CITY COUNCIL:** \_\_\_\_\_

## OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

**1. Applicant.** State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than 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. Mason Social, LLC	728 N. Henry Street, Alexandria VA 22314	100%
2. <span style="border: 1px solid red; padding: 2px;">Larry Walston, Jr.</span>	728 N. Henry Street, Alexandria VA 22314	31.5%
3. <span style="border: 1px solid red; padding: 2px;">Justin Sparrow</span>	728 N. Henry Street, Alexandria VA 22314	31.5%
Chad Sparrow	728 N. Henry Street, Alexandria VA 22314	37%

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 728 N. Henry Street (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. Nazar or Marie B Shabbar	6363 Old Dominion Dr., McLean VA 22101	100%
2.		
3.		

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

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

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

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

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

6/8/2017

Justin A. Sparrow

Date

Printed Name

Signature



## CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/08/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Downs & Associates, Inc. Suite 300 131 Elden Street Herndon VA 20170		<b>CONTACT NAME</b> PHONE (A/C No. Ext) (703)834-3120 FAX (A/C No) (703)834-3159 E-MAIL ADDRESS	
<b>INSURED</b> Mason Social, LLC 1112 N Fairfax Street Alexandria VA 22314		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A Erie Insurance Exchange INSURER B Erie Flagship INSURER C INSURER D INSURER E INSURER F	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	Y	N	Q971252527	2/19/2017	2/19/2018	EACH OCCURRENCE \$ 1,000,000	
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000							
	MED EXP (Any one person) \$ 5,000							
	PERSONAL & ADV INJURY \$ 1,000,000							
						GENERAL AGGREGATE \$ 2,000,000		
						PRODUCTS - COM/OP AGG \$ 2,000,000		
						\$		
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$	
							BODILY INJURY (Per person) \$	
							BODILY INJURY (Per accident) \$	
							PROPERTY DAMAGE (Per accident) \$	
							\$	
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$	
							AGGREGATE \$	
							\$	
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	N	Q866900159	2/19/2017	2/19/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER
	E L EACH ACCIDENT \$ 100,000							
	E L DISEASE - EA EMPLOYEE \$ 100,000							
	E L DISEASE - POLICY LIMIT \$ 500,000							

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Alexandria is listed as an additional insured.

## CERTIFICATE HOLDER

City of Alexandria 301 King Street  Alexandria VA 22314
--

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
AUTHORIZED REPRESENTATIVE <i>Ninia Delcid</i>

Fax:  
ACORD 25 (2014/01)

Email:

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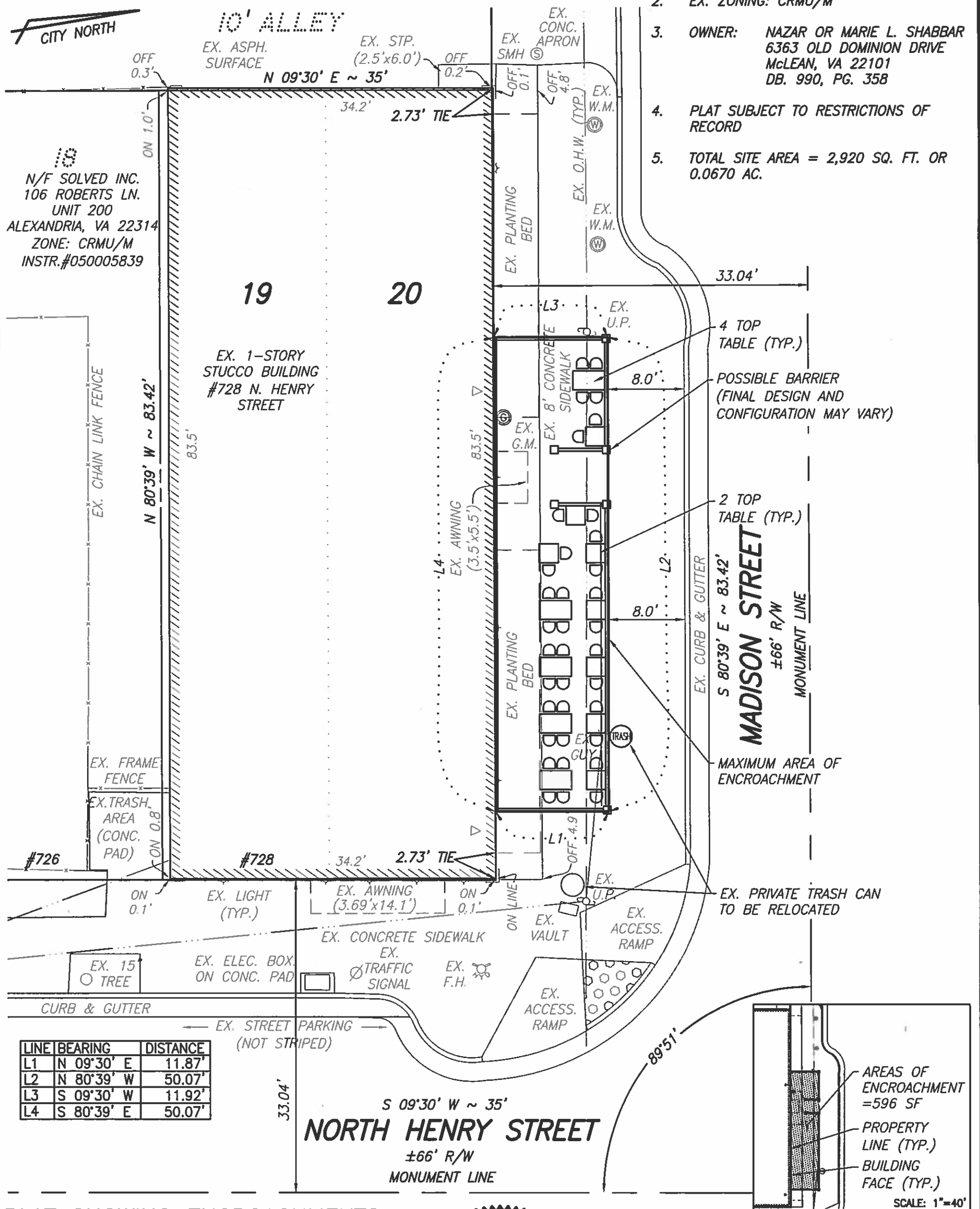
1. TAX MAP: #054.03-03-05

2. EX. ZONING: CRMU/M

3. OWNER: NAZAR OR MARIE L. SHABBAR  
6363 OLD DOMINION DRIVE  
McLEAN, VA 22101  
DB. 990, PG. 358

4. *PLAT SUBJECT TO RESTRICTIONS OF RECORD*

5. TOTAL SITE AREA = 2,920 SQ. FT. OR 0.0670 AC.



## ON

LOTS 19 & 20

**J.K.M NORTON &**

**SAML. G. BRENT SUBDIVISION**  
(DB. 30, PG. 594)

(DB. 30, PG. 594)

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 10'

DATE: AUGUST 10, 2017



FILE NO. **15-113**  
SHEET **1** OF **1**

COMP.	WDS
DRAWN	WDS
CHECKED	RJK

**RCF** **IELDS & ASSOCIATES**  
INCORPORATED

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

## Ann Horowitz

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**From:** Justin Sparrow <jsparrow@advancedconstructgroup.com>  
**Sent:** Monday, August 07, 2017 12:05 PM  
**To:** Ann Horowitz  
**Subject:** Re: revised plat area

Hi Ann,

The revised plans will be back in this afternoon. Please let me know if you have any further questions or comments.

Thanks for the help.

-Justin

Sent from my iPhone; please excuse brevity or typos.

On Aug 2, 2017, at 3:36 PM, Ann Horowitz <[ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)> wrote:

Justin,

Attached is the revised encroachment area that we discussed. Please include encroachment dimensions with metes and bounds and return 28 copies of the plat to me as soon as you are able. Also, send an email to me for the case file stating that you are decreasing the number of outdoor seats to 36 and which reduces the parking reduction to 4 parking spaces.

Thank you.

Ann

*Urban Planner  
City of Alexandria  
Department of Planning and Zoning  
Room 2100  
City Hall  
301 King Street  
Alexandria, VA 22314  
Phone: 703-746-3821  
Fax: 703-838-6393*

<plat revisions.pdf>

# City of Alexandria, Virginia

## MEMORANDUM

DATE: SEPTEMBER 5, 2017

TO: CHAIRWOMAN LYMAN AND MEMBERS OF PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR OF PLANNING AND ZONING

SUBJECT: SUP #2017-0071 and ENC #2017-0002, 728 NORTH HENRY STREET  
(DOCKET ITEM #8)

This memorandum contains recommended revisions to the staff report for SUP #2017-0071 and ENC #2017-0002 related to the relocation of the trash receptacle in Condition 33 and the addition of Condition 35 that requires all employees to park off-street. In addition, Condition numbers that are referenced in the staff analysis and an incorrect day of the week in Condition 4 are corrected through this memorandum

### **1. Condition 33**

The applicant was originally required in Condition 33 to relocate the trash receptacle, which is currently located in the bus bulb clearing area on Madison Street, to an area in front of the restaurant, facing North Henry Street. As this proposed relocation area would likely pose clearance challenges, particularly for individuals using wheelchairs, staff recommends the following revision to Condition 33:

33. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~Relocate the solid waste can to the highlighted area shown below. The can may not be located in the 8' loading area. (T&ES)~~ Relocate City Standard receptacle to be outside the limits of the bus bulb and landing clear area in coordination with City staff, to the satisfaction of the Director of Transportation and Environmental Services. (T&ES)(PC)

Additionally, Figure 4 would be deleted and the fifth paragraph of the staff analysis would be revised as:

“To maintain eight feet of sidewalk clearance in the area of the outdoor dining and the bus bulb, as required in Condition 32, and to provide clear pedestrian access at all areas around the restaurant, staff requires that the applicant relocate the trash receptacle on Madison Street to the front of the building, facing North Henry Street, as indicated in Figure 4 a location approved by the Director of Transportation and Environmental Services, and as required in Condition 33.”

### **2. Condition 35**

The standard condition requiring that employees park off-street was inadvertently not included in

the report and would appear as Condition 35:

35. **CONDITION ADDED BY PLANNING COMMISSION:** The applicant shall require its employees who drive to use off-street parking. ~~(T&ES)~~ (PC)

The third paragraph of the staff analysis would reference the added condition as:

“Employees who drive must park off-street, pursuant to Condition ~~20~~ 35.”

### **3. Condition numbering correction**

The addition of several conditions contributed to an error in the numbering for conditions related to encouraging employees and patrons to use public transportation. The correction would appear in the third paragraph of the staff analysis as:

“To ensure parking effects on the neighborhood are minimized, the applicant is required to encourage employees and customers to use public transportation, as mandated in Conditions ~~18~~ 22 and ~~19~~ 24, respectively.”

### **4. Condition 4 correction**

The revision to Condition 4 corrects a typographical error which misstated the days of the week when the outdoor area must be closed and cleared of customers. The corrected condition would appear as:

4. **CONDITION AMENDED BY PLANNING COMMISSION:** The hours of operation for the outdoor seating shall be limited to between 11 a.m. – 10 p.m., Sunday – Wednesday and 11 a.m. – 11 p.m., Thursday – Saturday. The outdoor dining area shall be closed and cleared of all customers by 10 p.m. Sunday-Wednesday, and by 11 p.m., ~~Friday~~ Thursday - Saturday. The area shall be cleaned and washed at the close of each business day that it is in use. (P&Z)

Staff recommends approval of SUP #2017-0071 and ENC #2017-0002 with amendments to Condition 33 and Condition 4, the addition of Condition 35, and the corrections to condition numbering in the third paragraph of the staff analysis.



# Braddock Metro Citizens' Coalition

SUP2017-0071  
ENC2017-0002  
Additional Materials

*Working for a Greater Northwest Old Town* | [www.braddockmetro.org](http://www.braddockmetro.org)

1122 Madison Street, Alexandria, VA 22314 | [bmcc@braddockmetro.org](mailto:bmcc@braddockmetro.org)

August 28, 2017

Chairwoman Lyman  
Planning Commission Members

RE: September 5, 2017, Special Use Permit #2017-0071  
Mason Social – Outdoor Dining

Dear Chairwoman Lyman and Commissioners;

I am writing in support of Special Use Permit #2017-0071 on behalf of the Braddock Metro Citizens' Coalition (BMCC). The BMCC believes the addition of outside dining to the operation of Mason Social will be welcome in the neighborhood.

Since its opening in early 2015 Mason Social has been a positive and welcome addition to our developing neighborhood. Unlike other nearby restaurants, Mason Social, with a foot print that includes just the building, never had a viable outdoor dining option.

That changed when earlier this year, to the surprise of many in the neighborhood, a large concrete ADA bus bulb-out appeared along the Madison Street façade of the restaurant. While time has shown that this particular location for the bulb out has complicated delivery truck unloading, parking, and access to the Madison Day School at this congested corner, we believe that using some of the surface area for outdoor dining is a positive step. Therefore we fully support the encroachment into the public right of way for this use. The large area of concrete is more than adequate to serve its intended bus loading function as well as provide additional outdoor dining for the neighborhood.

We support the 36 additional seats and the proposed hours. Both are very reasonable. We concur with the staff report that the four parking spaces required to support the addition of 36 seats is appropriate. As with the other nearby restaurants, the vast majority of the Mason Social patrons walk or use modes of transportation other than cars. This neighborhood will continue to become denser and is planned to have businesses that serve the immediate neighbors who will be walking. Parking more cars is not something we see as positive or necessary at this location. And as an aside, the bulb out removed two parking spaces at that location when it was installed.

In closing we ask you to vote in support of the requested addition of outdoor dining at this location. With the changes coming soon to the building across N. Henry Street this will become a very lively corner in the Braddock neighborhood and we welcome that.

Sincerely,

Judy R, Guse-Noritake  
President  
Braddock Metro Citizens' Coalition

Cc: BMCC Board & Membership