



DOCKET ITEM #4
Special Use Permit #2017-0133
218 North Lee Street – Tandoori Nights of Alexandria

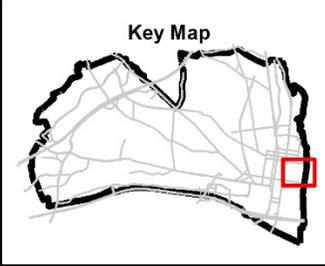
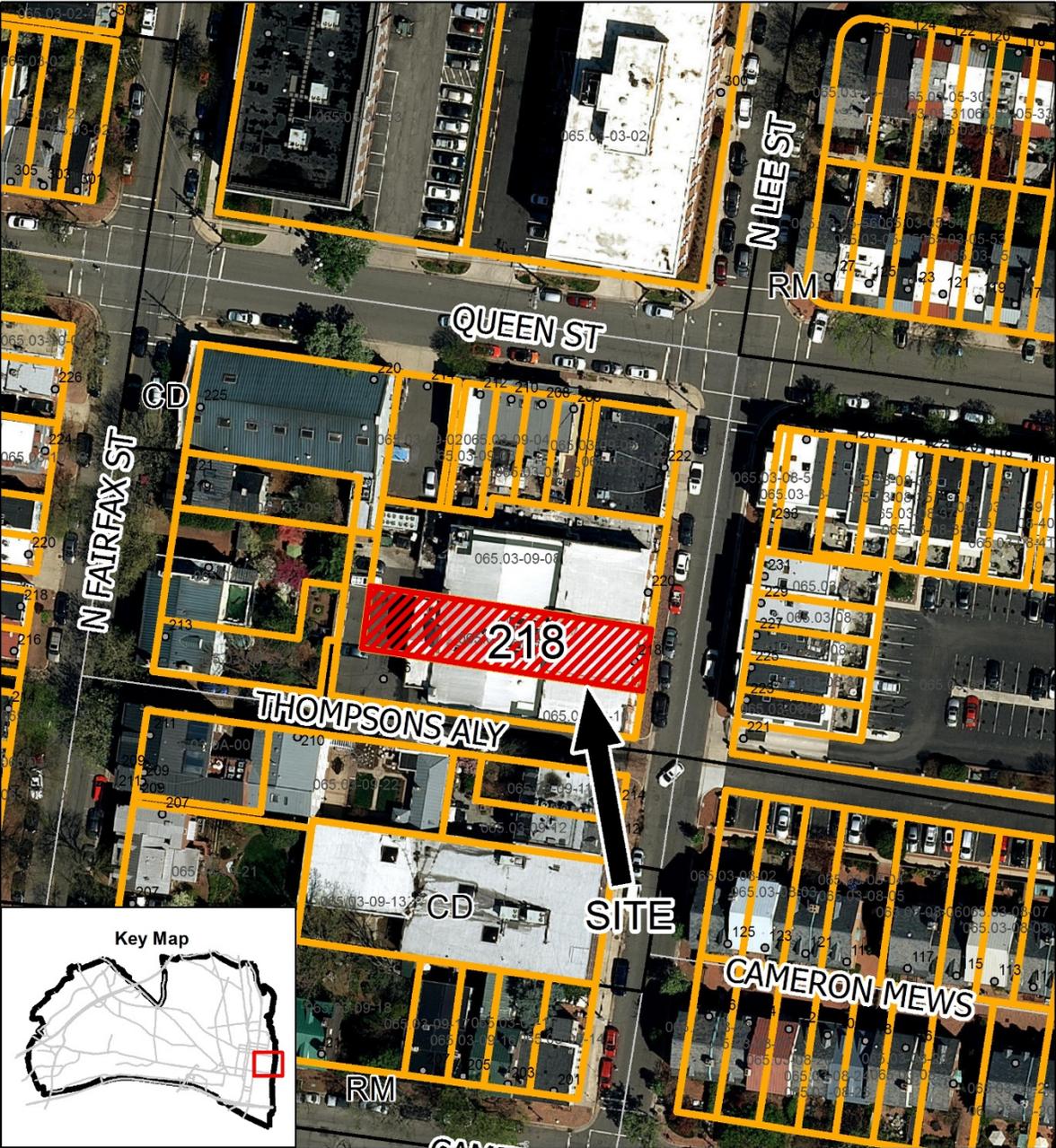
CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Public hearing and consideration of a request for a restaurant (currently grandfathered).	Planning Commission Hearing:	March 6, 2018
	City Council Hearing:	March 17, 2018
Address: 218 North Lee Street	Zone:	CD/Commercial Downtown
Applicant: Tandoori Nights of Alexandria, LLC, represented by M. Catharine Puskar	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 Reviewer: Femi Adelokun, femi.adelokun@alexandriava.gov



Special Use Permit #2017-0133

218 North Lee Street

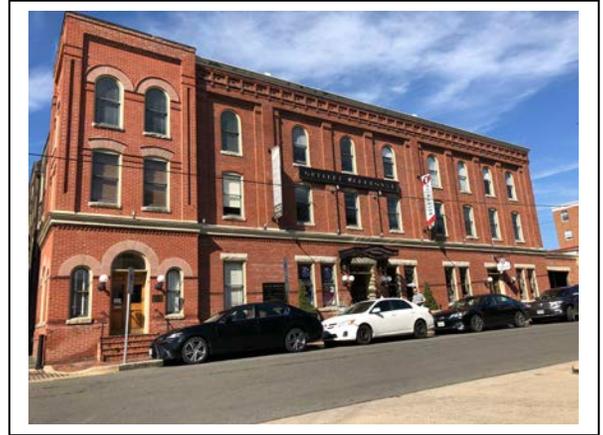


I. DISCUSSION

The applicant, Tandoori Nights of Alexandria, LLC, represented by M. Catharine Puskar, requests SUP approval to expand the hours of operation at a currently grandfathered restaurant at 218 North Lee Street.

SITE DESCRIPTION

The subject tenant space on the second floor is located on one lot of record, which is 218 N. Lee Street. This parcel and the parcels at 216 and 220 N. Lee Street are developed with an approximately 12,445 square foot, three-story building named Crilley Warehouse. The subject parcel at 218 N. Lee Street has approximately 260 square feet of frontage on North Lee Street, a depth of 117 feet, and a lot area of 4,436 square feet. A mix of commercial uses are tenants in Crilley Warehouse, including retail, restaurant, office and personal service uses.



Office, commercial and residential uses surround Crilley Warehouse and the subject tenant space, including restaurants and specialty retail stores. A set of single-family townhouses named Queens Row is located to the east and other single-family homes are located to the south and the west.

BACKGROUND

In 1871, the Jamieson Bakery known for producing an assortment of biscuits and crackers, occupied 216-220 King Street. The company was renamed The George R. Hill Company and the building was used for candy production on the first floor, a bake house on the second floor, and storage on the third floor. The building underwent a variety of uses over the years including a warehouse and storage uses, and from 1907 to 1919, it became a wholesale grocery owned by Jeremiah Crilly. In 1967 the warehouse was remodeled into a mixed-used commercial building. Mondays Child Boutique and the Executive Office Suites currently on the first and third floor respectfully, are original tenants of the remodeled space and still operate from Crilley Warehouse today. La Bergerie operated as a grandfathered restaurant on the second floor from 1974 until it closed in December 2016.

The applicant agreed to operate the restaurant according to the grandfathered terms as stated in a letter of agreement dated October 27, 2017, however, the business has not formally opened.

PROPOSAL

The applicant requests SUP approval to expand the hours of operation for a grandfathered restaurant at 218 N. Lee Street. The applicant would occupy the 3,885 square foot tenant space previously used by La Bergerie. The hours of operation would be extended in the late afternoon and evening beyond the grandfathered hours of operation. The applicant would maintain 147 seats at the restaurant, which would feature traditional Indian cuisine and a full-service bar on the second

floor. Limited live entertainment, such as occasional karaoke or a band of three to four members, would be occasionally offered for private events in the 40-seat multi-use room. The proposed entertainment would be subsidiary to the food service and cover charges or an admission fee would not be collected. The approval of this SUP request would extinguish the grandfathered status of the restaurant at this location.

Elements of the restaurant would be:

Proposed Hours of Operation: 10 a.m. to 12 a.m., Sunday through Thursday
10 a.m. to 1 a.m., Friday and Saturday

Grandfathered Hours of Operation: 11:30 a.m. to 2:30 p.m., Monday through Saturday
6:30 p.m. to 10:30 p.m., Monday through Thursday
6 p.m. to 11 p.m., Friday and Saturday
5 p.m. to 9:30 p.m., Sunday

Proposed and Grandfathered Number of Seats: 147 indoor seats

Live Entertainment: Limited live entertainment

Proposed and Grandfathered Alcohol: On-premises alcohol sales

Employees: Eight employees per day

Delivery: No delivery service will be offered.

Noise: Typical restaurant noises expected.

Trash/Litter: Food waste and other garbage generated each day would be stored in a dumpster. Trash would be collected twice a week. Applicant would pick up litter in the front and rear of the property.

PARKING

The subject property is located within the Central Business District (CBD) parking district. Pursuant to Section 8-300(B) of the Zoning Ordinance, restaurants located within the CBD are exempt from ordinary parking requirements.

ZONING/MASTER PLAN DESIGNATION

The subject tenant space is located in the CD/Commercial Downtown Zone. Section 4-503(W) of the Zoning Ordinance allows a restaurant in the CD/Commercial Downtown Zone only with a special use permit when it exceeds the standards of Section 11-513(L) for administrative SUP approval. As the request exceeds the administrative SUP standards for hours of operation and number of seats, the case must be reviewed through the full-hearing SUP process, a requirement that extends to the intensification of operational hours for a grandfathered use.

The proposed use is consistent with the Old Town Small Area Plan chapter of the Master Plan which designates the property for commercial use. The small area plan also requires a review of the Old Town Restaurant Policy, which is included in the Staff Analysis section of this report. The subject site is located within the boundaries of the Old and Historic District and while no exterior alterations are proposed as part of this SUP application, any exterior renovations or changes including construction, signage, lighting, menu boards, exterior vents and awnings may require separate review and approval by the Board of Architectural Review

II. STAFF ANALYSIS

Staff supports the applicant's request for a restaurant at 218 N. Lee Street; a request that also represents the intensification of a grandfathered use. The proposed restaurant would complement the existing uses on N. Lee Street by offering alternative dining options and would fill a vacancy that had been occupied by a restaurant for decades. It is also consistent with the Old Town Restaurant Policy, which requires an analysis of the restaurant's potential impact concerning parking, alcohol and late-night hours, litter, and a diversity of uses in the surrounding area.

Parking

There is a significantly reduced possibility for this use to impact parking due to the availability of multi-modal transportation in Old Town (Metro, King Street Trolley, DASH and Metro buses, and Capital Bikeshare). In addition, the proposed restaurant would be going into a tenant space that has operated at the same capacity without recording any negative parking effects on surrounding areas. Several public parking garages exist in a half mile radius of the proposed tenant space and have the capacity to accommodate the business's patrons who drive, thereby limiting parking impacts on surrounding neighborhoods. The applicant is required to direct its customers to these public garages and inform them of the available public transportation options in Condition #22. Employees must park off-street and are encouraged to use public transportation as specified in Conditions #20 and #21.

Litter

Staff does not anticipate that litter will impact the surrounding area because the restaurant is exclusively a dine-in operation. Nonetheless, the regular pick-up of litter near the premises two times a day is included in Condition #19.

Alcohol and Late Night Hours

The proposed closing hours and on-premises alcohol service is not expected to negatively impact neighboring areas as alcohol service is restricted to within the tenant space as specified in Condition #5. Staff has included Condition #2 to ensure that the restaurant staff is properly trained to prevent the sale of alcohol to underage individuals. The operating hours proposed are consistent with restaurant operating hours in Old Town.

Diversity of Uses

The proposed restaurant replaces an established restaurant operation and, therefore, does not disrupt the balance of uses, which includes as art gallery, clothing store and office establishments in Crilley Warehouse.

Additional Consideration

Although live music is proposed, the restaurant would not become an entertainment destination given that the applicant proposes music on an occasional basis and for private events in the relatively small, 40-seat, multi-use room. Staff has reinforced the limited-live entertainment requirement in Condition #8, which restricts the entertainment to the multi-use room, requires that admission is not charged, and that the entertainment is subordinate to the restaurant use. Condition #8 also requires that the limited live entertainment must end by 10 p.m. on evenings when it is scheduled to prevent late night noise impacts for residents that are located across N. Lee Street. Residents to the south and west would not be affected by the limited live entertainment as the interior walls of Crilley Warehouse would absorb the sound in those directions. Further, potential noise impacts would be minimized as no amplified sounds shall be audible at the property line, as mandated in Condition #18.

To provide the applicant with flexibility for operating hours, staff recommends extending the morning hours to 7 a.m., as stated in Condition #3.

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

III. RECOMMENDED CONDITIONS

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

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements and on how to prevent underage sales of alcohol. (P&Z)
3. The indoor hours of operation shall be limited to between 7 a.m. to 12 a.m. midnight from Sunday through Thursday, 7 a.m. to 1 a.m. from Friday to Saturday. Meals ordered before closing hours may be served, but no new patrons may be admitted, and no new alcohol may be served and all patrons must leave one hour immediately after the closing hours. (P&Z)
4. The maximum number of indoor restaurant seats shall be 147. Outdoor seats are not permitted. (P&Z)
5. On-premises alcohol service may be permitted, consistent with a valid Virginia ABC license, but no off-premises sales shall be allowed. (P&Z)
6. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
7. No delivery of food to customers may operate from the restaurant. (P&Z)
8. Limited live entertainment shall be permitted for restaurant patrons in the 40-seat multi-use room for private events and shall cease by 10 p.m. No cover or admission fee may be assessed. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z)
9. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
10. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
11. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

12. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
13. 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)
14. 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)
15. 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).
16. 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)
17. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
18. 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).
19. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
20. The applicant shall require its employees who drive to use off-street parking. (T&ES)
21. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)

22. 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)
23. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
24. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Mary Christesen, Acting Division Chief, Land Use Services
Ann Horowitz, Urban Planner
Femi Adelokun, 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:

- F-1 This restaurant is located within the Central Business District and therefore is not required to provide parking. (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 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-10 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- R-11 The applicant shall require its employees who drive to use off-street parking. (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 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 public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Strategy (Old Town Area Parking Study). (T&ES)
- R-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 for more information about available resources. (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, 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:

- C-1 A building permit, plan review and inspections are required.

Fire:

C-1 The proposed occupant load requires a fire prevention permit. No other comments or concerns.

Health:

C-1 An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.

C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.

C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety Code of the City of Alexandria. Plans shall include a menu of food items to be offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.

C-4 A Food Protection Manager shall be on-duty during all operating hours.

C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.

C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.

C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

Parks and Recreation:

No comments received

Police Department:

No comments received



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 218 N Lee Street, Second Floor

TAX MAP REFERENCE: 065.03-09-09 **ZONE:** CD

APPLICANT:
Name: Tandoori Nights of Alexandria, LLC

Address: 218 N Lee Street, Alexandria VA 22314

PROPOSED USE: The Applicant is requesting a Special Use Permit to operate a 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.

M. Catharine Puskar, attorney
Print Name of Applicant or Agent
2200 Clarendon Blvd, Suite 1300
Mailing/Street Address
Arlington, VA 22201
City and State Zip Code

MC Puskar 12/11/17
Signature Date
703-528-4700 703-525-3197
Telephone # Fax #
cpuskar@thelandlawyers
Email address

ACTION-PLANNING COMMISSION: _____ **DATE:** _____
ACTION-CITY COUNCIL: _____ **DATE:** _____

SUP # _____

PROPERTY OWNER'S AUTHORIZATION See attached letter.

As the property owner of _____, I hereby
(Property Address)
grant the applicant authorization to apply for the _____ use as
(use)
described in this application.

Name: _____ Phone _____
Please Print
Address: _____ Email: _____
Signature: _____ Date: _____

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.
See attached.

Tandoori Nights of Alexandria, LLC
218 N Lee Street
Alexandria, VA 22314

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Authorization to File Application for a Special Use Permit for a Restaurant
218 N Lee Street TM #065.03-09-09 (the "Property")

Dear Mr. Moritz:

Tandoori Nights of Alexandria, LLC hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to act as agent on its behalf for the filing and representation of an application for a Special Use Permit for a restaurant on the Property and any related requests.

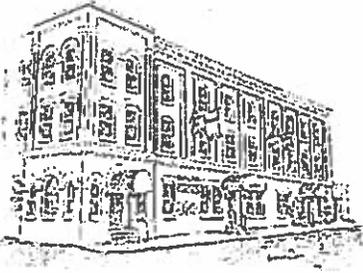
Very Truly Yours,

Tandoori Nights of Alexandria, LLC

By: Amjad Khansuda, A. Jod

Its: LLC managing member

Date: 12/11/2017



Crilley Warehouse Limited Partnership

216 North Lee Street, Alexandria, Virginia 22314
Phone 703.519-7280
Fax 703.519-7287

Crilley Warehouse, LP
216 N Lee Street
Alexandria, VA 22314

Karl Moritz
301 King Street
City Hall, Room 2100
Alexandria, Virginia 22314

Re: Consent to File Application for a Special Use Permit for a Restaurant
218 N Lee Street TM #065.03-09-09 (the "Property")

Dear Mr. Moritz:

As owner of the above-referenced Property, Crilley Warehouse, LP hereby consents to the filing of an application by Tandoori Nights of Alexandria, LLC for a Special Use Permit for a Restaurant on the Property and any related requests.

Very Truly Yours,
Crilley Warehouse, LP

By: 

Its: Building Manager

Date: 12/10/17

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. Amjad Khanzada	3811 Tall Oak Court, Annandale, VA 22003	33.333%
2. Shyam Lama	2005 Quiet Creek Court, Woodbridge, VA 22192	33.333%
3. Kabita Lama	25818 Kikwood Sq, Chantilly, VA 20152	33.333%

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.		
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 require 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 indicated 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. N/A		
2.		
3.		

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

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

12/11/17
Date

Amjad Khanzada
Printed Name


Signature

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.		
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 218 N. Lee Street, Alexandria, VA (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.

****See attached sheet****

Name	Address	Percent of Ownership
1.		
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 require 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 indicated 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. Crilley Warehouse, LP	None	None
2. Mel & Oud, LC	None	None
3. Leexandria, LLC	None	None
4. Old Town Crilley, LLC	None	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.

12/10/17
Date

Crilley Warehouse, LP
Printed Name

BY: Crilley Warehouse, LP

Signature Billy Mgr.

Crilley Warehouse, LP and Property Ownership Information

Crilley Warehouse, LP-75% owner

Leeaxandria, LLC, General Partner (33% owner of LP)

-Said Oudghiri-50% Owner

-Mustapha Meliani-50% Owner

Mel & Oud, LC, Limited Partner (34% owner of LP)

-Said Oudghiri-50% owner

-Mustapha Meliani-50% owner

Old Town Crilley, LLC (33% owner of LP)

-Said Oudghiri-50% owner

-Mustapha Meliani-50% owner

Mel & Oud, LC-25% owner

-Said Oudghiri-50% owner

-Mustapha Meliani-50% owner

3. Narrative Description

The Applicant, Tandoori Nights of Alexandria, LLC, is requesting a Special Use Permit to operate a restaurant on the second floor of 218 N Lee Street in Old Town, in the space previously occupied by La Bergerie restaurant for 40 years.

By way of background, La Bergerie restaurant opened in the second floor tenant space in the historic Crilley Warehouse in 1976. On May 12, 1979, the Zoning Code was amended to require all restaurants to obtain a Special Use Permit in order to operate. The Code "grandfathered" all existing restaurants, so La Bergerie operated without a Special Use Permit until it closed last year. A new restaurant would be permitted to occupy the space as a grandfathered restaurant so long as the details of the operation were exactly the same as those for La Bergerie. While Tandoori Nights intends to operate a sit down restaurant with the same number of seats, loading/unloading, trash pickup and other details consistent with how La Bergerie operated, they are requesting an SUP to permit them to operate with consistent hours throughout the day and later into the evenings than La Bergerie, which closed between lunch and dinner, had earlier closing hours and very limited hours on Sundays.

Tandoori Nights proposes to operate between 10 am and midnight, Sunday through Thursday and between 10 am to 1 am on Friday and Saturday, as well as provide occasional live entertainment in the form of small bands or karaoke. The proposed entertainment will be accessory to the restaurant and will be in compliance with the City noise ordinance requirements. The proposed hours of operation are consistent with other restaurants in the neighborhood and the proposed entertainment will enhance the dining experience for patrons.

Given that the restaurant is in the Central Business District, no offstreet parking is required. However, there is a public parking garage immediately across the street, which can accommodate patrons and employees.

USE CHARACTERISTICS

4. The proposed special use permit request is for (check one):
 a new use requiring a special use permit,
 an expansion or change to an existing use without a special use permit,
 an expansion or change to an existing use with a special use permit,
 other. Please describe: _____

5. Please describe the capacity of the proposed use:
 A. How many patrons, clients, pupils and other such users do you expect?
 Specify time period (i.e., day, hour, or shift).
Approximately 120 during the lunch shift, approximately 130 during the dinner shift

B. How many employees, staff and other personnel do you expect?
 Specify time period (i.e., day, hour, or shift).
8 total employees, 6 per shift

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

Day: Sunday-Thrusday _____ Friday-Saturday _____ _____ _____	Hours: 10AM-12AM _____ 10AM-1AM _____ _____ _____
--	---

7. Please describe any potential noise emanating from the proposed use.
 A. Describe the noise levels anticipated from all mechanical equipment and patrons.
The noise levels from mechanical equipment will be consistent with a typical restaurant. The Applicant proposes occasional karaoke or live entertainment with bands with a maximum of 3-4 members.

B. How will the noise be controlled?
Music in the restaurant will be kept at a reasonable level, with all doors and windows closed to ensure containment. The restaurant is located on the second floor of the building which may reduce any negative impacts on the surrounding neighborhood.

SUP # _____

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

Odors will be consistent with a typical restaurant. Odor emanating from trash ~~will be kept to a minimum due to regular trash pickup.~~

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

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)
Food waste and other garbage generally consistent with a typical restaurant will be generated by this use.

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)
Trash generated by this use will be consistent with that of a restaurant and will be similar to the previous restaurant tenant.

C. How often will trash be collected?
The Applicant anticipates that trash will be collected twice a week. The Applicant and the restaurant tenant in the first floor space share a dumpster in the rear of the building.

D. How will you prevent littering on the property, streets and nearby properties?
The Applicant will work with the first floor restaurant tenant to maintain the general cleanliness on the street and to address complaints.

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:

SUP # _____

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Cleaning equipment and solvents generally consistent with the operation of a restaurant will be kept on the property and stored and disposed in accordance with state and federal laws.

12. What methods are proposed to ensure the safety of nearby residents, employees and patrons? There are several other tenants in the building, and the Applicant will work with the building manager to ensure adequate safety measures.

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.

Alcohol will be sold on-premises only and will include beer, wine, and mixed drinks.

SUP # _____

PARKING AND ACCESS REQUIREMENTS

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

- 2 Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.

The Property is located within the Central Business District and no parking is required for a restaurant in the CBD. Two spaces are provided in the rear of the building for employees and other individuals associated with the restaurant use.

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 N/A
- off-site

If the required parking will be located off-site, where will it be located?

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

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

Parking reduction requested; see attached supplemental form

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

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

Planning and Zoning Staff Only

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

Does the application meet the requirement?
 Yes No

SUP # _____

- B. Where are off-street loading facilities located? Loading will occur on the private loading dock
in the rear of the building. There is access to a private parking lot for tenants.
- C. During what hours of the day do you expect loading/unloading operations to occur?
Loading and unloading will not occur between 11PM and 7AM.
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Approximately 3-4 deliveries per week.

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

SITE CHARACTERISTICS

- 17. Will the proposed uses be located in an existing building? Yes No
- Do you propose to construct an addition to the building? Yes No
- How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?
_____ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ 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: A historic warehouse.

The proposed use will be located in the same tenant space as a previous restaurant.

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.

- How many seats are proposed?
Indoors: 147 Outdoors: 0 Total number proposed: 147
- 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:
Tandoori Nights will serve traditional Indian cuisine.

- The restaurant will offer the following service (check items that apply):
 table service bar carry-out delivery
- 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:
The Applicant proposes occasional live entertainment in the form of karaoke or a live band. The bands will be instrumental and typically have 3-4 members.

Parking impacts. Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
 - 100%
 - 75-99%
 - 50-74%
 - 1-49%
 - No parking can be accommodated off-street

2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
 - All Employees will be able to park in the nearby public parking garage.
 - 75-99%
 - 50-74%
 - 1-49%
 - None

3. What is the estimated peak evening impact upon neighborhoods? (check one)
 - No parking impact predicted The current tenant is a restaurant. No additional seats will be added, therefore there are no predicted parking impacts.
 - 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:

_____	137	Maximum number of patron dining seats	
+	_____	10	Maximum number of patron bar seats
+	_____	Maximum number of standing patrons	
=	_____	147	Maximum number of patrons

2. 6 Maximum number of employees by hour at any one time

3. Hours of operation. Closing time means when the restaurant is empty of patrons.(check one)
 - Closing by 8:00 PM
 - Closing after 8:00 PM but by 10:00 PM
 - Closing after 10:00 PM but by Midnight
 - Closing after Midnight

4. Alcohol Consumption (check one)
 - High ratio of alcohol to food
 - Balance between alcohol and food
 - Low ratio of alcohol to food

