

***Special Use Permit #2018-0111
105 and 107 North Union Street
Outdoor Food Market***

Application	General Data	
Request: Public hearing and consideration for a special use permit for an outdoor food and crafts market.	Planning Commission Hearing:	February 5, 2019
	City Council Hearing:	February 23, 2019
Address: 105 and 107 North Union Street	Zone:	CD/Commercial Downtown Zone and WPR/Waterfront Park and Recreation Zone
Applicant: ARP Waterfront, LLC	Small Area Plan:	Old Town Small Area Plan

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

Staff Reviewer: Max Ewart, max.ewart@alexandriava.gov

PLANNING COMMISSION ACTION, FEBRUARY 5, 2019: On a motion made by Commissioner Wasowski and seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2018-0111 subject to compliance with all applicable codes, ordinances, and staff recommendations. The motion carried on a vote of 7-0.

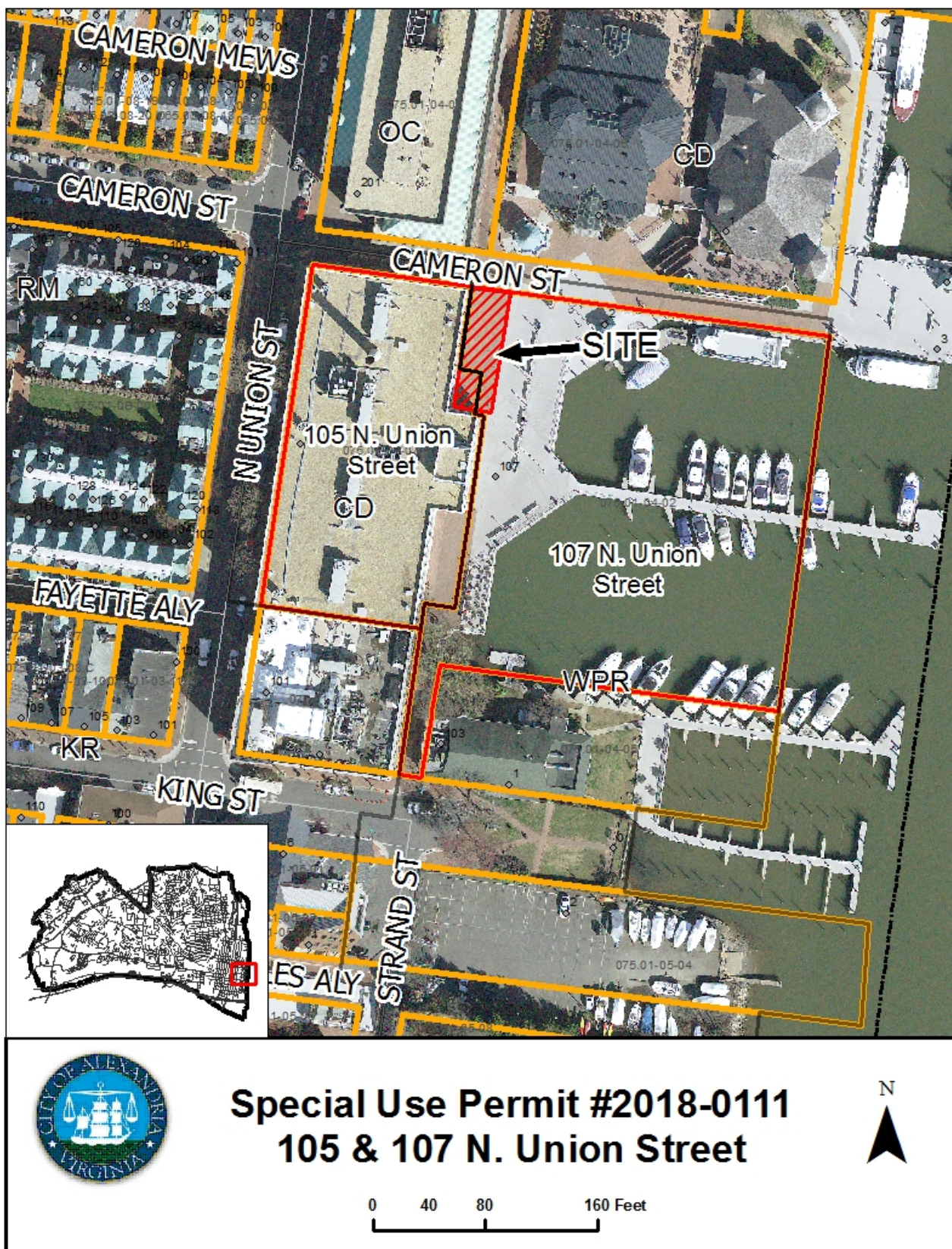
Reason: The Planning Commission agreed with the staff analysis.

Commissioner Lyle noted that she was in favor of the request, stating that it would help to achieve the goals of the Waterfront Plan. Commissioner Wasowski expressed her support for the proposal and asked if the applicant would be willing to use paper straws and compostable plates due to the proximity to the waterfront. Staff confirmed that the movable enclosure surrounding the outdoor market and near the fire hydrant complied with the Fire Code, relating to Vice-Chairman Macek's inquiry. He said that the Waterfront Commission would review the applicant's proposal at its February 19 meeting, prior to the City Council meeting. Commissioner Brown asked staff to verify that the 90 seats would be available to the public, which staff affirmed.

Speakers:

Lisa Schumayer, 2403 Leslie Avenue, an artist tenant in the Torpedo Factory, spoke in support of the applicant's request.

Scott Shaw, the applicant, confirmed that the food service feature of the market would use paper straws and compostable plates and that he was available to present his proposal to the Waterfront Commission.



PROJECT LOCATION MAP

I. REPORT SUMMARY

The applicant, ARP Waterfront, LLC requests Special Use Permit approval to operate an outdoor market at 105 and 107 North Union Street. The parcels are located in the CD, Commercial Downtown Zone, and the WPR, Waterfront Park and Recreation Zone, which designate the area for parks, open spaces and recreational opportunities linked by a continuous pedestrian promenade. Sections 4-503(T.1) and 6-203(D) allow outdoor food and crafts markets with Special Use Permit approval.

Staff recommends approval of the applicant's request as it would contribute to the vitality of the waterfront, supporting the goals of the Waterfront Small Area Plan. Standard SUP conditions and conditions specific to the location of the outdoor market have been added to ensure compatibility with existing uses at this site.

SITE DESCRIPTION

The subject area proposed for the 1,746 square foot outdoor market is along the northeasternmost corner outside of The Torpedo Factory Arts Center (Figures 1 and 2). The area has been designated for private use through a long-term lease agreement with the City and exists on portions of two parcels at 105 North Union Street and at 107 North Union Street. The parcel at 105 North Union Street has approximately 245 feet of frontage on North Union Street, a depth of approximately 135 feet and a total lot area of 31,904 square feet. A total lot area of 64,860 square feet exists for 107 North Union Street. The 105 North Union Street parcel is developed with the three-story Torpedo Factory Arts Center and the 107 North Union Street parcel encompasses an open plaza area and the City Marina.

In addition to its proximity to The Torpedo Factory Arts Center, the outdoor market would be located to the north of Vola's Dockside Grill and Hi-Tide Lounge; to the south of Blackwall Hitch and the Chart House restaurants; and to the west of the Waterfront Plaza and the City Marina.



Figure 1: Subject site

BACKGROUND

The lease agreement, for the private use of the subject area and the area below the Chart House, was established to promote increased activity and entertainment opportunities in the plaza. For several years, the leased area outside of the Torpedo Factory Arts Center has supported individual vendors as well as Torpedo Factory, City and community events.

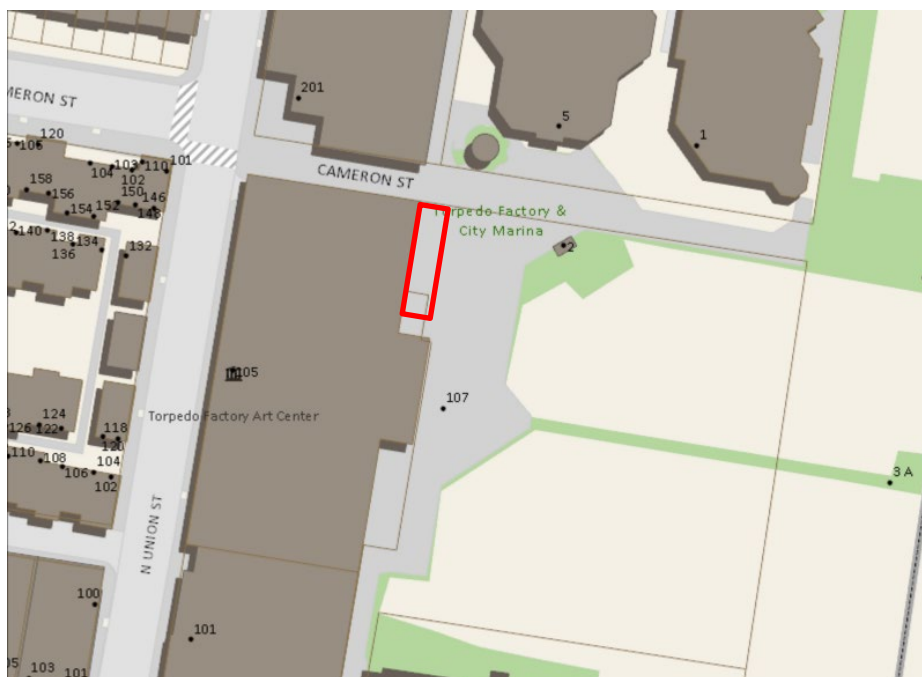


Figure 2: Subject location

PROPOSAL

The applicant proposes a 1,746 square foot outdoor market in an area outside the northeast corner of the Torpedo Factory Arts Center which would be open daily from 10:00 a.m. to 11:00 p.m. (Figure 3) The outdoor market would be comprised of an Airstream trailer (23' long x 8'7" tall), providing tacos, soft-drinks, and beer; 90-seats at picnic tables that would be available for general public use; and an area for up to five *plein-air* artists. Alcoholic beverages would be consumed within the designated market area, in compliance with Virginia ABC standards. The applicant would continue to allow the Torpedo Factory Arts Center, City and community groups to rent the outdoor space for special events. Tables, chairs and the Airstream trailer could be moved from the area to accommodate special events.

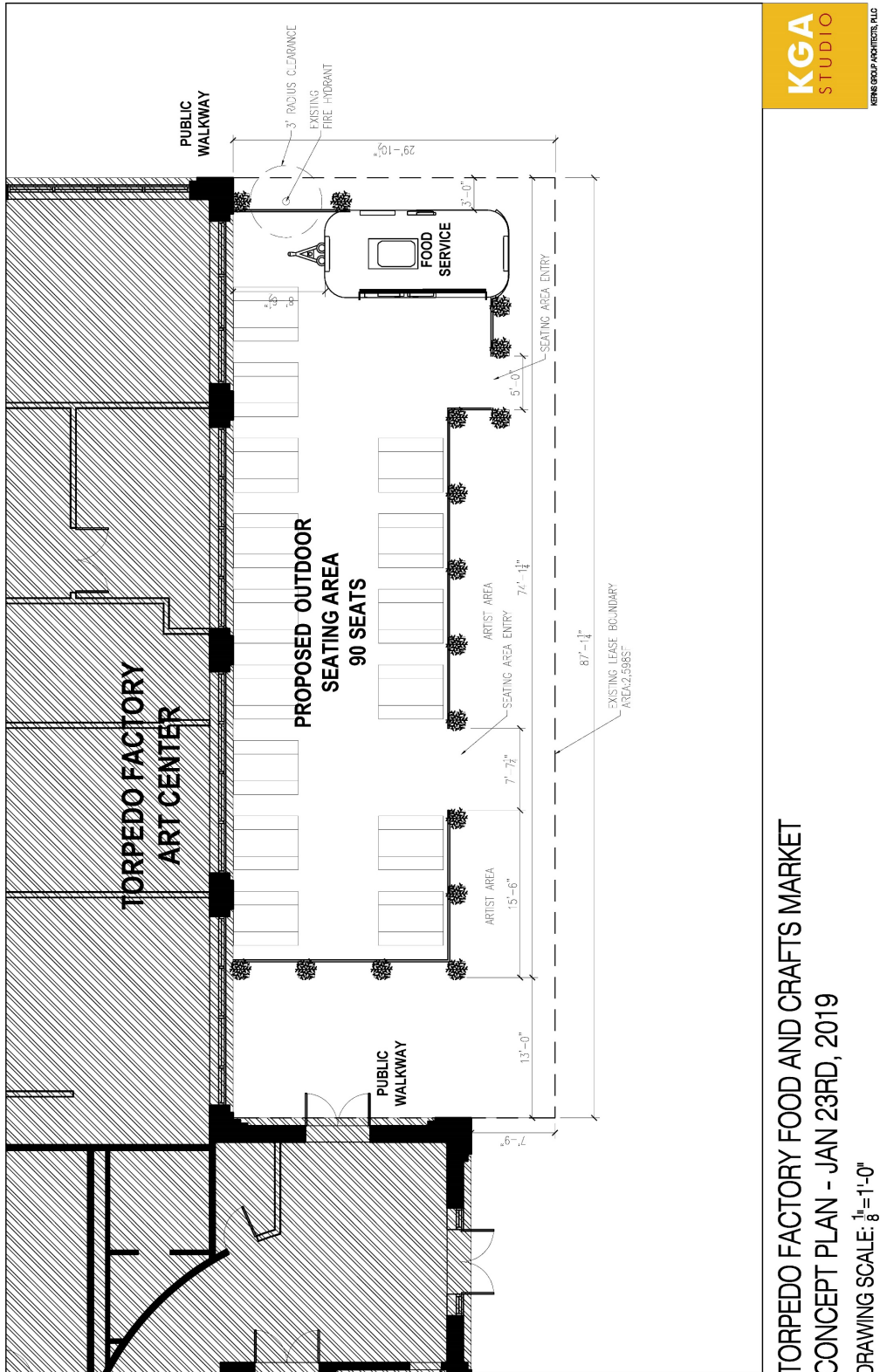


Figure 3: Subject site plan

PARKING

Section 8-300(B) of the Zoning Ordinance states that the outdoor food and crafts markets less than 10,000 square feet are not required to supply parking. The proposed 1,746 square foot outdoor market is not subject to parking requirements.

ZONING/ MASTER PLAN DESIGNATION

The subject area is located in the CD/Commercial Downtown Zone and WPR/Waterfront Park and Recreation Zone. Section 4-503(T.1) and Section 6-203(D) require Special Use Permit approval to operate an outdoor market.

The subject parcels are also located within the Waterfront Small Area Plan and the Old Town Small Area Plan. The Waterfront SAP designates the area where the outdoor market would be located for pedestrian uses that also serve the river and activities along the Potomac River. The Old Town Small Area Plan promotes mixed use along the waterfront area.

The use would also be located in the Old and Historic District. Board of Architectural review (BAR) review is not required due to the temporary nature of the Airstream trailer and because outdoor furniture is governed by the King Street Outdoor Dining Design Guidelines.

II. STAFF ANALYSIS

Staff supports the applicant's request to operate an outdoor market at the proposed site located at 105 and 107 North Union Street. The outdoor market at this location would further enhance the public seating, dining and entertainment options in the plaza along the City's waterfront, contributing to area vitality as a use which is compatible with surrounding uses. The applicant's proposal to continue renting the space to the Torpedo Factory Art Center, City, and community organizations for events ensures that a broad range of active educational, cultural, and social events will be maintained in the prominent plaza area.

Staff worked closely with the applicant to make certain that the design and operation of the proposed outdoor market would be compatible with neighboring uses and pedestrian movement. The applicant amended the originally proposed layout to allow for adequate access at the Torpedo Factory's north-facing doors and to ensure that natural light was maintained in the adjacent artists' studios. Thirteen feet of clearance between the north entrance of the Torpedo Factory Art Center and the outdoor market must be maintained, as stated in Condition 24 and as indicated in Figure 3. If a line forms as patrons wait for food service at the Airstream trailer, the applicant must direct patrons to queue along the eastern edge of the market area so pedestrian movement in the plaza is not impeded, as outlined in Condition 16.

Further, as the heights and originally proposed locations of the Airstream trailer and the table umbrellas obstructed the lower two feet of window area for three studios abutting the market, staff asked the applicant to relocate the trailer and umbrellas a minimum of 7 feet 6 inches away from the windows and the east-facing façade on the revised plan. Figure 3 notes the staff-recommended

layout, which is required in Condition 7, and Condition 15 mandates that objects or structures higher than six feet must be located the established distance from the façade of the Torpedo Factory Art Center building and they cannot exceed 10 feet in height to ensure that natural light, critical to the artists' work, is provided.

Additionally, conditions have been added to mitigate potential impacts on the waterfront plaza. Noise impacts would be mitigated through Condition 14 which prohibits the use of generators to operate the Airstream trailer. Electric power and related costs would be arranged through the Director of the Department of Recreation, Parks, and Cultural Activities (RPCA), as stated in Condition 13, which also requires the applicant to contribute to public bathroom cleaning as the use would draw additional patrons to the general waterfront area. Although standard Condition 19 requires that the applicant comply with the noise ordinance, amplification associated with an RPCA-approved permit for a special event may be allowed outside the normal operational hours of the Torpedo Factory Art Center.

To integrate artists from the Torpedo Factory, staff recommends that the applicant coordinate with the RPCA Office of the Arts to provide opportunities for art demonstrations, given by Torpedo Factory Artists, in the market area, as noted in Condition 16.

Standard SUP conditions have also been included that address environmental, parking and supply delivery requirements. Condition 2 extends the morning hours of operation from 10 a.m., as proposed, to 7 a.m. to allow the applicant operational flexibility. A 7 a.m. opening hour is consistent with the King Street Outdoor Dining Program permitted hours of operation.

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 hours of operation shall be limited to 7 a.m. to 11 p.m., daily. (P&Z)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
4. The number of outdoor seats shall be limited to 90. (P&Z)
5. 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)

6. On premises alcohol sales are permitted. (P&Z)
7. The layout of the outdoor market shall be consistent with the plans submitted on January 23, 2019. (P&Z)
8. The design of the outdoor dining areas and all its components shall be consistent with the quality standards of the King Street Outdoor Dining Design Guidelines. Any outdoor seating areas, including umbrellas, shall not include advertising signage. The applicant shall submit illustrations and specifications to the Director of Planning & Zoning for review and approval. (P&Z)
9. The applicant shall use Fayette Alley as a loading and unloading area located off North Union Street for supply deliveries. Loading and unloading may not occur and is strictly prohibited on King Street and on Union Street. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11 p.m. and 7 a.m. (P&Z)
10. The outdoor dining area shall be cleaned and washed at the close of each business day that it is in use. (P&Z)
11. The applicant shall contact the T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar program if one is created) that offers discounted parking at select City parking facilities on evenings and weekends. (P&Z)
12. The applicant shall maintain a list of artists with addresses and contact information. (P&Z) (RPCA)
13. The applicant shall contribute to public bathroom cleaning and maintenance costs, trash, and electricity to the satisfaction of the Director of the Recreation, Parks and Cultural Activities Department. (P&Z) (RPCA)
14. The applicant shall not use generators at the outdoor market. (RPCA)
15. The Airstream trailer, umbrellas and other objects or structures higher than six feet shall be located 7'6" from the façade of the Torpedo Factory Art Center building. No structures or object shall exceed 10 feet in height in the outdoor food and crafts area. (P&Z) (RPCA)
16. The applicant shall work with the RPCA Office of the Arts on opportunities for artists in the market area. (RPCA)
17. The applicant shall ensure that the patron queue line shall be along the eastern edge of the brick patio area and does not extend into the public right of way or impedes entrance to The Torpedo Factory Art Center. (P&Z) (RPCA)

18. The applicant shall control air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)
19. This use shall comply with the City noise ordinance. Amplification is only permitted outside the operational hours of the Torpedo Factory Art Center and in association with a special event that requires a permit from Recreation, Parks, and Cultural Activities (RPCA) Department. (T&ES) (P&Z)
20. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
21. 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. (T&ES)
22. 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)
23. 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)
24. The applicant shall maintain a minimum clearance of 13 feet between the north entrance of the Torpedo Factory Art Center and the outdoor market. (T&ES) (P&Z) (RPCA)
25. 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)
26. The applicant shall require its employees who drive to use off-street parking. (T&ES)
27. 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)
28. The applicant shall direct patrons to the availability of parking at nearby public garages and lots 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)

29. 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)
30. 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: Tony LaColla, AICP, Division Chief, Land Use Services
Ann Horowitz, Principal Planner
Max Ewart, 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 Provide 8-feet of clear space outside of the door-swing radius between the Torpedo Factory and the west side of the seating area. (T&ES)
- F-2 Consider providing an entrance to the seating area from the west side to allow for permeation between the torpedo factory and proposed food and crafts market. (T&ES)
- R-1 The applicant shall control air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)
- R-2 This use shall comply with the City noise ordinance. Amplification is only permitted outside the operational hours of the Torpedo Factory Art Center and in association with a special event that requires a permit from Recreation, Parks, and Cultural Activities (RPCA) Department. (T&ES) (P&Z)
- R-3 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (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. (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 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-7 The applicant shall maintain a minimum clearance of 13 feet between the north entrance of the Torpedo Factory Art Center and the outdoor market. (T&ES) (P&Z) (RPCA)
- R-8 All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-9 The applicant shall require its employees who drive to use off-street parking. (T&ES)

- R-10 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-11 The applicant shall direct patrons to the availability of parking at nearby public garages and lots 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-12 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:

No comments received

Fire:

- C-1 A fire prevention permit is required for this location.

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.
- C-8 Bar sections located within an open-air dining area will be limited in preparation activities. The bar section shall be placed in a location that reduces the potential adulteration of beverages served at the establishment. To the maximum extent possible, the location shall be free from dust, dirt, vermin, animals, birds, overhead leakage, or other contamination. Overhead protection shall be provided that fully extends over all beverages, condiments, utensil holding facilities and equipment associated with the bar section. All food, other than beverages, shall be prepared inside an approved, fully enclosed food establishment. No food preparation shall take place in the outdoor dining area. If the facility intends to have food preparation outdoors then the submission of construction plans and a plan review process are required.
- C-9 Additional mobile food permit may be required for the trailer located on the pier indicated for cooking food. Please contact Health Department to discuss.

Parks and Recreation:

- R-1 The applicant shall maintain a list of artists with addresses and contact information. (P&Z) (RPCA)
- R-2 The applicant shall contribute to public bathroom cleaning and maintenance costs, trash, and electricity to the satisfaction of the Director of the Recreation, Parks and Cultural Activities Department. (P&Z) (RPCA)
- R-3 The applicant shall not use generators at the outdoor market. (RPCA)

- R-4 The Airstream trailer, umbrellas and other objects or structures higher than six feet shall be located 7'6" from the façade of the Torpedo Factory Art Center building. No structures or object shall exceed 10 feet in height in the outdoor food and crafts area. (P&Z) (RPCA)
- R-5 The applicant shall work with the RPCA Office of the Arts on opportunities for artists in the market area. (RPCA)
- R-6 The applicant shall ensure that the patron queue line shall be along the eastern edge of the brick patio area and does not extend into the public right of way or impedes entrance to The Torpedo Factory Art Center. (P&Z) (RPCA)

Police Department:

No comments received



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

105 NORTH UNION STREET, PARCEL 4B

PROPERTY LOCATION: _____

TAX MAP REFERENCE: 075.01-04-07 **ZONE:** CD

APPLICANT:

Name: ARP WATERFRONT, LLC D/B/A John's Dockside Grill

Address: P.O. Box 2937 Duluth, GA 30096

PROPOSED USE: Food + Craft Market, selling or displaying ART

AND Food/Beverages FROM a moveable TRAILER

☒ **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.

<u>SSHAW</u>	<u>SSHAW</u>	11/27/2018
Print Name of Applicant or Agent	Signature	Date
<u>106 N. Lee St, Suite 200</u>	<u>703-362-2901</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Alexandria, VA 22314</u>	<u>SSHAW@AlexPostpart.com</u>	
City and State	Zip Code	Email address

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

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

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 105 NORTH UNION STREET, PARCEL 4B I hereby
(Property Address)
grant the applicant authorization to apply for the Food + Craft Market SUP use as
(use)
described in this application.

Name: GARY S. BELL
Please Print
Address: 201 N. Union Street, Suite 110, Alex. VA, 22314

Phone: 703-684-0822

Email: gsbell@realty.vanland.com

Signature: [Signature]

Date: 11-21-2018

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 following pages

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. <i>see attached, "3B"</i>		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at _____ (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. <i>See Attached, "3C"</i>		
2. <i>(Also in PDF)</i>		
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. <i>see attached, "3B"</i>	<i>NONE</i>	
2. <i>except Scott Shaw, see</i>	<i>City Council</i>	<i>City Council</i>
3. <i>"3D"</i>		

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

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

11/20/18
Date

Scott Shaw
Printed Name

[Signature]
Signature

Vola's Dockside Grill (ARP Waterfront, LLC)

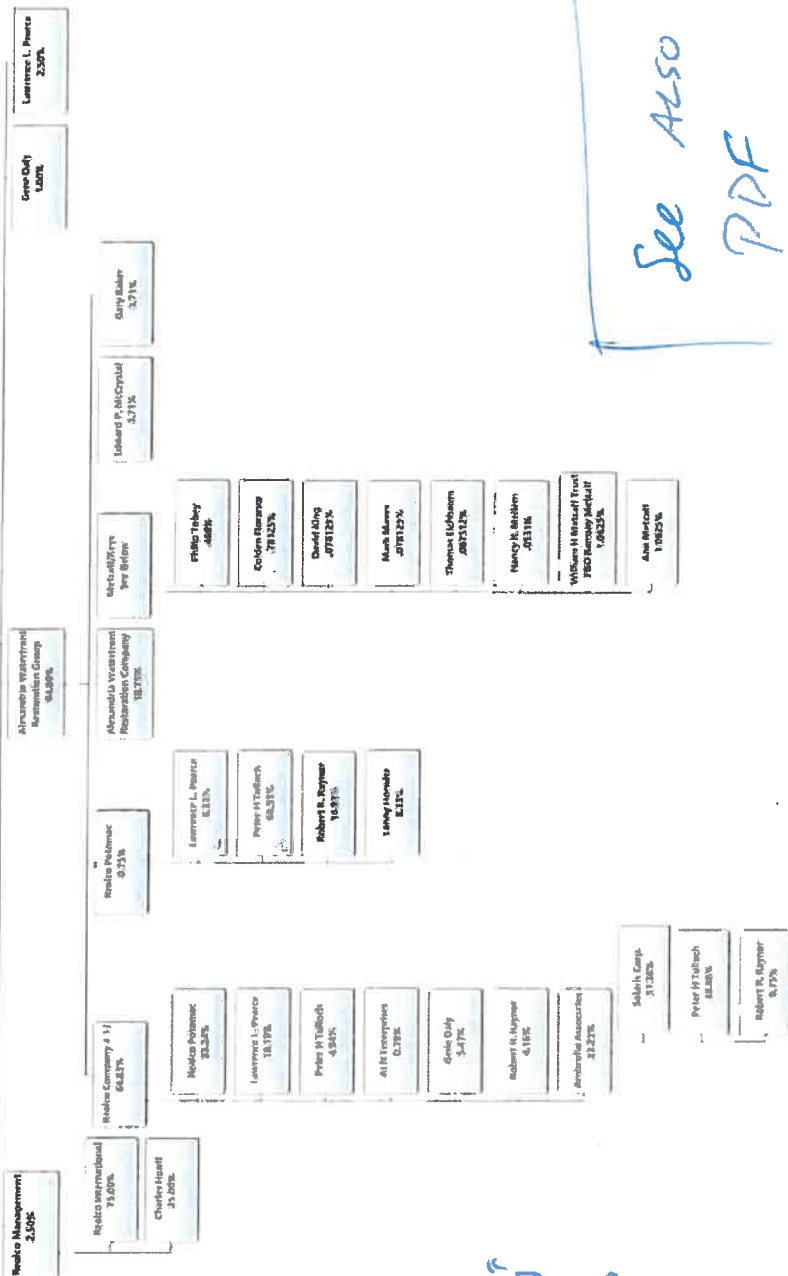
Ownership (3% or more)

Scott Shaw	15.00%	221 South Pitt St, Alexandria, VA 22314
David Clapp	15.00%	5066 Staverly Lane, Norcross GA, 30092
David Nicholas	15.00%	8 Keith's Lane, Aalexndria VA 22314
Jody Manor	10.00%	1821 S Street NW Wash DC 20009
Tom Herrity	5.69%	709 Jackson St, Arlington, VA 22201
Jay Bonnit	5.21%	1200 Villamay Blvd, Alexandria, VA 22307
Win Sheridan	4.94%	211 N Union Street, Suite 220, Alexandria, VA 22314
Jason Yates	3.22%	515 Mt Vernon Ave, Alexandria VA 22301

36"

PROPERTY OWNERS

130



See Also Separate PDF

20

Scott Shaw, City Council Campaign donations in 2018:

Justin Wilson	\$750
John Chapman	\$250
Paul Smedberg	\$250
Kevin Dunne	\$250
Elizabeth Parker Bennett	\$250
Willie Bailey	\$250
Dak Hardwick	\$750
Matt Feeley	\$250

"3d"

SUP # _____

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 proposing a 2000sf multi-function outdoor space to be located on the private leased open paved area along the currently open northeast side of the Torpedo Factory Arts Center facing the riverfront. This space is proposed to be occupied by tables, chairs and umbrellas intended for general public use unless a special event is being conducted. Self-contained mobile food and beverage service is proposed to offer a variety of seasonal food options with all cooking activities conducted at an adjacent off-site facility. Working space for multiple 'Pen-air' artists will be provided in the seating area to make the seating area more inviting to the public as well as directly compliment the artist programming within the Torpedo Factory. Due to the intent of offering alcoholic beverages within the seating area a VABC compliant barrier will be maintained using movable planters and nautical roping. No permanent structures or building façade modifications are proposed as part of this application. Any required service storage will be accommodated in the lower level of the Chart House.

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).

72 public access seats available all day

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

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

3 service staff supporting food/beverage service (lunch through evening/seasonal)

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

Day:

DAILY, Monday thru Sunday

Hours:

10 am & 11pm

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

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

Minimal noise. Small ventilation fan supporting mobile food service

B. How will the noise be controlled?

No noise issues anticipated.

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

Only minor odors associated with serving pre-prepared food and beverage

anticipated.

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)

Single use paper and plastic food service items.

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

Anticipating 2 bags of trash per day.

- C. How often will trash be collected?

Daily trash removal.

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

Service staff to collect litter within seating area. Trash bins to be located at entry/exit to encourage use.

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:

na

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:

na

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

na

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.

ON premise only sale of alcohol. We
anticipate beer & wine only to general public,
but may include mixed drinks for private events.

PARKING AND ACCESS REQUIREMENTS

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

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

Planning and Zoning Staff Only

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

Does the application meet the requirement?

☐ Yes ☐ No

- B.** Where is required parking located? (check one)

☐ on-site

☐ off-site

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

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

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

☐ Parking reduction requested; see attached supplemental form

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

- A.** How many loading spaces are available for the use? _____

Planning and Zoning Staff Only

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

Does the application meet the requirement?

☐ Yes ☐ No

SUP # _____

- B. Where are off-street loading facilities located? Behind Chart House Building in service area.
- C. During what hours of the day do you expect loading/unloading operations to occur?
9am-12noon
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
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?

Existing access 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? 0 square feet.

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

2000 sq. ft. (existing) + 0 sq. ft. (addition if any) = 2000 sq. ft. (total)

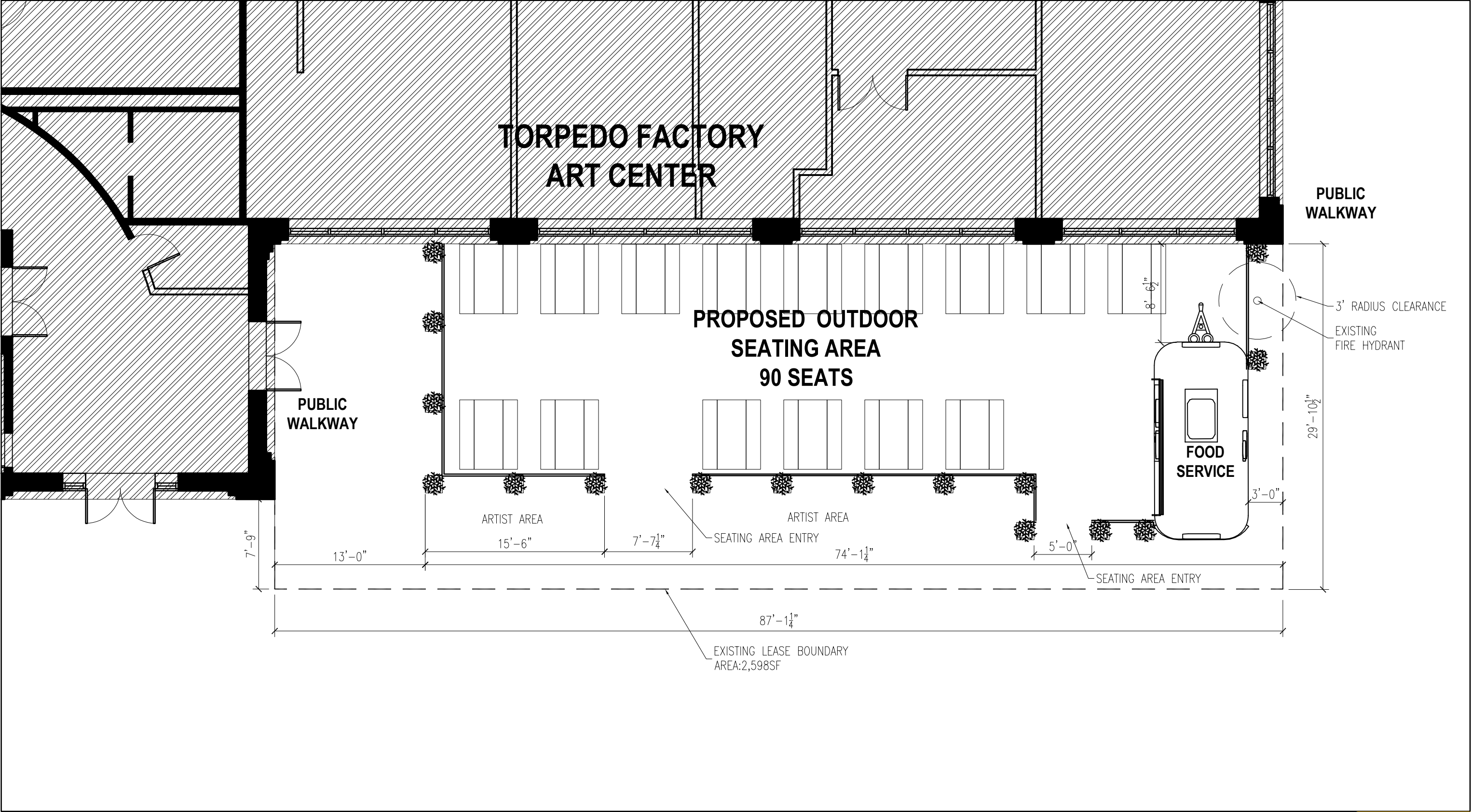
19. The proposed use is located in: (check one)

- ☐ 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: Open paved area on east side of Torpedo Factory

End of Application



TORPEDO FACTORY – OUTDOOR FOOD AND CRAFT MARKET RENDERING
NOVEMBER 27, 2018



TORPEDO FACTORY FOOD AND CRAFTS MARKET
CONCEPT PLAN - JAN 23RD, 2019

DRAWING SCALE: 1/8" = 1'-0"

REVISED ON:
1/23/2019



Vola's North Patio Project Summary

January 2019

For questions contact:

Scott Shaw

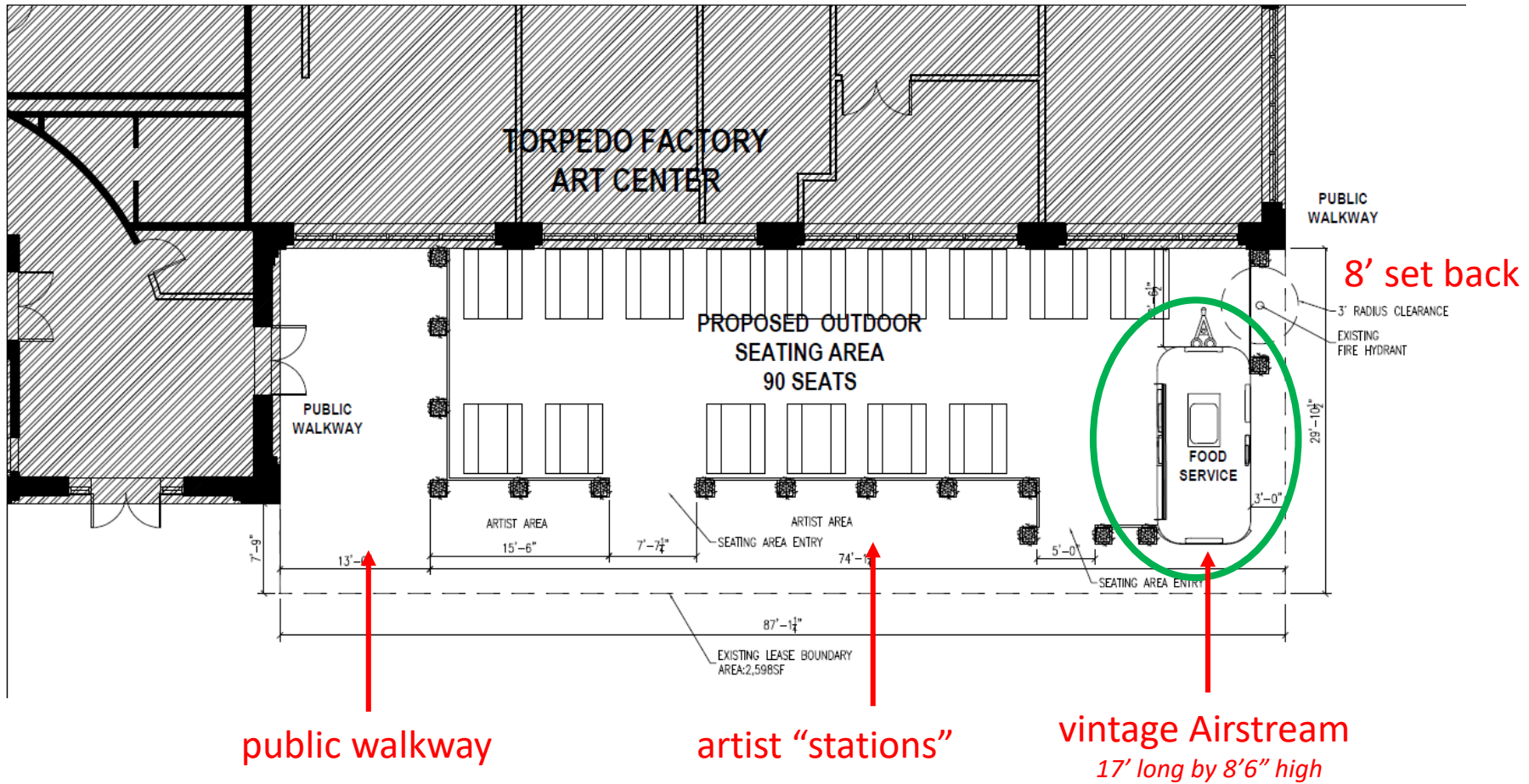
SShaw@alexrestpart.com

703- 362-2901

Vola's North Patio Expansion-Quick Facts

- The north and south brick patio areas in front of the Torpedo Factory are controlled by the same real estate company (RealCo) that rents space to Charthouse, Blackwall Hitch, and Vola's.
- Vola's lease with RealCo includes both of these brick patios. (However, as part of its lease with the City for waterfront dining, Vola's agreed to leave the south patio area open for pedestrian traffic.)
- Vola's is now applying for an SUP to operate a seasonal operation on the north patio area.
- This SUP application includes several elements:
 - Airstream trailer that will serve tacos, soft drinks, and beer during warm months
 - Outdoor seating that can be used at any time by the public
 - Artist stations/easels to encourage more outdoor working artists
- Vola's will continue to allow the Torpedo Factory management to use this patio area for catered events, on a "first booked" basis using a shared calendar. For events,
 - Patio tables can be moved to Vola's storage area under the Chart House
 - The Airstream can be used for a bar or for food service
- Vola's will also continue to allow this patio space to be used for civic events (ex recent Coast Guard ship commissioning)
- This seasonal patio is forecast generate \$50,000 in additional meals/ sales tax to the City (based on \$800K est. annual sales).

Site Plan



What this area looks like today



What It Will Look Like

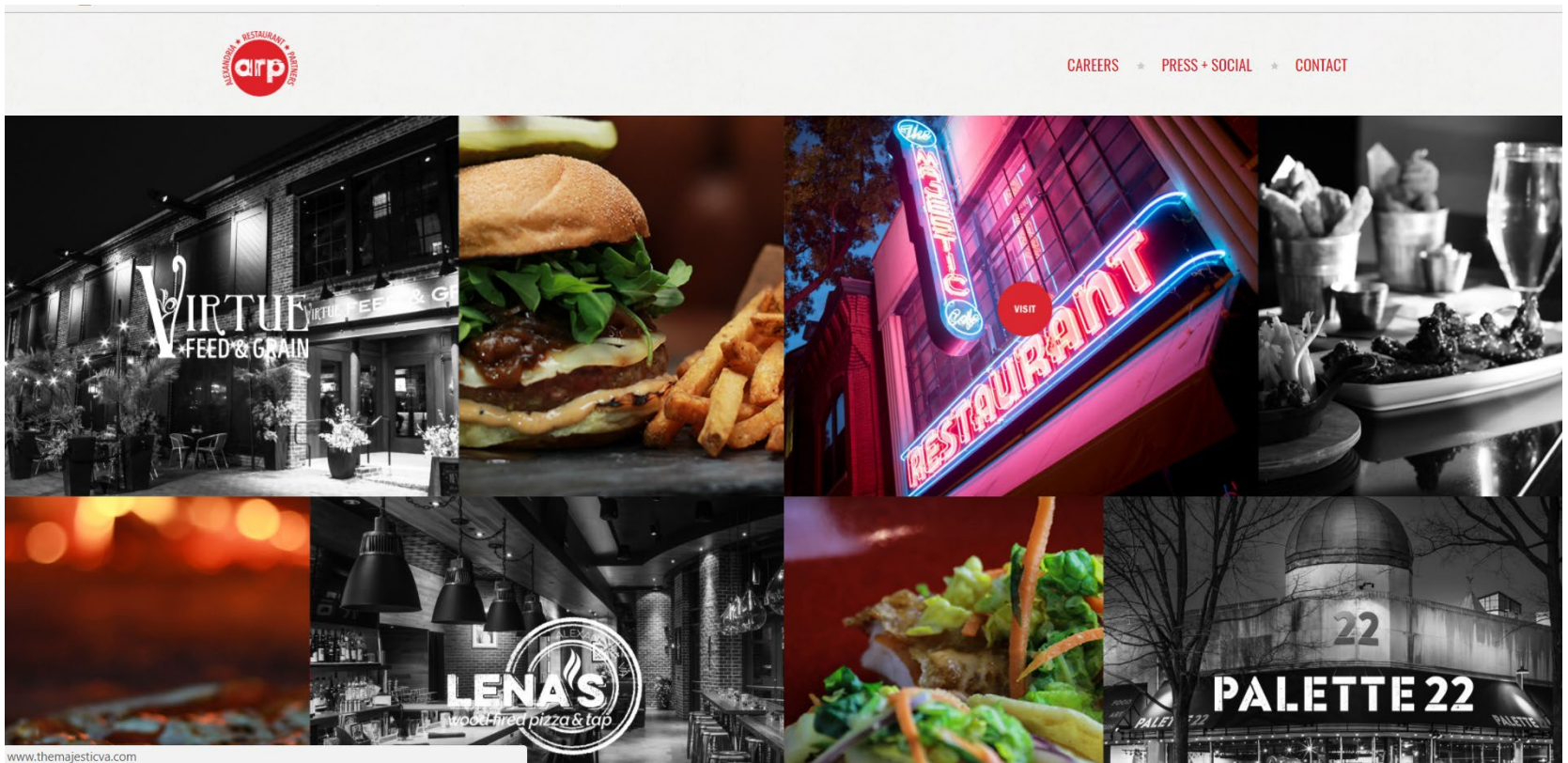


What It Will Look Like (aerial)



About *Alexandria Restaurant Partners*

- ❑ “Name says it all!”... locally owned, locally focused
- ❑ 5 restaurants in Alexandria (plus 1 each in Arlington and Orlando)
- ❑ Committed to our community, \$250,000+ in non-profit contributions in 2018



Support for SUP #2018-0111

Christopher Erney <chrisherney@yahoo.com>

Mon 2/4/2019 2:35 PM

Inbox

To: PlanComm <PlanComm@alexandriava.gov>;

To the Alexandria Planning Commission,

I am writing to offer my support for SUP #2018-0111, the "Outdoor Food and Craft Market" that is being considered for the brick area outside of the Torpedo Factory.

As a long-time Torpedo Factory artist and a past Artist Association President, I am very familiar with the location as well as the needs of tourists and visitors to this area. I talk to thousands of tourists and local visitors each year and I tell them about Alexandria's history, transportation, restaurants and activities and listen to their comments and questions. Based on that, I feel that ARP's proposal is a strong step forward in filling a basic need that we have had for a very long time on the waterfront dock area. Any additional seating along the waterfront is, of course, very welcome. This plan provides something even more important; an easily accessible place -especially for families, to quickly and easily stop, sit down for a few minutes and get a quick drink or snack without wrestling bags, strollers, children, dogs or bikes into a restaurant. Options for this type of quick, informal venue have been very few -especially since the food court closed several years ago.

I was initially concerned by one TFAC entrances that might be impacted by the location of the seating area, but my concerns were addressed by the site plan (there still is access by this northern-most door) and so I don't feel the location of the seating area will impact visitation into the TFAC. My hope is, that if anything, the increased activity so close to the TFAC might attract more potential visitors to the doors of our facility.

As for the "craft market" part of the concept, though I do not know exactly how this would work, I appreciate the consideration of ARP to make an effort to tie into the Torpedo Factory in some way. As it is now, there are already non-TFAC artists sitting outside the TFAC sketching and performing in nice weather, so I think any attempt to integrate these folks or others like them into a new proposal is a positive thing everyone, including the artists at the TFAC.

Personally, in the future, I would like to see the whole waterfront plaza area turn into a vibrant colorful arts district, celebrating Alexandria's history and the waterfront in new and interesting ways, I think the concept of the Outdoor Food and Crafts Market is a exciting new step in that direction. Currently, there are just empty bricks located at this site, and the fact that ARP's concept requires no permanent alteration to the site, to me, makes it an obvious, easy decision to go forward with. Choosing instead for tourist season 2019 to have absolutely no activity at this waterfront site versus trying a new venue that riverfront visitors might use and enjoy, would be a mistake. I hope you will grant SUP#2018-0111 to ARP.

Thank you for considering my comments.

Best Regards,

Chris Erney

Torpedo Factory Artist

Christopher Erney

The Torpedo Factory

Studio 33

105 N. Union Street

Alexandria, VA 22314

phone (703) 362-4416

web www.ChristopherErney.com

email chriserney@yahoo.com

Vola's North Patio Project

Suzanne Bethel <suzanneb@theartleague.org>

Mon 2/4/2019 5:15 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Hello,

I'm writing to provide an endorsement for the proposed Vola's North Patio Project.

As a tenant of the Torpedo Factory, The Art League has an interior perspective on the attractions and services that are of interest to our daily visitors and student population. With an active community of over 7,000 students and member artists, we recognize that Vola's North Patio Project would help address some existing needs. Such as;

- Our students make weekly trips to the art center so fast and affordable food options are much appreciated.
- An outdoor gathering place would provide a welcoming spot for our family visitors during our children-focused events.
- The Project could provide an immediately approachable and creative public square that would help increase interest and traffic flow to and from the Art Center.
- The service patio could also be a supportive partner for community art events and plein-air workshops.
- The Project could also help reorient visitors to the waterside entrance as the "main" entrance to the art center—helping to create a more energetic public face to the building.

We hope that the planning commission will consider approving the project. Thank you for all that you do for our city.

On behalf of the League,

 The Art League

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