



DOCKET ITEM #9
Special Use Permit #2018-00056
3 Pioneer Mill Way (Parcel Address: 300 Strand St.)

Application	General Data	
Public hearing and consideration of a request to amend a restaurant special use permit (SUP#2015-0014) to change the ownership	Planning Commission Hearing:	3/05/2019
	City Council Hearing:	3/16/2019
Address: 3 Pioneer Mill Way (Parcel Address: 300 Strand Street)	Zone:	W-1 / Waterfront Mixed-Use
Applicant: Alexandria Restaurant Partners, LLC Represented by Jonathan P. Rak	Small Area Plan:	Old Town / Waterfront 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:

Carson C. Lucarelli, Urban Planner II Carson.Lucarelli@alexandriava.gov
Dirk Geratz, AICP, Principal Planner Dirk.Geratz@alexandriava.gov
Robert Kerns, AICP, Division Chief Robert.Kerns@alexandriava.gov

(Parcel Address: 300 Strand Street)



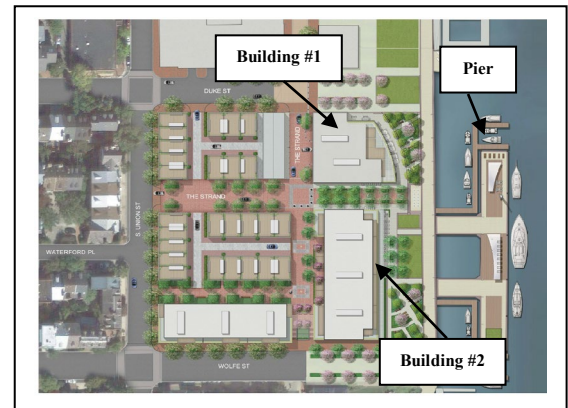
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I. DISCUSSION

Alexandria Restaurant Partners, LLC, represented by Jonathan P. Rak of McGuireWoods, requests to amend a previously approved special use permit for a new restaurant use in Robinson Terminal South. The purpose of the amendment is to allow a change in ownership and make minor changes to the operations of the restaurant.

SITE DESCRIPTION

The property is located on the redevelopment site identified in the Waterfront Plan as the Robinson Terminal South block (The Site), within the Enhanced Transit Area. The site is bordered by Duke Street to the north, the Potomac River to the east, Wolfe Street to the south and South Union Street to the west. The property, which is currently under construction, is situated approximately two blocks south of King Street, in the City's Old and Historic District. Once complete, the development will feature 26 townhomes, 70 multi-family condominiums, and three commercial spaces distributed across approximately 3-acres. The property is also characterized by two unique features: an early 20th century warehouse and a 40,000 square foot pier. Altogether, the spaces are thoughtfully stitched by a well-established network of pedestrian pathways and public spaces that connect to a promenade that engages the Potomac River.



The surrounding neighborhood is residential in scale, with a mix of uses ranging from hospitality, single-family residential, multi-family condominium, and modest two-story brick buildings whose ground floors serve a variety of retail and office uses. Immediately south of the redevelopment site lies historic Roberdeau Park. A key feature of the block's redevelopment is the physical connection it bridges between Duke Street to the North and Roberdeau Park to the south via a public promenade- which is framed by the Potomac River and the development. The neighborhood is punctuated by a high degree of walkability, which is enhanced by access to alternative modes of transportation such as DASH, Metro, water taxi and bicycle sharing facilities.

BACKGROUND

The Site's redevelopment proposal was approved with DSUP#2014-0006 (DSUP) in April of 2015. Concurrently with the DSUP were SUPs for retail and restaurant approval, a floating dock for boats, and a parking reduction for the Site's commercial and multi-family components. The DSUP's approval also paved the way for the redevelopment/reuse of two historic features that anchor the location, a historic early 20th century warehouse currently approved for retail, and the pier, which will eventually be conveyed to the City of Alexandria. The developer had envisioned

both the pier and retail space in building #2 as being restaurant oriented, however SUP's for those concepts were not considered at the time of the DSUP's review.

Prior to the Site's redevelopment, the block served as a storage terminal for the Robinson Terminal South Warehouse Corporation. The corporation was the subject of a 1983 Settlement Agreement between the previous owner and the U.S. Federal Government (The Settlement Agreement) stemming from a 1973 lawsuit brought upon by the latter pertaining to an ownership surrounding the property's eastern edge. The Settlement Agreement governs how the site can be developed with respect to use, form and height. It also calls for a publicly accessible open space adjacent to the Potomac- which this development provides.

PROPOSAL

The applicant proposes to operate a restaurant similar to the originally approved with outdoor seating that engages the Potomac River in Building #1 of the Site. The restaurant will offer "sophisticated fare," similar in offerings to other white table cloth establishments along/around King Street. The restaurant would feature indoor seating- both table side and at the bar - as well as an outdoor patio which can accommodate up to 83 people.

The restaurant proposed by this application will occupy approximately 5,000 square feet of ground floor retail space within the northeast corner of Building #1 identified on the site plan- which also contains residential condominiums in its upper 3-stories. The applicant's original proposal requested 251 seats in total: with 116 seats on the patio and 135 indoors. Under the new proposal, the applicant is seeking approval for 184 indoor seats and 83 along the patio.

Architecturally, the space is defined by two vertically stacked volumes, which allow the ceilings of the ground floor to ascend to a height of 20 feet within the open dining area. The space orients east towards the river with a continuous wall of glass- offering sweeping views of the Potomac and the pier. Adjacent to the building's eastern glass exterior lies the outdoor seating, which measures approximately 12 feet in width and 60 feet in length and will seat up to 83 patrons- a reduction of 33 seats from the original proposal. More details regarding the applicant's request are as follows:

Hours: 10:00AM – 11:00PM Monday – Sunday

Number of Seats: 184 Indoor Seats
83 Outdoor Seats
267 seats

Type of Service: Table, bar and carry-out service.

Alcohol: On-Premise only

Entertainment: Occasional background music and unamplified live-music from time to

Time.

Delivery: No delivery service is proposed

Noise: Noise levels typical of average restaurant but not to exceed those permitted under existing Alexandria City Code.

Trash/Litter: Waste will be removed daily to land-side trash areas. Collection and disposal of refuse will be the responsibility of management and staff.

PARKING

Parking for the site will be accommodated by a 190-space garage, which was approved with the DSUP in 2015. Fifty-eight of the spaces within the garage are reserved for the Site's commercial uses. The applicant has not proposed any changes to the approved number of parking spaces. The commercial parking spaces will be operated by a valet service as approved in the 2015 DSUP.

Since the approval of the DSUP's in 2015, the City of Alexandria has adopted new parking standards for multi-family and commercial uses. The new parking regulations account for greater flexibility and smarter land uses decisions by creating a minimum and maximum allowable range based on square footage, rather than seat count. Properties within the Enhanced Transit Area, such as the Site, are subject to further reductions. Therefore, the amount of parking under construction is in excess of what would be required today. However, the increase in seats requested with this application cannot be supported as it would exceed the amount of parking approved with the original DSUP. Thus, the number of total seats shall be limited to 251. More information regarding the commercial parking can be found below:

Use	Square Feet	New Zoning Ordinance Requirement*	Parking Approved with DSUP
Commercial (Restaurant)	5,000	Min. 5 (1 Space/ 1000SF) Max. 15 [3 Spaces / 1000SF]	41**

* The square footage of first 20 outdoor seats are exempt from the parking calculation

**Parking provided with DSUP based on seat count rather than square footage

ZONING/MASTER PLAN DESIGNATION

The Site is located in the W-1 Waterfront Zone. Restaurant uses within this zone are only permissible with a special use permit per Section 5-503 of the Zoning Ordinance. The zone "is

intended to promote mixed-use development with suitable public amenities along appropriate portions of the city's waterfront by permitting a mixture of residential, commercial, cultural and institutional uses and by allowing greater densities than would otherwise be permitted to the extent the proposed mix of uses, the design and the location warrant.”

The proposed uses at their respective locations are consistent with recommendations outlined for the site within the Waterfront Small Area Plan (The Plan). The Plan envisions new construction abutting the Potomac as having uses “which are welcoming to the public...accomplished through public welcoming uses such as...active ground floor uses in strategic locations.”

Similar to the Old Town Small Area Plan, the Waterfront Plan includes a policy direction regarding restaurant uses. This policy directs City Council to review such requests for their potential impacts related to noise, hours of operation, alcohol, parking, trash and maintaining a balance of uses. More information regarding this policy can be found in the following section.

II. STAFF ANALYSIS

Staff supports the applicant’s request as there have been no substantial changes to the application since the DSUP approval in 2015. Staff believes that the use, coupled with its proximity to the public promenade, the historic pier (which is under similar consideration), and the surrounding commercial uses, help bring many of the goals of the Waterfront Plan to fruition. The restaurant use will help anchor the site as a destination along Alexandria’s burgeoning waterfront district and create a destination for visitors of the nearby Hotel Indigo, and neighborhood alike.

Relevant City Plans and Policies

Waterfront Plan Policy for Restaurant/Hotel/Commercial Uses

The Waterfront Small Area Plan (The Plan) offers guidelines for all new restaurant uses. The policy asks staff and council to investigate the uses potential impact on adjacent uses. More specifically, the Plan advises that such uses should A.) Enhance the enjoyment of the waterfront for residents and visitors alike, B.) appropriately locate other uses which are consonant with public open spaces, development sites and the river; and C.) Maintain compatibility with both the historical and residential character of the adjacent neighborhood. The Plan also establishes guidelines for hours of operation and the extent to which alcohol is served, which will be discussed more extensively in the following section.

Old Town Restaurant Policy

All new restaurants within the Waterfront Zone (W-1) require special use approval and are further subject to the conditions outlined within the Old Town Restaurant Policy (The Policy). The Policy requires that Council/Planning Commission consider the potential negative impacts that such uses could impose. Since the proposed restaurant use within Building #1 has not intensified since its original approval with the DSUP in 2015, staff supports the applicant’s

request.

- *Availability of Off-Street Parking*

Parking for the development is being provided on-site in a below grade garage. The site, which lies within the City of Alexandria's Enhanced Transit Area, is well anchored by public transportation, bicycle sharing and Water Taxi. The site's proximity to the King Street Corridor and the multi-modal nature of the neighborhood are justification for support of the applicant's proposal.

Never the less, staff has included conditions that are standard for restaurants within the Old Town/King Street proximity, such as requiring staff to park at off-site locations or utilize alternative modes of transportation such as bicycle, bus or rail. It is incumbent upon the applicant to inform/incentivize these options with their staff so as to minimize the potential impact on surrounding neighborhoods.

- *Hours of Operation and Alcohol Consumption*

The applicant does not intend to intensify the hours of operation that were previously approved with the DSUP. There are also no changes being proposed that would impact the ratio of food to alcohol. The restaurant's placement against the promenade, coupled with the high ceiling heights and limited outdoor dining space, should not yield results which compromises the quality of life of the established neighbors. Furthermore, the hours of operation proposed by the applicant (11AM – 11PM Monday-Sunday) are more modest than other establishments within the surrounding vicinity.

In addition to the recommended conditions listed below pertaining to noise mitigation, the applicant shall be required to adhere to all other existing City of Alexandria noise regulations that would other apply to the site.

- *Extent of Litter Impact*

The applicant's proposal to deal with litter and trash collections/disposal is consistent with other operations in the area. The property will be also be patrolled for litter at least twice daily.

- *Maintaining a Diversity of Use*

Old Town's appeal is derived from the delicately woven blend of street-oriented uses and historic, colonial period architecture. Preserving this unique setting requires balancing particular uses so as to maintain an engaging mix of retail, restaurants and office. The restaurant's location with the development site will ensure that the pier and promenade are activated, while at the same time contributing to a new waterfront experience. Staff does not believe that the uses will create a negative impact on the surrounding neighborhood, which is punctuated by a healthy mix

of office, hospitality, and retail.

- *Deliveries / Loading*

There are no changes being proposed to the location of delivery and loading bays for the restaurant. Deliveries and loading will occur within the development site, away from local streets, along the Strand extension. The applicant, who is also proposing a restaurant use in Building #2 and along the pier, plans to coordinate deliveries between their three operations, thereby minimizing the impacts of such on the surrounding neighborhood.

- *Trash Pickup*

The restaurant group requesting this SUP application is also currently pursuing an additional SUP for restaurant operations on the pier, as well as in a space previously approved for retail. As such, trash/recycling will be addressed and disposed of collectively amongst the three ventures. Bins for trash and recycling will be stored within the loading dock of building #1- which is accessible from the extension of the strand, adjacent to the parking garage entrance. Staff has included standard conditions for trash and refuse.

Conclusion

The proposed restaurant use within Building #1 is supported by staff as there have been no changes made to the proposal other than to its ownership. The restaurant, in concert with the proposed improvements to the river front, create a one of a kind dining destination within Old Town. Staff believes that the linkage created by the public promenade will anchor the site as a destination for both dining and enjoyment, while at the same time creating an active space for public. Staff believes the restaurant's high ceilings and placement against the promenade will diminish the likelihood that the use becomes a nuisance.

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:

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral by the Director to public hearing by the Planning Commission and City Council.

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) (SUP2015-00014)

2. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP2015-00014)
3. **CONDITION AMENDED BY STAFF:** ~~The maximum number of indoor seats at the restaurant shall be 135. The maximum number of outdoor seats, which shall be located adjacent to Building 1 along the Waterfront frontage, shall be 116.~~ The cumulative number of seats (indoor & outdoor) shall not exceed 251. (P&Z)
4. 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) (SUP2015-00014)
5. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z) (SUP2015-00014)
6. On-premises alcohol service may be permitted, but no off-premises sales shall be allowed. (P&Z) (SUP2015-00014)
7. No customer delivery service shall be available from the restaurant. (P&Z) (SUP2015-00014)
8. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
9. 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 Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
10. 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)
11. 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)
12. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (P&Z) (SUP2015-00014)
13. **CONDITION AMENDED BY STAFF:** ~~The use of loudspeakers or musicians outside is prohibited, unless otherwise approved through a noise variance permit.~~ (T&ES) (SUP2015-00014) The use must comply with the city's noise ordinance. The use of

loudspeakers outside is prohibited, unless otherwise approved through a noise variance permit for a specific event. Unamplified music is allowed until 9:00 PM Sunday to Thursday, and until 11:00 PM, Friday and Saturday. (T&ES) (SUP2015-00014)

14. **CONDITION ADDED BY STAFF:** All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z)
15. **CONDITION ADDED BY STAFF:** The hours of operation shall be limited to 7:00AM to 12:00AM, daily. All patrons must leave the premises one hour after closing. (P&Z)
16. **CONDITION ADDED BY STAFF:** Indoor limited live entertainment shall be permitted for restaurant patrons during the hours of 9:00 AM to 12:00 AM, daily. Outdoor limited live entertainment shall be permitted in the form of amplified background music or unamplified instrumental performance for restaurant patrons during the hours of 9:00 AM to 11:00 PM, daily. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. (T&ES)
17. **CONDITION AMENDED BY STAFF:** ~~If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it.~~ Chemicals, detergents, cleaners and used cooking oil shall be stored inside the building. (T&ES)
18. 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) (SUP2015-00014)
19. 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) (SUP2015-00014)
20. The applicant shall encourage patrons to park off-street through the provision of information about on-site and nearby garages on advertising and on the restaurant's website. (T&ES) (SUP2015-00014)

21. 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. (T&ES) (SUP2015-00014)
22. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES) (SUP2015-00014)
23. **CONDITION AMENDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. ~~and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.~~ (P&Z) (T&ES) (SUP2015-00014)
24. **CONDITION AMENDED BY STAFF:** The applicant shall control cooking odors, smoke and any other 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)
25. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP2015-00014)
26. **CONDITION AMENDED BY STAFF:** All waste products including but not limited to organic compounds (solvents and cleaners), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
27. **CONDITION ADDED BY STAFF:** If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
28. **CONDITION ADDED BY STAFF:** 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)

29. 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) (SUP2015-00014)

STAFF: Robert Kerns, AICP, Division Chief, Department of Planning and Zoning
Dirk Geratz, AICP, Principal Planner
Carson C. Lucarelli, 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:

- R-1 The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-2 The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
- R-3 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-4 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)

- R-5 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. (T&ES)
- R-6 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-7 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-8 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-9 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-10 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-11 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-12 The use must comply with the city's noise ordinance. The use of loudspeakers outside is prohibited, unless otherwise approved through a noise variance permit for a specific event. Unamplified music is allowed until 9:00 PM Sunday to Thursday, and until 11:00 PM, Friday and Saturday. (T&ES) (SUP2015-00014)
- R-13 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-14 Chemicals, detergents, cleaners and used cooking oil shall be stored inside the building. (T&ES)
- R-15 Indoor limited live entertainment shall be permitted for restaurant patrons during the hours of 9:00 AM to 12:00 AM, daily. Outdoor limited live entertainment shall be

permitted in the form of amplified background music or unamplified instrumental performance for restaurant patrons during the hours of 9:00 AM to 11:00 PM, daily. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment

- 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 **CODE REQUIREMENT ADDED BY STAFF:** The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov for information about completing this form. (T&ES)
- C-2 **CODE REQUIREMENT ADDED BY STAFF:** 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 **CODE REQUIREMENT ADDED BY STAFF:** Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Fire:

- C-1 Fire prevention permits will be required for the various locations.

Health:

- C-1 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-2 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-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.

Parks and Recreation:

RPCA is not reviewing per MOU with P&Z.

Police Department:

No comments received



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 300 Strand St.

TAX MAP REFERENCE: 075.03-04-37 **ZONE:** CDX

APPLICANT:

Name: Alexandria Restaurant Partners, LLC

Address: 5066 Staverly Lane, Norcross, GA 30092

PROPOSED USE: Building 1 restaurant use

☒ **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.

Jonatan P. Rak, McGuireWoods LLP

Print Name of Applicant or Agent

1750 Tysons Blvd., Suite 1800

Mailing/Street Address

Tysons, VA

City and State

22102

Zip Code

Jonatan P. Rak
Signature

12/21/18
Date

703-712-5411

Telephone #

Fax #

jrak@mcguirewoods.com

Email address

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

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

SUP # _____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 314 Strand St. and 300 Strand Street, I hereby
(Property Address)
grant the applicant authorization to apply for the restaurant use as
(use)
described in this application.

Name: RT Waterfront Associates LLC

Phone: 703-712-5411

Please Print
Address: 4800 Hampden Lane, Suite 300, Bethesda, MD 20814

Email: jrak@mcguirewoods.com

Signature: 

Date: 11/28/18

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

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. See attached		
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 300 Strand Street (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. See attached		
2.		
3.		

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

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

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. See attached		
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.

12/21/18

Date

Jonathan Rak

Printed Name

J. Rak my own

Signature

**Alexandria Restaurant Group SUP Amendment Application
Ownership Disclosure Attachment**

Ownership Disclosure for Applicant and Property Owner

- Alexandria Restaurant Partners, LLC (Applicant)
 - DRN, Inc, 33.3%*
 - David Nicholas, 100%*
 - AiC Capital, LLC 33.3%
 - Scott Shaw, 100% (financial relationship listed below)
 - Jeff Barker LLC, 33.3%*
 - David Clapp, 100%*
- RT Waterfront Associates LLC (Property Owner)
 - Robinson Landing, LLC, 100%
 - MFA Robinson Landing LLC 95%
 - Mitsui Fudosan America, Inc. 100%
 - MFA Holding, Inc.
 - A publicly traded company
 - RT Homes Member LLC 5% Manager
 - JBG/RT Member, L.L.C., 82.7%
 - JBG Investment Fund IX, L.L.C., 100%
 - No Individual or entity owns greater than 3%
 - RT Homes Investments LLC, 17.3%

Addresses

Individual/Entity	Address
DRN, Inc	5066 Staverly Lane, Norcross GA 30092
David Nicholas	5066 Staverly Lane, Norcross GA 30092
AiC Capital, LLC	5066 Staverly Lane, Norcross GA 30092
Scott Shaw	5066 Staverly Lane, Norcross GA 30092
Jeff Barker LLC	5066 Staverly Lane, Norcross GA 30092
David Clapp	5066 Staverly Lane, Norcross GA 30092
RT Waterfront Associates LLC	4800 Hampden Lane, Suite 300, Bethesda, MD 20814
MFA Robinson Landing, LLC	1251 Avenue of the Americas, New York, NY 10020
Mitsui & Co. (U.S.A.), Inc.	1251 Avenue of the Americas, New York, NY 10020
JBG/RT Member LLC	4445 Willard Avenue #400 Chevy Chase, MD 20815
JBG Investment Fund IX, L.L.C.	c/o The JBG Companies, 4445 Willard Avenue, Suite 400, Chevy Chase, Maryland 20815, Attn: A. Leslie Ludwig

Business or Financial Relationships

- Scott Shaw has made campaign contributions to the following individuals
 - Vice Mayor Justin Wilson (\$750)
 - Council Member Paul Smedberg (\$250)
 - Council Member Willie Bailey, Sr. (\$250)
 - Council Member John Chapman (\$250)
- ***No other individual or entity has a business or financial relationship**

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 seeks to operate the Building 1 restaurant use (of approximately 5,000 sf) approved per DSUP #2014-0006 and SUP #2015-0014 for restaurant use.

Loading and trash collection of the restaurant will occur in the loading dock of Building 1 as approved with DSUP #2014-0006 and SUP #2015-0014.

The restaurant will be sophisticated as compared to the SUP requested for the pier and cafe areas in this development, which will be serving more casual fare. The menu will feature high quality grilled seafood and steaks, cooked over a charcoal grill. The restaurant will feature a full bar and extensive wine list.

Parking for the restaurant is to be provided as approved per DSUP #2014-0006 whereby the approved restaurant and commercial areas of the development will utilize a valet plan. The valet parking plan includes 58 parking spaces with a requirement to continually analyze the parking demand after operations and if warranted, provide additional off-site parking nearby.

Note that the restaurant, cafe and pier (under separate SUP application) will share facilities, including trash and loading in Building 1, as well as some food preparation and storage. All three spaces (cafe, pier and restaurant) will be managed by the Applicant and each will serve distinctive fare.

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).

For the restaurant on the pier, 375 per day. Peak hour is anticipated to be the 5-9 pm dinner hour, with approximately 260 people being the most that would likely be present at any one time.

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

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

A maximum of 15

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

For the extended restaurant use on the pier:

Day:

Monday - Sunday

Hours:

10 am to 11 pm

7. Please describe any potential noise emanating from the proposed use.**A.** Describe the noise levels anticipated from all mechanical equipment and patrons.

Noise levels common for a restaurant use and a coffee shop.

B. How will the noise be controlled?

Management will be on site and can be contacted about noise during the hours of operation.

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

Odors common for a restaurant use, which are not anticipated to create a nuisance and are in-line with other nearby restaurants.

- 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)

Waste common of a restaurant use

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

Quantity less than a normal restaurant because bulk of the trash will be generated at shore-side facilities.

- C. How often will trash be collected?

Removed throughout the day to land-side trash areas.

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

Management will collect patrons' refuse after the patrons have left the establishment.

- 10.** Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[] Yes. [✓] No.

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

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

☒ Yes. ☐ No.

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

Cleaning agents may be held in quantities and stored in a manner typical for a restaurant use.

- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons?
We will maintain management onsite during hours of operation.

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 sales will include beer, wine, and liquor for on-premise consumption only.

SUP # _____

PARKING AND ACCESS REQUIREMENTS

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

25 * Standard spaces
8 Compact spaces
8 valet Handicapped accessible spaces.
17 tandem Other.

Per DSUP 2014-0006, 58 spaces are approved for restaurant and commercial uses, which will include standard, compact, valet-only and accessible spaces.

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? 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?

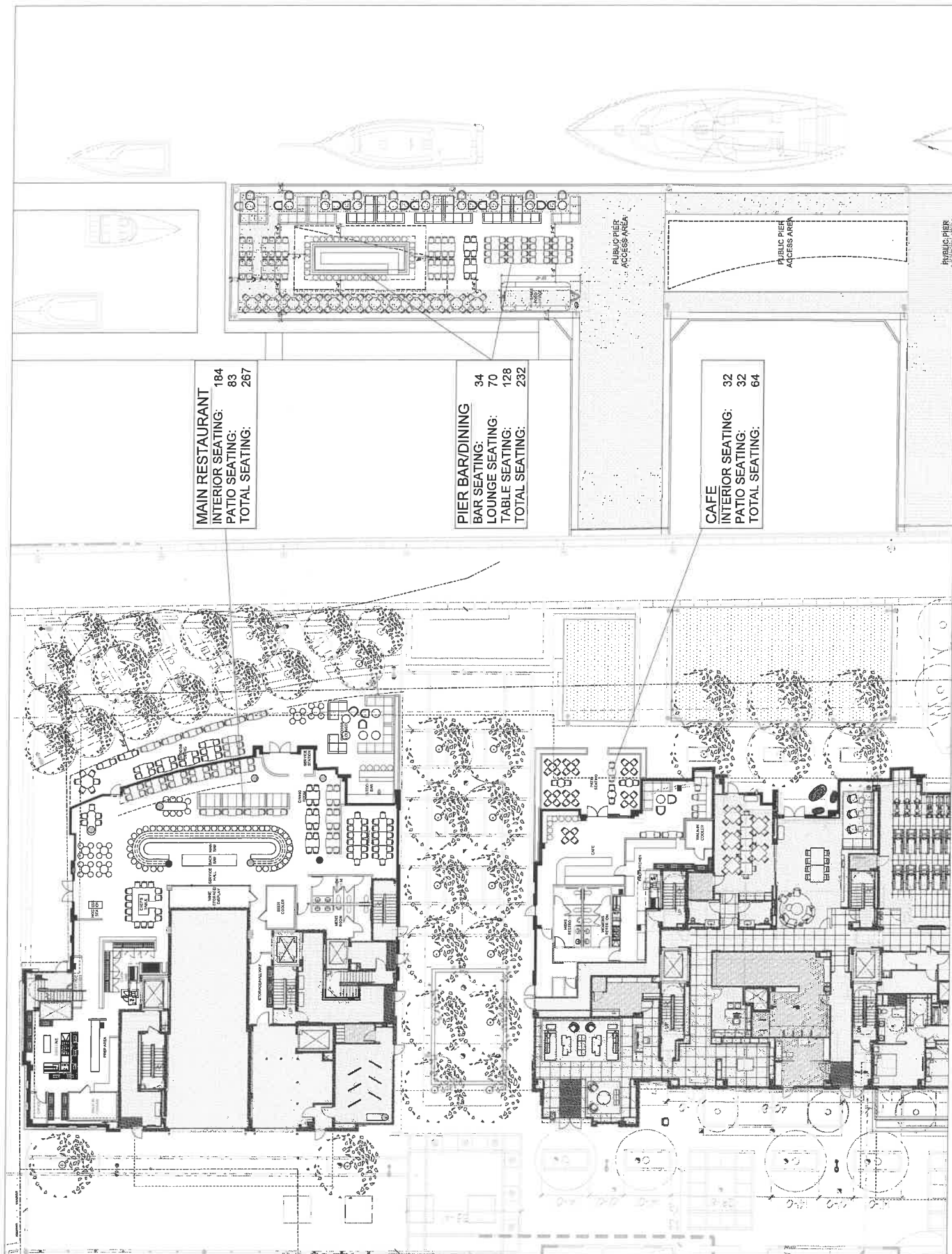
☐ Yes ☐ No

- B. Where are off-street loading facilities located? Building 1, located off of Strand Street
- C. During what hours of the day do you expect loading/unloading operations to occur?
Morning hours
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Daily
16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
No street improvements are anticipated as part of this application.

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? n/a square feet.
18. What will the total area occupied by the proposed use be?
5,000 sq. ft. (existing) + _____ sq. ft. (addition if any) = 5,000 (approx.) sq. ft. (total)
19. The proposed use is located in: *(check one)*
- ☒ a stand alone building
 - ☐ a house located in a residential zone
 - ☐ a warehouse
 - ☐ a shopping center. Please provide name of the center: _____
 - ☐ an office building. Please provide name of the building: _____
 - ☐ other. Please describe: _____

End of Application



MAIN RESTAURANT
 INTERIOR SEATING: 184
 PATIO SEATING: 83
 TOTAL SEATING: 267

PIER BAR/DINING
 BAR SEATING: 34
 LOUNGE SEATING: 70
 TABLE SEATING: 128
 TOTAL SEATING: 232

CAFE
 INTERIOR SEATING: 32
 PATIO SEATING: 32
 TOTAL SEATING: 64

SUP # _____

Admin Use Permit # _____



SUPPLEMENTAL APPLICATION

RESTAURANT

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

1. How many seats are proposed?
Indoors: 184 Outdoors: 83 Total number proposed: 267

2. Will the restaurant offer any of the following?
 Alcoholic beverages (**SUP only**) ☒ Yes ☐ No
 Beer and wine — on-premises ☒ Yes ☐ No
 Beer and wine — off-premises ☐ Yes ☒ No

3. Please describe the type of food that will be served:
Sophisticated fare, similar in offerings and price points to the Majestic, another ARP sister restaurant located at 901 King St. The menu will feature high quality grilled seafood and steaks, cooked over a charcoal grill. There will be a large appetizer selection for people who don't want a full meal. The restaurant will feature a full bar and extensive wine list.

4. The restaurant will offer the following service (check items that apply):
☒ table service ☒ bar ☒ carry-out ☐ delivery

5. If delivery service is proposed, how many vehicles do you anticipate? n/a
 Will delivery drivers use their own vehicles? ☐ Yes ☐ No
 Where will delivery vehicles be parked when not in use?
n/a

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?
☒ Yes ☐ No
 If yes, please describe:
No television or video games. Background music within the restaurant areas may be played and may also have unamplified, live music from time to time.

Parking impacts. Please answer the following:

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

2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
 - ☒ All
 - ☐ 75-99%
 - ☐ 50-74%
 - ☐ 1-49%
 - ☐ None

3. What is the estimated peak evening impact upon neighborhoods? (check one)
 - ☒ No parking impact predicted
 - ☐ Less than 20 additional cars in neighborhood
 - ☐ 20-40 additional cars
 - ☐ More than 40 additional cars

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

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

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

144		Maximum number of patron dining seats
+	40	
		Maximum number of patron bar seats
+	30	
		Maximum number of standing patrons
=	214	
		Maximum number of patrons

2. 15 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