

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 5, 2019

TO: CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: KARL W. MORITZ, DIRECTOR, DEPARTMENT OF PLANNING & ZONING

SUBJECT: SUP #2018-0056 and SUP #2018-0118

Planning Staff offer the following information as clarification and updates to the two Special Use Permit cases proposed within the Robinson Landing development.

APPLICABILITY OF PARKING REGULATIONS

It has been determined that SUP #2018-0056 is subject to the new parking regulations as opposed to the previous parking regulations as was described in the staff report. The new conclusion is that the original DSUP establishes the number of parking spaces that must be made available to be used by the commercial uses in the development, and to change that number would require an amendment to the DSUP. However, the number of parking spaces required by each individual commercial use is determined by the individual SUPs and the City would use the updated parking standards to determine those parking requirements. We would need to ensure that, added together, the parking requirements of all commercial uses in the development can be met by the number of commercial spaces in the development.

The total commercial parking approved with the original DSUP was 58 spaces. The number of spaces for the various commercial components within the Robinson Landing Project are as follows:

Building #1 Restaurant:	6 min. to 18 max.
Building #2 Restaurant:	3 min. to 9 max.
Pier Seating:	4 min. to 12 max.
<u>10 Duke Street:</u>	<u>4 min. to 12 max.</u>
Total Required:	17 min. to 51 max.
Total Provided:	58

CONDITIONS UPDATE

SUP #2018-0053 (Building #1)

As a result of the new approach to the parking, the applicant could add the 16 additional indoor seats as requested in their application. The following amendment is made to condition #3 to address this change in the total seat count:

3. ~~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 267.

To eliminate repetition of the two conditions and confusion between the hours that outdoor music may be permitted. Staff recommends that conditions 13 and 16 be replaced by a new condition as provided below:

Existing Conditions:

13. 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)

16. 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)

New Proposed Condition:

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. 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 until 9:00PM Sunday to Thursday and until 11:00 PM, Friday and Saturday. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment.

SUP #2018-0018 (Building #2)

To avoid confusion between conditions 24 and 25, staff recommends elimination of condition 25. One should note that the prohibition of outdoor loudspeakers will remain, as it is included with the original DSUP #2014-0006.

24. The use must comply with the city's noise ordinance. 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 9:00 PM, Sunday - Thursday and 11:00PM Friday & Saturday. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment and no amplified sound shall be audible at the property line after the hours described above. (T&ES) (P&Z)

~~25. 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)~~

Staff in coordination with the applicant recommend the following revision to condition #20 which relates to the provision of public restrooms within the café / building #2 space:

Existing Condition:

20. The applicant shall provide public restrooms within building #2 that will be publicly accessible. Operations and maintenance of the public restrooms shall be the responsibility of the applicant operator of the restaurant. A public access easement will be executed and recorded related to this condition.

Revised Condition:

20. The applicant shall provide public restrooms within the café/building #2 that will be publicly accessible during the operational hours of the café or pier seating, whichever is open later, or by mutual agreement between the City and the applicant. Operations and maintenance of the public restrooms shall be the responsibility of the applicant of the café/building #2 space. A memorandum of agreement between the City and the applicant will be executed related to this condition.

SUP 2018-0056 and SUP 2018-0118

Tim Morgan <timmorgan1155@gmail.com>

Fri 3/1/2019 3:31 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: Karl Moritz <Karl.Moritz@alexandriava.gov>; Dirk Geratz <Dirk.Geratz@alexandriava.gov>;

To the Mayor, Deputy Mayor and City Council
and the Members of the Planning Commission
City of Alexandria, Virginia

SUP 2018-0056 and SUP 2018-0118

Ladies and gentlemen:

I am writing on behalf of Waterford Place HOA, a neighborhood consisting of 36 residences one block from the restaurants proposed in the subject SUPs. We ask that the Planning Commission and Council amend the conditions in approving these restaurants, and detail below our concerns.

1. We object to the modification of the seating maximums under SUP 2018-0056, from the current maximum seating of 135 seats inside and 116 seats outside (total 251). At the time of the original approval of the project DSUP, the neighborhood rightly objected to (among other things) a reduction in required on-site parking for the retail and restaurant space in this project. Increasing the number of seats at this stage violates the agreements among the neighborhood, the city and the developer, which included substantial concessions by all parties. The applicant has offered no concession to the city and neighborhood in exchange for this increase, which will place even a greater stress on the neighborhood.

Moreover, we strenuously object to consolidation of the seat maximum to a single total figure, which appears to be the staff's recommendation on page 9 of the staff report. The original approval in DSUP 2014-0006 purposefully set separate maximums for indoor seats and outdoor seats. During the hearings for DSUP 2014-0006, the developer specifically represented that the restaurant would not fill both the indoor and outdoor seating at the same time, and this representation was a basis for reducing the parking requirement. By consolidating the maximum number of seats, the city is permitting the restaurant to move seats and thus violate a key condition and representation in the approval process. By having a single maximum seating limitation, the city is permitting the applicant to substantially increase the effective maximum number of seats. (For example, the applicant may have 251 seats all inside in the winter and all outside in the summer, subject to fire code restrictions.) Further, by approving a single maximum number of seats, the city invalidates the formulas for parking which, in part, have differing requirements based on whether seating is inside or outside. (Zoning Ordinance Section 8-200 provides "For portions of a restaurant devoted to outdoor dining, the area occupied by the first 20 outdoor seats shall be exempt from the parking requirement.")

2. We strenuously object to the pier restaurant in SUP 2018-0118, as proposed. We find that the contemplated seating arrangement, cooking facilities and hours of operation do not comport with the vision of a publicly accessible and family oriented, active waterfront.

Specifically, the applicant proposes an enclosed (though open air) restaurant space that will exclude the public from half of the pier, which is supposed to be a public amenity permitting access to the waterfront. This was contemplated by the original agreements with the federal government setting forth the uses for the waterfront. Unlike a similar facility at the Torpedo Factory, renderings show that seating is not open to the public, but rather closed off and exclusive. As noted in the staff report, "since portions of the pier will be publicly accessible before being conveyed to the City and because the pier will eventually become a public amenity, its perception as being openly accessible is of chief importance."

Last, and most concerning, the hours of operation are to midnight on weeknights, 11 pm on Sunday and 1 am on Friday and Saturday. We are alarmed that city staff (page 8 of the Staff Report) would state that those hours are "quite modest" in "comparison to other eating and drinking establishments on the vicinity". They are in fact consistent with the hours of the local bars/pubs, not restaurants. Given the limited food options (it will be serviced by an Airstream trailer and "feature a light fare of traditional American and seafood") and it's seating arrangements (104 of the 232 seats are bar and lounge seating), we can only conclude that the applicant contemplates a bar on our waterfront. Our neighborhood already has a number of pub style establishments (the closest are 2 blocks away) and they present a particular set of challenges, including noise and rowdiness on our streets late into the night. We note that the local parks close at 10 pm, consistent with the whole vision for the waterfront. Our neighborhood is a diverse family oriented place; we do NOT want more bars at our doorstep.

Accordingly, we request that the City require the applicant to (1) provide open accessible seating to all, not just restaurant customers, perhaps by reducing the number of seats and removing barriers to access, and (2) reduce the hours of operation to no later than 10 pm seven days a week.

3. We are quite concerned that the city and the developer of the property have plans that are contrary to the Waterfront Plan's vision. We hear that another SUP for the current 2 Duke Street property also requests approval for a restaurant. If these SUPs are approved as well, ALL of the space contemplated as retail/restaurant at Robinson Landing will be dedicated to restaurants and bars. This is not at all consistent with the vision in the Waterfront Plan for a diverse set of uses. And it is certainly inconsistent with the vision for the property in the original DSUP (DSUP 2014-0006 page 34, "the applicant has not yet identified a tenant for either of the retail spaces, but envisions specialty retail uses, such as a small gourmet market at 2 Duke Street, and comparable tenants within the retail space in Building 2.") Most importantly, it is wholly inconsistent with our vision for our neighborhood. The traffic, noise, and parking impacts of a whole new block of restaurants are not acceptable.

Respectfully submitted,

Timothy G Morgan, President
Waterford Place Homeowners Association

319 S Union St
Alexandria, VA 22314
571.215.6944
timmorgan1155@gmail.com

To: City of Alexandria Planning Commission

FROM: Louise Roseman

DATE: March 1, 2019

SUBJECT: March 5, 2019 Planning Commission Meeting (Dockets # 9 and 10)

I am writing to express my support for the restaurants proposed by the Alexandria Restaurant Partners for Robinson's Landing. I am a 36-year resident of Old Town and currently live at 12 Wolfe Street in Harborside. I am excited by the addition of these restaurants a block from my home. As is the case with most Old Town residents, I was drawn to this area by the great nearby amenities that Old Town offers, particularly the restaurants, shops, and waterfront parks.

Several of the restaurants currently managed by Alexandria Restaurant Partners contribute significantly to the vitality of the waterfront area, and I am confident that the addition of the planned fine-dining restaurant, café, and the pier bar and seating at Robinson's Landing will further enhance the Alexandria waterfront experience. I look forward to being a regular customer.

I presume that ARP will have a vested interest in maintaining strong positive relations with the residents of Robinson's Landing. Therefore, I am confident ARP will ensure that noise levels from the restaurants are not disruptive to residents of Robinson Landing (particularly Buildings 1 and 2). Given this, I am not concerned that noise would be problematic to me a block away.

I encourage the Planning Commission approve these proposals.

March 3, 2019

City of Alexandria Planning Commission

To Whom It May Concern;

In consideration of the March 5 Planning Commission Meeting, Dockets #9 and 10, I am writing to convey my support for the Alexandria Restaurant Partners' (ARP) proposed restaurants for Robinson Landing in Building #2 and on the existing pier. My husband and I live in Harborside and look forward to having additional, quality restaurants close to us.

Further, we are enthusiastic that a group the caliber of ARP has been chosen to develop the restaurants in Robinson Landing. We eat out often and ARP restaurants such as Vola's, Mia's and The Majestic are some of our favorites.

I met with Scott and believe that he and his team have a vested interest in maintaining strong relationships with the neighbors. He appreciates that we will be frequenting his restaurants on a year-round basis. As such, I'm confident that they will make sure the noise level is reasonable and appropriate for the neighborhood.

I encourage the Planning Commission to approve these proposals,

Sincerely,

Pamela Sullivan
6 Wolfe Street
Alexandria, VA 22314

To the Mayor, Members of City Council and Planning Commission

March 3, 2019

SUBJECT: March 5, 2019 Planning Commission Meeting (Dockets # 9 and 10)

I am writing you as a resident of Old Town, lifelong resident of Alexandria, and as the General Manager of a local business. I strongly encourage you to support the proposal by the Alexandria Restaurant Partners for Robinson Landing. Alexandria Restaurant Partners is a local group with a strong record of community involvement. Looking at the other projects they have been involved in you will see that they have greatly enhanced the area, and I have no doubt this project will contribute to the vibrancy of Alexandria's waterfront.

Alexandria's waterfront is in direct competition with other regional waterfront markets (the Wharf, National Harbor, and Georgetown). The City of Alexandria should commit to a special effort to help all local businesses to stay competitive. Although we may not want to be exactly like some of our neighboring waterfronts, we need to allow our local businesses to have a fair shot at competing markets, allowing them to operate comparable hours and facilities.

Given the most recent media coverage, I think we all need to realize that Alexandria has come to a cross roads. The Alexandria Restaurant Partners project at Robinson landing is a much-needed step in the activation of our waterfront. I believe it will be a wonderful addition to Alexandria's waterfront for both locals and visitors alike, and truly an opportunity that the City of Alexandria cannot pass up.

Respectfully,

John Taylor

Restaurants at Robinson Landing - Docket for March 5, 2019

Charlotte Hall <charlotte.anne.hall@gmail.com>

Tue 3/5/2019 3:01 PM

To: PlanComm <PlanComm@alexandriava.gov>;

Cc: Charlotte Hall <charlotte.anne.hall@gmail.com>; Rak, Jonathan P. <jrak@mcguirewoods.com>;

TO: Members of the Alexandria Planning Commission

FROM: Charlotte A. Hall
Chair, Alexandria Chamber of Commerce

On behalf of the Alexandria Chamber of Commerce, I am writing to support the approval of a restaurant special use permit for a restaurant, cafe and outdoor seating at Robinson Landing, located on the Alexandria Waterfront.

As many of you know, we adopted a Waterfront Plan several years ago to include residential and retail, and a vibrant waterfront with parks and new activities. Robinson Landing is a perfect example of what we envisioned.

We encourage you to approve Docket Items #9 and #10, for your meeting scheduled on Tuesday, March 5. We look forward to the new restaurant, cafe, and outdoor seating at Robinson Landing, yet another jewel on our waterfront.

Thank you for your consideration.