

***Special Use Permit #2018-0118***  
***1 & 2 Pioneer Mill Way (Parcel Address: 300 Strand Street)***

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<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request for a special use permit to establish a café/restaurant use with outdoor pier seating	<b>Planning Commission Hearing:</b>	3/05/2019
	<b>City Council Hearing:</b>	3/16/2019
<b>Address:</b> 1 & 2 Pioneer Mill Way (Parcel Address: 300 Strand Street)	<b>Zone:</b>	W-1 / Waterfront Mixed-Use
<b>Applicant:</b> Alexandria Restaurant Partners, LLC Represented by Jonathan P. Rak	<b>Small Area Plan:</b>	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 Reviewers:**

Carson C. Lucarelli, Urban Planner II [Carson.Lucarelli@alexandriava.gov](mailto:Carson.Lucarelli@alexandriava.gov)  
Dirk Geratz, AICP, Principal Planner [Dirk.Geratz@alexandriava.gov](mailto:Dirk.Geratz@alexandriava.gov)  
Robert Kerns, AICP, Division Chief [Robert.Kerns@alexandriava.gov](mailto:Robert.Kerns@alexandriava.gov)

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**PLANNING COMMISSION ACTION, MARCH 5, 2019:** On a motion by Commissioner Lyle and a second by Commissioner Wasowski, the Planning Commission voted to recommend the approval of Special Use Permit #2018-0118 subject to revisions to conditions #2 & #3; to replace conditions #24 & #25 with the changes outlined in a memo dated March 5, 2019; to add condition #20 as outlined in the memo dated March 5, 2019; and to all other applicable codes, ordinances and staff recommendations.

The motion carried with a vote of 7 – 0.

Reason: The Planning Commission (The Commission) concurred with staff's findings that the proposed pier dining and small café space in building #2 are crucial components towards activating the waterfront district. The Commission's support was rooted in a number of factors and their comments, as they pertain to both SUP cases (0118 and 0056), are expounded upon below:

Commission Goebel cited that the destination itself often dictates how we arrive and that when parking is limited, folks are more inclined to seek alternative modes such as bicycle, mass transit or even ride sharing.

Commissioner Wasowski stated that while retail would have been nice, many brick and mortar locations are struggling to compete with online competitors. She was also supportive of consistent hours for all three operations- pier, café and building #1.

Commissioner Lyle also reiterated that ride sharing is becoming more popular with Alexandrians and that fewer folks are relying solely on private automobiles. She was also in favor of giving the applicants more flexibility with regards to hours of operation.

Commissioner Koenig and Chair Macek were in full support of the proposal, with the majority of their enthusiasm surrounding the activation of the pier. Chair Macek believes that this development will be a catalyst for Alexandria's waterfront south of King Street.

The Commission also agreed with staff that the amount of parking approved with the DSUP should not be reduced further as this could have spillover effects on neighboring residents. The Commission ultimately voted to recommend approval subject to revisions described above in the motion, including changes from a memo [to the Commission] dated March 5, 2019.

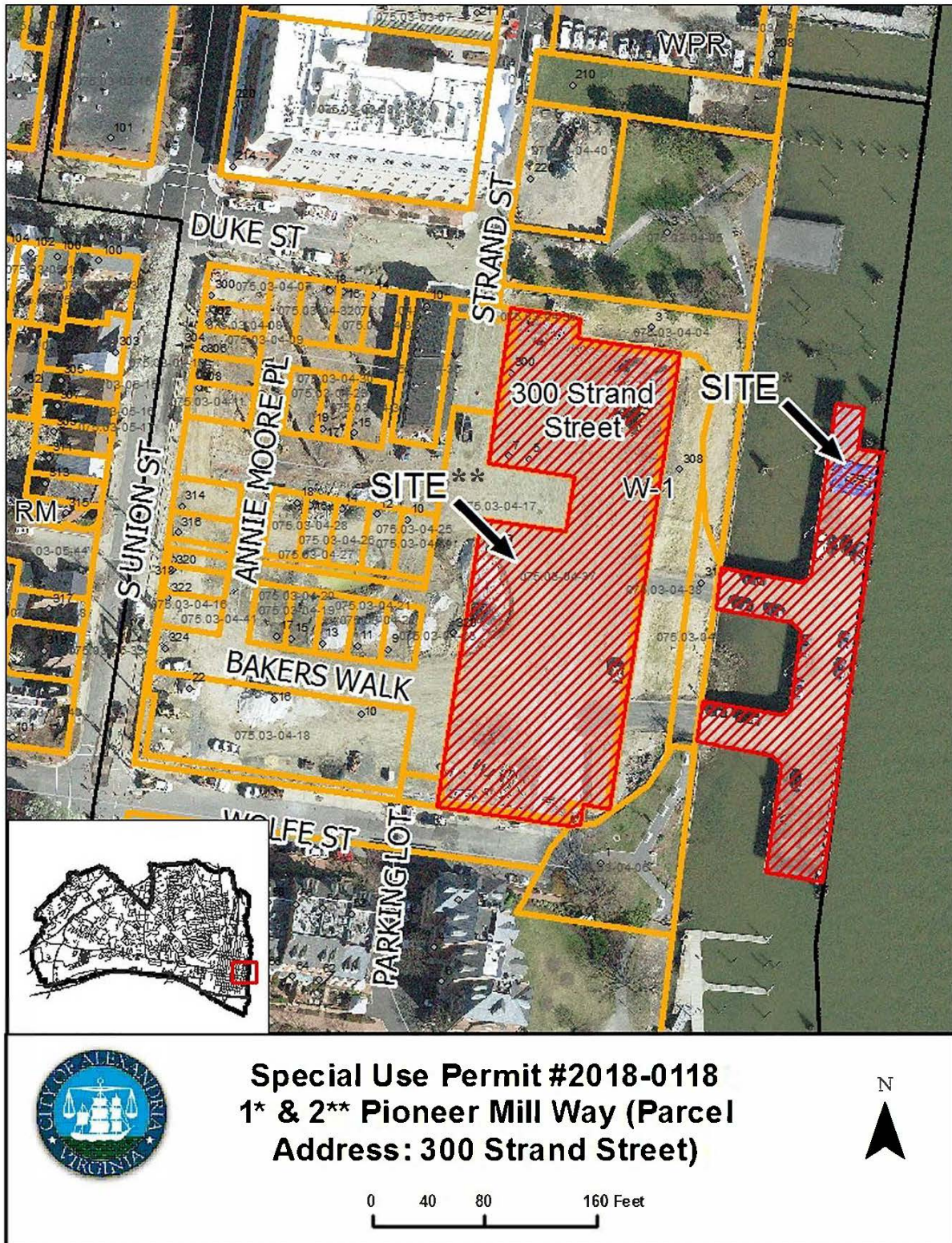
Speakers:

**Tim Morgan** from the adjacent Waterford HOA was generally in favor of both SUPs but concerned that visitors may park along the adjacent public streets. He was also of the belief that the restaurants would in fact turn into bars and could become rowdy. Lastly, he was not in favor of staff's interpretation on the parking.

**Ann Shack** was concerned that the development will bring more cars to the neighborhood.

**Scott Shaw**, the restaurateur, provided the commission with clarity on the concepts of each the three spaces, as well as how they will function. He also reminded the commission that his goal is to create three unique spaces that are ultimately geared towards the neighborhood, rather than the “tour buses.” Shaw reminded the commission that as a future [commercial] condo owner in the building, he want

**Jonathan Rak**, the applicant’s council, explained to the commission the intricacies of the parking arrangement, which will be handled by a valet service. He also reminded the commission of the transportation management plan, which was a approval condition of the DSUP in 2015. The TMP governs vehicular storage and management within the development site and permits, among others, for valet operators to utilize adjacent garages/parking lots (under separate lease agreement) should the garage reach capacity.



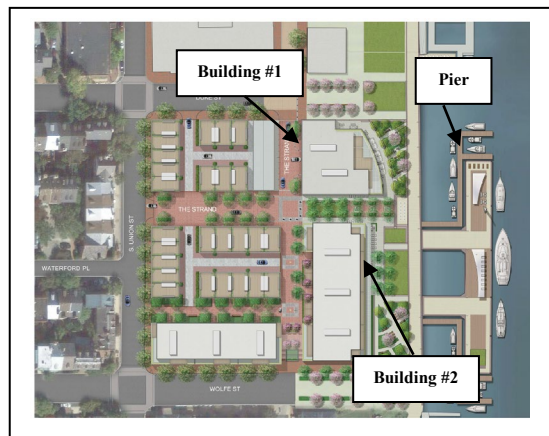
PROJECT LOCATION MAP

## I. DISCUSSION

Alexandria Restaurant Partners, LLC, represented by Jonathan P. Rak of McGuireWoods, request a special use permit for a new restaurant with pier dining in Robinson Terminal South.

### **SITE DESCRIPTION**

The property is located on the redevelopment site identified in the Waterfront Plan as the Robinson Terminal South block, 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 20<sup>th</sup> 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 & 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 20<sup>th</sup> 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 restaurant uses within a 2000 square foot space along the ground floor of Building #2 and a 4000 square foot portion of the Pier- which the developer of the site is also rehabilitating. The applicant is also proposing, by separate application, a restaurant use within Building #1. The café style restaurant envisioned for Building #2 will offer a light menu of sushi, sake and an assortment of Japanese beers. The space will feature 32 indoor seats, both table side and countertop. The outdoor patio will seat up to 32 people. This commercial space was originally approved for retail uses with the DSUP. The Pier, which is immediately east of the site along the Potomac, is considered the most casual of the operations and will feature a light fare of traditional American and seafood. The Pier is proposed to seat a maximum of 232 people at bar, lounge or table side seating.

Architecturally, the café space is defined by a singular void within the ground-floor that anchors the north-east corner of building #2. Ceiling heights are a modest 11 ½ feet. Adjacent to the exterior is a small area dedicated for outdoor seating that overlooks the promenade and Potomac river.

The Pier, which is physically separated from the site by the Potomac River, helps frame the public promenade that will be created by the development. The redevelopment of the site includes extensive renovations to the pier, which are discussed in more detail with the DSUP. Aside from a sun shade that ascends over a portion of the bar, the pier will be open-air seating only. The applicant also plans to position a removeable Airstream Trailer at the southwest corner of the pier restaurant site, which they hope to utilize for food preparation and some cooking. The Pier, which was conveyed to the applicant by its previous owner, will eventually be dedicated to the City after a period of 5-years. 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, it's perception as being openly accessible is of chief importance. In order to make the pier more accessible to the public who will be drawn to the pier by the new restaurant, the applicant has agreed to provide restrooms which will be available to the public within the café style restaurant- which will also be shared by people dining on the Pier. More details regarding the applicant's proposal are as follows:

#### **Café**

Hours: 07:00AM – 08:00PM Monday – Sunday

Number of Seats: 32 Indoor Seats  
+ 32 Outdoor Seats  
**Total Seating = 64**

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.

**Pier**

Hours: 11:00AM – 12:00AM Monday – Thursday  
11:00AM – 1:00AM Friday & Saturday\*  
10:00AM – 11:00PM Sunday

Number of Seats: 34 Bar Seats  
70 Lounge Seats  
+ 128 Table Seats  
**Total Seating = 232**

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.

*\* Kitchen Closes at 12:00AM*

## **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. There are no changes being proposed to its capacity with this application. The commercial spaces will be operated by a valet service as approved in the original DSUP.

Since the approval of the DSUP 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 approved with the DSUP is sufficient for the café, pier and restaurant located in building #1.

More information regarding the commercial parking can be found below:

<b>Restaurant Location</b>	<b>Square Feet</b>	<b>New Ordinance Requirement*</b>
Building #1 Restaurant	5,899	<b>Min. 6</b> (1 Space / 1000SF) <b>Max. 18</b> (3 Spaces / 1000SF)
Building #2 Café	2,193	<b>Min. 3</b> (1 Space / 1000SF) <b>Max. 9</b> (3 Spaces / 1000SF)
Pier Restaurant	4,000	<b>Min. 4</b> (1 Space / 1000SF) <b>Max. 12</b> (3 Spaces / 1000SF)

<b>Zoning Ordinance Requirement:</b>	<b>Min. 13 / Max. 39</b>
<b>Parking Spaces Provided with DSUP:</b>	<b>58</b>

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

## **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 council 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 is supportive of the applicant’s request as the proposed uses and activation of the pier are consonant with the ambitions of the small area plan. Staff believes that the restaurants will help anchor the site as a destination along Alexandria’s burgeoning waterfront district and create a new dining destination for visitors of the nearby Hotel Indigo, as well as the city at large.

### **Relevant City Plans and Policies**

#### *Waterfront Plan Policy for Restaurant/Hotel/Commercial Uses*

The Waterfront Small Area Plan (The Plan) contains guidelines for all new restaurant uses. This policy asks staff and council to investigate the uses potential impact on adjacent ones. 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 sets forth parameters 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 restaurants within the Waterfront Zone (W-1) require a special use permit 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. The pier and commercial space were originally envisioned as locations for food-forward businesses, dating back to the original DSUP in 2015. However, at the time that the development site plan was approved, the applicant had yet to secure concepts. Now that one’s have been identified, staff believes that their various price points and intermingled locations will amplify the waterfront by anchoring the location as a new dining and recreational destination within Old Town.

More information regarding the applicant's proposal and its compatibility with the existing Old town Restaurant Policy can be found below:

- *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 property'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*

There are no changes being proposed that would impact the ratio of food to alcohol. Staff acknowledges that there is a delicate balance which is to be maintained as the restaurants will be in proximity to the single-family townhomes and condominium units proposed within the development. Staff believes that the likelihood of the proposed uses becoming a nuisance to the neighboring properties are low, considering their physical placement within the site as well as the proposed food and beverage program. In comparison to other eating and drinking establishments in the vicinity, the hours proposed by the applicant are quite modest.

In addition to the 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 #1 under separate review, plans to coordinate deliveries between their three operations, thereby minimizing the impacts of such on the surrounding neighborhood.

- *Trash Pickup*

Trash/recycling will be addressed and disposed of collectively amongst the three commonly-owned ventures. Primary access to the bins will be located along the strand, adjacent to the delivery bays, with a secondary location along the ground floor of Building #2. Staff has included standard conditions for trash and refuse.

### Conclusion

The proposed restaurant uses within Building #2 and the Pier are supported by staff. The restaurants, in concert with the proposed improvements to the river front, create a one of a kind dining destination within Old Town. The linkage created by the public promenade the neighboring community to the south will help anchor the site as a destination for both dining and enjoyment, while creating an active space for public. Staff believes that the uses proposed will work in concert with the ambitions of the Small Area Plan, rather than to their detriment. The arrangement of these uses, in concert with the restaurant proposed by separate application in building #1, are well distributed throughout the 3-acre site as per the desires of the small area plan. Staff believes their various menu programs will help create a destination that's attractive to all price points- thereby amplifying the pier as a public amenity. The placement of these uses along the parcel's eastern edge, abutting the river, will help mitigate any nuisances that could arise, such as noise, while at the same time creating striking views that engage the Potomac.

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)
2. **CONDITION REMOVED BY PC:** ~~The hours of operation for the café shall be limited to 7:00AM to 12:00AM, daily. All patrons must leave the premises one hour after closing. (P&Z)~~
3. **CONDITION AMENDED BY PC:** ~~The hours of operation for the pier shall be limited to 7:00AM to 12:00AM, daily. All patrons must leave the premises one hour after closing. (P&Z)~~ The hours of operation shall be limited to **7:00AM to 12:00AM, Sunday – Thursday and 7:00AM to 2:00AM, Friday – Saturday** for both pier and café. All patrons must leave the premises one hour after closing. (P&Z) (P.C.)
4. The applicant shall post the hours of operation at the entrance of the business. (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. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z)
7. On premises alcohol sales are permitted. (P&Z)
8. 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)
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. 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)
12. 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)
13. The applicant shall require its employees who drive to use off-street parking. (T&ES)
14. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
15. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for more information about available resources. (T&ES)
16. 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)
17. 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)
18. 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)
19. 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)

20. **CONDITION ADDED BY PC:** 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. (P&Z)(PC)
21. Exterior power washing of the building, the patio and the pier floor shall not be completed using any kind of detergents. (T&ES)
22. 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)
23. Chemicals, detergents, cleaners and used cooking oil shall be stored inside the building. (T&ES) (P&Z)
24. **CONDITION ADDED AMENDED BY STAFF PC:** ~~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)~~ 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 and no amplified sounds shall be heard from the property line. (P&Z) (T&ES) (P.C.)
25. **CONDITION ADDED REMOVED BY STAFF PC:** ~~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)~~

26. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
27. 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: Robert Kerns, AICP, Division Chief, Department of Planning and Zoning  
Dirk Geratz, AICP, Principal Planner  
Carson C. Lucarelli, Urban Planner II

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

##### Transportation & Environmental Services:

- 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](mailto: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](mailto: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 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-13 Chemicals, detergents, cleaners and used cooking oil shall be stored inside the building. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-3 Section 5-1-42 Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

- 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 City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov) for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property

line. (T&ES)

- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

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 and 314 Strand Street

**TAX MAP REFERENCE:** 075.03-04-37 and 075.03-04-39 **ZONE:** CRX and W-1

**APPLICANT:**

Name: Alexandria Restaurant Partners, LLC

Address: 5066 Staverly Lane, Norcross, GA 30092

**PROPOSED USE:** Pier outdoor seating and cafe in Bldg 2

☒ **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.

Jonathan 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

Jonathan 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

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## 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 and 314 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 require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

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

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

  
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**

<b>Individual/Entity</b>	<b>Address</b>
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**

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.)

Applicant proposes cafe use in the approximately 2,000 sf commercial use in Building 2 approved per DSUP #2014-0006. Additionally, the Applicant proposes outdoor seating on the pier of approximately 4,000 sf adjacent to Buildings 1 and 2 in DSUP #2014-0006.

~~The pier use will allow the public to engage the Potomac River while allowing the flow of pedestrians between the pier outdoor seating and main Buildings 1 & 2.~~

~~The cafe will include 32 interior seats and 32 outdoor seats. The pier area will contain both bar and dining options with an anticipated 232 total seats (34 bar seats, 70 lounge seats, and 128 table seats).~~

~~Loading, trash and other uses of both the cafe and pier will occur in Buildings 1 and/or 2. Some food preparation and cooking for the pier will take place in the cafe space; however some cooking/food preparation may occur in an air stream trailer or similar located on the pier. The offerings on the pier will include seafood fare with an estimated 65%-35% mix between food and alcohol. The cafe will offer sushi.~~

~~The outdoor seating on the pier is an extension of the restaurant and cafe uses planned in Buildings 1 and 2 of DSUP 2014-0006. Under separate cover is an application for a restaurant use in Building 1 which is very similar to the restaurant SUP approved as SUP #2015-0014 concurrently with DSUP #2014-0006.~~

~~As part of this request, a cafe is proposed in Building 2, which is approx. 2,000 sf and was originally approved as retail. The operator of the Building 1 restaurant and the pier outdoor seating would also operate the cafe. Restrooms will be shared among the spaces.~~

~~A parking reduction is requested (under separate cover) for the cafe extension of outdoor seating on the pier. A valet parking plan for the commercial uses was approved with the DSUP. In applying the recently-adopted parking standards, the pier extension of the restaurant of 4,000 sf would require a minimum of 4 parking spaces and a maximum of 11 spaces. The Applicant is unable to construct more parking spaces than was approved with DSUP #2014-0006 and as such, requests a parking reduction for the extended restaurant use. Because 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, the Applicant believes sufficient parking will ultimately be provided.~~

~~The cafe was originally approved as retail and parking spaces for this use would continue to be provided as part of the approved 58 spaces for commercial uses in DSUP #2014-0006.~~

**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 extended 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. For the coffee shop, 300 daily customers are anticipated from 7 am - 8 pm daily.~~

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

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

A maximum of 15 at any one time for the extended cafe use on the pier and 4 employees per shift at the coffee shop.

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

For the extended cafe use on the pier:

Day:

Monday - Thursday

Hours:

11 am to midnight

Friday

11 am to 1 am (Kitchen closes at 12 am)

Saturday

10 am to 1 am (Kitchen closes at 12 am)

Sunday

10 am to 11 pm

\*\*The cafe would operate 7 days a week from 7 am to 8pm.\*\*

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.~~

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

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)  
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:

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

☒ Yes.      ☐ No.

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

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

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

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## ALCOHOL SALES

**13.**

- A. Will the proposed use include the sale of beer, wine, or mixed drinks?

☒ Yes      ☐ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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

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**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.

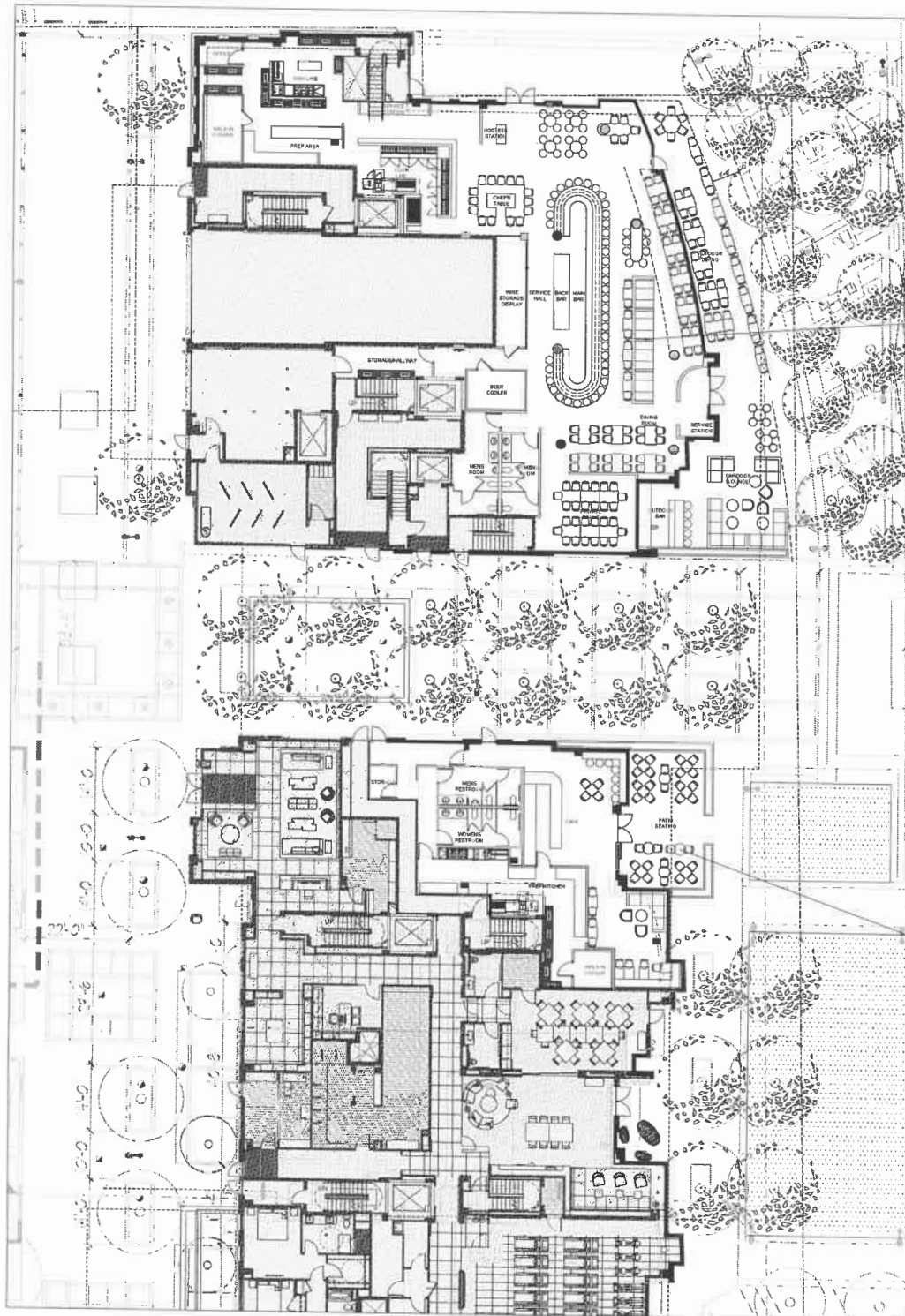
18. What will the total area occupied by the proposed use be?

0 sq. ft. (existing) + 4,000 (approx.) sq. ft. (addition if any) = 4,000 (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: Existing pier; also ~2,000 sf of cafe proposed (originally retail use in Bldg 2)

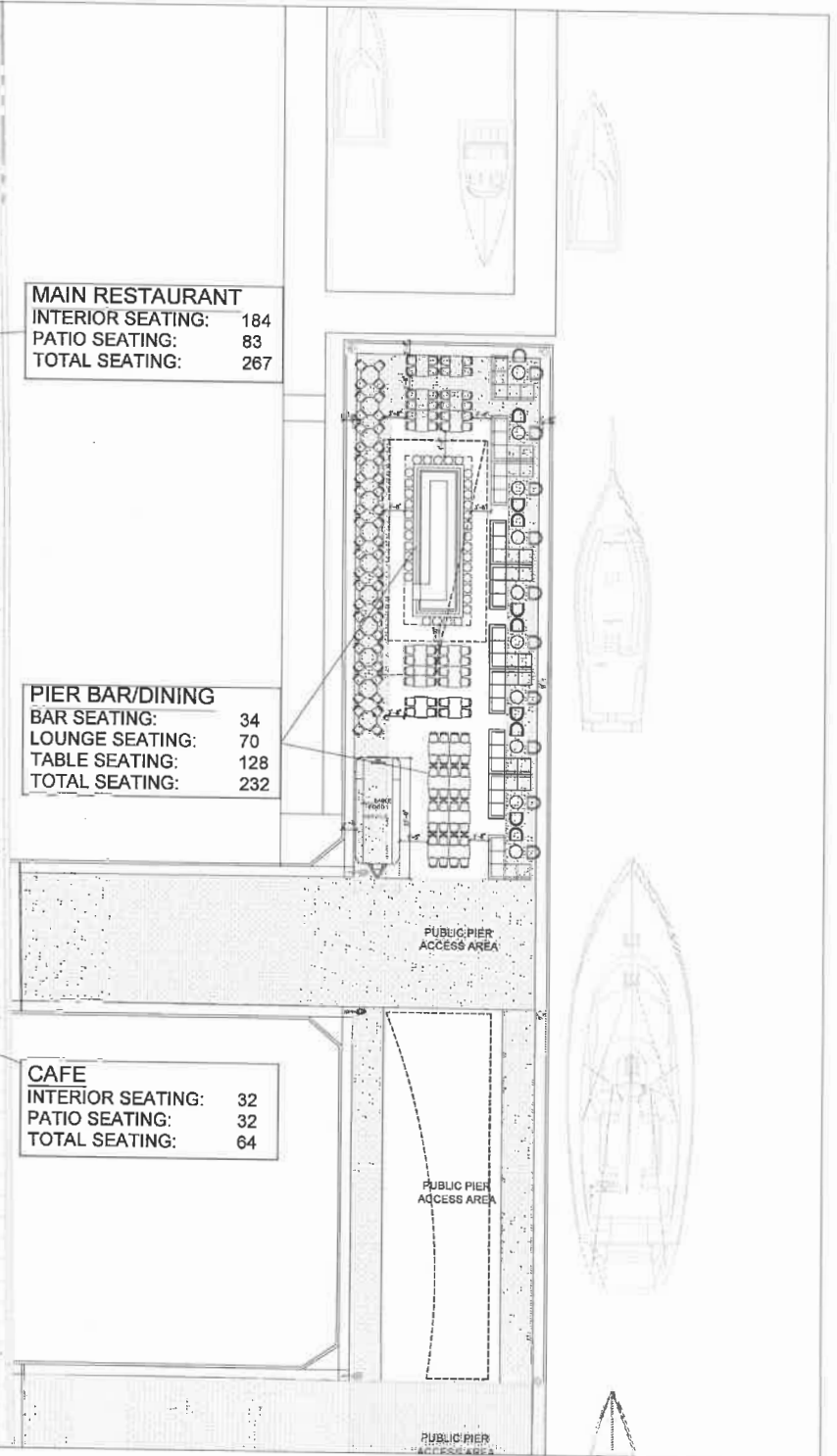
End of Application



**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



ANDREA

PERSONAL INFORMATION

DATE BORN \_\_\_\_\_ SEX \_\_\_\_\_

DATE ISSUED \_\_\_\_\_

EXPIRATION DATE \_\_\_\_\_



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: 32 cafe; 0 pierOutdoors: 32 cafe; 232 pierTotal number proposed: 296

2. Will the restaurant offer any of the following?

Alcoholic beverages (**SUP only**) ✓ Yes        NoBeer and wine — on-premises ✓ Yes        NoBeer and wine — off-premises        Yes ✓ No

3. Please describe the type of food that will be served:

~~The café will offer a sushi menu available at an 8 seat counter or at the tables, served by waiters. The style here will be more casual than the main restaurant. The beverage menu will be appropriate to a sushi restaurant, with Japanese beers and sake. The pier will be the most casual of the 3 dining areas, with servers in shorts and t-shirts. The menu will be equally casual, featuring lobster rolls, grilled grouper sandwiches, burgers, and 3-4 signature salads. The beverage menu will feature signature cocktails, craft beers, and wines.~~

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:
 

56 cafe + 198 pier	Maximum number of patron dining seats
+ 8 cafe + 34 pier	Maximum number of patron bar seats
+ 20	Maximum number of standing patrons
= 316	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

# 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

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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 its 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](mailto: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.