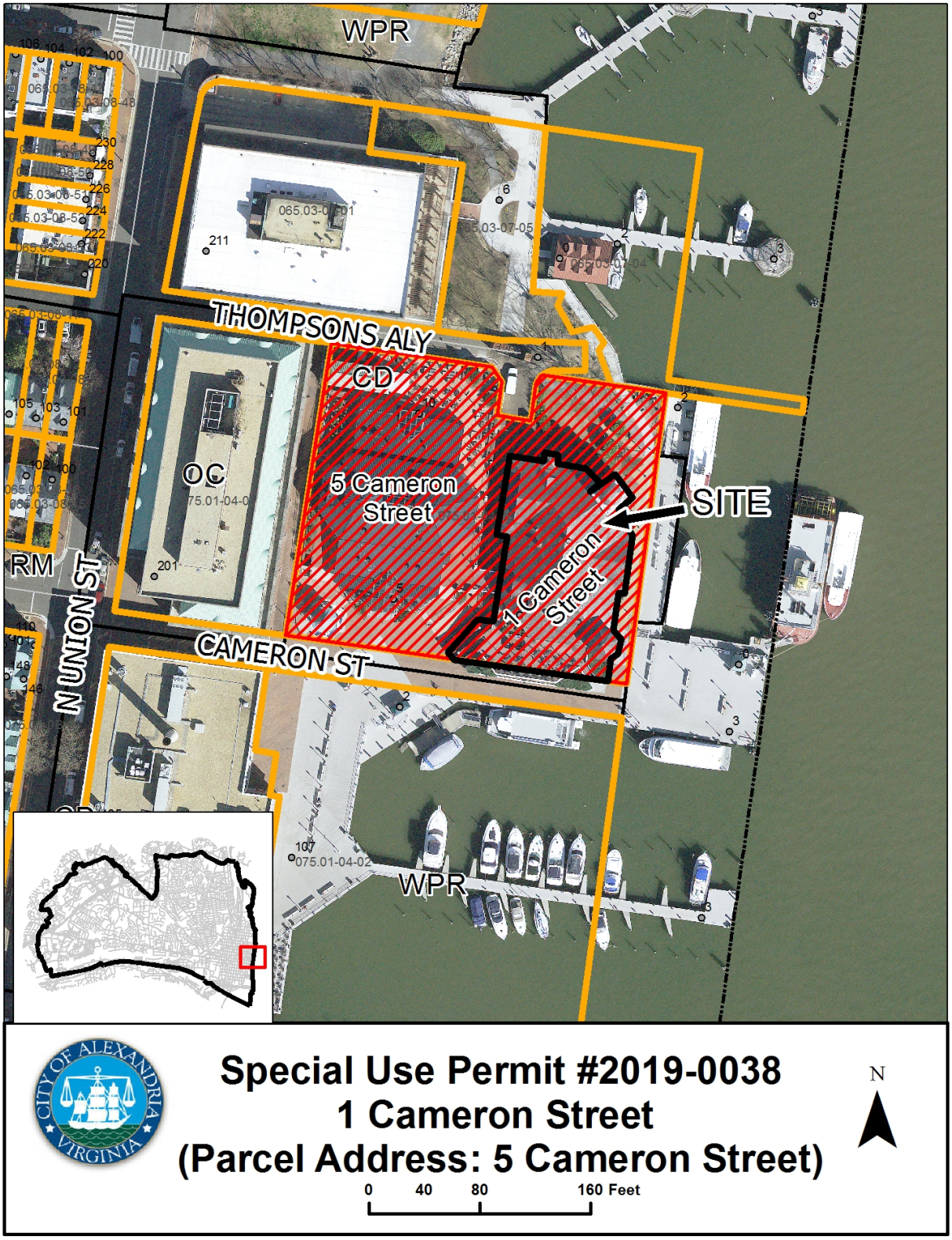
Special Use Permit # 2019-0038
1 Cameron Street – Chart House
(Parcel Address: 5 Cameron Street)

Application	**General Data**	
Public hearing and consideration of a request for a special use permit amendment for outdoor loudspeakers at an existing restaurant (amending SUP #1944)	**Planning Commission Hearing:**	June 25, 2019
	City Council Hearing:	July 9, 2019
Address: 1 Cameron Street (Parcel address: 5 Cameron Street)	**Zone:**	CD/Commercial Downtown
Applicant: Alexandria Waterfront Associates Limited Partnership	**Small Area Plan:**	Old Town and Waterfront

Staff Recommendation: APPROVAL subject to compliance with all applicable codes, ordinances and the recommended permit conditions found in Section III of this report.
Staff Reviewers: Sam Shelby, sam.shelby@alexandriava.gov Ann Horowitz, ann.horowitz@alexandriava.gov

PLANNING COMMISSION ACTION, JUNE 25, 2019: On a motion by Commissioner Brown, seconded by Commissioner Lyle, the Planning Commission voted to recommend approval of Special Use Permit #2019-0038, as submitted. The motion carried on a vote of 7-0.



PROJECT LOCATION MAP

I. DISCUSSION

The applicant, Alexandria Waterfront Associates Limited Partnership, requests special use permit (SUP) approval to amend Condition #9 of SUP #1944 to allow outdoor loudspeakers at an existing restaurant, Chart House, located at 1 Cameron Street.

SITE DESCRIPTION

The subject parcel is one irregularly-shaped lot of record, addressed 5 Cameron Street, on a portion of the City Marina bounded by Thompsons Alley to the north, Cameron Street right-of-way to the south, the Potomac River to the east, and The Torpedo Factory Office Building at 201 North Union Street to the west. The subject parcel contains approximately 53,477 square feet of lot area and has approximately 120 feet of frontage on Thompsons Alley and 247 feet of frontage on a portion of the City Marina dedicated as Cameron Street. Figure one, below, shows the existing Chart House Restaurant.

Figure 1- Chart House Restaurant with Existing Outdoor Dining Area in Foreground

The subject parcel contains two commercial buildings: 5 Cameron Street, Blackwall Hitch restaurant, and 1 Cameron Street, Chart House restaurant, the subject of this SUP application. Both restaurants accommodate accessory outdoor dining areas. Figure two, below, shows the subject parcel's layout.

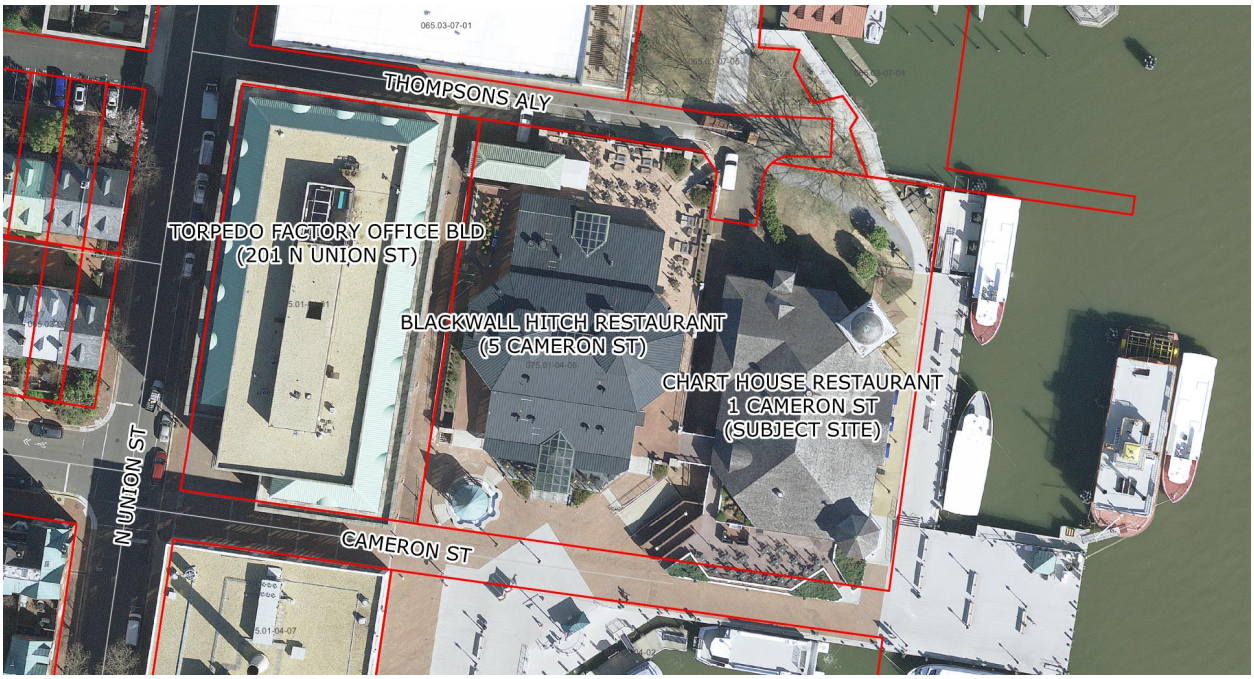


Figure 2 - Site Layout

The subject parcel is within the core of the City's waterfront. Commercial uses, including office, retail, restaurant and the City's Torpedo Factory Art Center surround the subject property.

BACKGROUND

In October 1986, City Council granted Special Use Permit #1944 to Alexandria Waterfront Restoration Group for a 350-seat restaurant with outdoor dining at the subject property. The restaurant building was constructed pursuant to Site Plan #1987-0043.

In July 1993, Chart House Inc., representing Alexandria Waterfront Restoration Group, applied for SUP amendments to allow additional seating, expanded hours of operation, and outdoor loudspeakers. The applicant withdrew the request in October 1993.

Over the last five years, as a result of proactive inspections, City staff issued warnings to restaurant operators for Code violations, primarily related to litter and trash. In all cases, the restaurant operators remedied the violations promptly. Planning and Zoning staff performed a routine SUP inspection on June 11, 2018 and found violations of Conditions #6 and #9. Staff issued a warning notice for trash and garbage stored outside (Condition #6) and for outdoor loudspeakers (Condition #9). The restaurant operator corrected the trash and garbage violation. The applicant then applied for SUP #2018-0069, an identical application to the current request, to allow for outdoor loudspeakers. Although the case was docketed for the November 2018 Planning Commission and City Council hearings, the applicant requested deferral twice and the case was rescheduled for the January 2019 public hearings. The applicant then withdrew the SUP request on December 20, 2018, citing its wishes to learn about possible changes to the noise ordinance related to outdoor speakers

Because the applicant did not remove the outdoor loudspeakers and was no longer seeking SUP

approval for them, zoning inspectors issued a notice of violation of Condition #9 on January 29, 2019. Staff also found that the applicant was in violation of Condition #8, related to off-street parking spaces. As the noise ordinance changes have not been finalized to date, the applicant decided to proceed with the request to allow background music with loudspeakers in the restaurant's outdoor dining area. It has submitted the current request to amend Condition #9 to allow outdoor loudspeakers.

PROPOSAL

The applicant requests an amendment to SUP #1944 to permit outdoor loudspeakers (Condition #9). The applicant would continue to operate the restaurant under the name "Chart House;" serving seafood and steakhouse fare. The applicant proposes outdoor loudspeakers to provide background music for outdoor dining patrons. The restaurant's existing and proposed operational details are as follows:

	Existing	**Proposed**
Hours of Operation:	*Indoor & Outdoor* 11 a.m. to 2 a.m., daily	No changes
Seats:	*Indoor & Outdoor* 350	No changes
Type of Service:	Dine-in, carryout, and bar	No changes
Alcohol:	On-premises only	No changes
Live Entertainment:	None	Outdoor loudspeakers only
Noise:	Noise levels of a typical restaurant operation. Noise levels would comply with the City's Noise Control Ordinance	
Trash/litter:	All restaurant waste is stored inside. Commercial service picks up trash six days per week. (no change)	

PARKING

The restaurant is located within the Central Business District (CBD). Since at least 1983, the Zoning Ordinance has not mandated off-street parking requirements for restaurants within the CBD. SUP #1944 required the applicant to provide 88 off-street parking spaces (Condition #8).

ZONING/MASTER PLAN DESIGNATION

The subject site is zoned CD/Commercial Downtown. Zoning Ordinance section 4-503(W) allows a restaurant with more than 20 outdoor dining seats in the CD zone only with SUP approval unless it complies with standards for administrative SUP approval found in zoning ordinance section 11-513(L). An SUP amendment to allow outdoor speakers must be docketed for City Council review

as the request exceeds what may be approved through an administrative minor amendment SUP, pursuant to Section 11-511(2)(b)(ii) of the Zoning Ordinance.

The site is in the Old Town Small Area Plan and overlaps with a portion of the Waterfront Small Area Plan. A restaurant with outdoor dining is a use that is consistent with both the Waterfront and Old Town small area chapters of the City's Master Plan.

The project is located within the locally regulated Old and Historic Alexandria District. While no exterior alterations are proposed as part of this SUP application, any exterior alterations, including lighting, window and door replacement, and signs require approval by the Board of Architectural Review.

II. STAFF ANALYSIS

Staff recommends approval of the applicant's proposal to amend Condition #9 of its SUP. A livelier outdoor dining area at this location would be consistent with the goals set by the Waterfront Small Area Plan (SAP). The SAP found that residents who participated in the plan requested varied waterfront outdoor dining options. Further, the SAP identified the City Marina as part of Alexandria's Gateway, noting that (emphasis added):

> "This area should convey the historic sense of arrival and focus, **celebrating the bustle** of Alexandria as the point of entrance and departure in the past and present. One of America's great streets meets one of America's great rivers where King Street reaches the Potomac River. Alexandrians participating in the planning process agreed that this area should a be a cornerstone of the plan, and that the new **public space should be active** and create feelings of celebration and arrival."

Floodplain issues required Chart House's outdoor dining area to be elevated, and as such, separates the space somewhat from the activities of the City Marina. Loudspeakers providing background music in the outdoor dining area could attract more foot traffic and partially restore a connection to City Marina activity below.

The subject site would be a suitable location for outdoor dining with loudspeakers providing background music. As such, staff does not anticipate noise impacts and recommends amending Condition #9, related to outdoor loudspeakers. The outdoor dining area is located within the City Marina, which often has high levels of activity during most of the day and evening hours. The restaurant's outdoor dining area is approximately 350 feet from the nearest dwellings and is separated by the multi-story Torpedo Factory Office Building. City Council approved the use of outdoor loudspeakers until 11 p.m. at Blackwall Hitch, the adjacent restaurant at 5 Cameron Street, which is closer to residents. A review of City records found no noise-related complaints at Blackwall Hitch. Staff recommends that the use of outdoor loudspeakers cease at 11 p.m. as stated in Condition #9.

Staff has also analyzed the proposal through the Old Town Restaurant Policy guidelines as follows:

Parking
Staff does not find that this restaurant within the CBD parking area generates parking impacts as the King Street Metro Station, King Street Trolley, DASH buses, Capital Bikeshare and the Potomac Riverboat Company's water taxi service provide customers and employees a variety of transportation alternatives to driving. Many of these transportation options did not exist or have been significantly expanded since the original SUP was approved in 1986. For this reason, staff recommends the deletion of the requirement for the applicant to provide 88 off-street parking spaces (Condition #8). Further, a number of parking garages and lots are located within three blocks of the restaurant for customers and employees who drive. Nonetheless, staff has added standard Conditions #30-33 and 35, that are included in all restaurant SUPs, to minimize parking impacts in the Central Business District.

Alcohol and Hours of Operation
The applicant has not proposed any changes to the existing on-premises alcohol sales or hours of operation. Staff analyzed the hours of previously approved restaurants along the waterfront and lower King Street. Staff found the applicant's hours to be consistent with the established hours of operation of other restaurants within the neighborhood. Most restaurants in the immediate vicinity are open until 2 a.m. Staff recommends amending the hours of operation (Condition #4) to allow a 7 a.m. opening hour and removing the prohibition on seated customers after 12 a.m. (Condition #14).

Litter
Although the applicant would continue to offer carry out service, there are many trash receptacles at the City marina near the restaurant which minimizes litter impacts. During site visits, staff noted that the area was clear of litter. Further, staff has included Condition #34 which would require the applicant to clear the area surrounding the restaurant of any accumulated litter twice per day.

Diversity of Uses
The proposal would make no changes to the diversity of uses as it is the continued operation of a long-time Old Town restaurant. A unique mix of uses in in the vicinity would remain.

Other Considerations
Staff has amended several conditions (Conditions #1, 2, 5 and 6) to reflect today's standard condition language. Conditions #18 through 36 have been added for consistency with current standard condition language: Conditions #18 through 23 ensure that the applicant operates within the parameters of the proposed restaurant use; Conditions #24 through 28 and Condition #34 ensure environmental quality; Conditions #30-33 and 35 address employee and patron parking; and Condition #36 notifies the applicant of enforcement standards and the timing of zoning inspections.

Staff recommends deleting Conditions #11, 12, 13 and 15, finding that these conditions were satisfied at the time of building construction. Staff recommends the remainder of the added, standard conditions to hold the restaurant to the same standards as all other new or expanded restaurants within the City.

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

III. RECOMMENDED CONDITIONS

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

1. **CONDITION AMENDED BY STAFF:** 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) ~~That the permit be granted to the applicant only or to any corporation in which the applicant has a controlling interest.~~ (P&Z) ~~(SUP #1944)~~

2. **CONDITION AMENDED BY STAFF:** The maximum number of restaurant seats shall be 350, which may be located either indoors or outdoors within the existing outdoor dining area. (P&Z) ~~That seating be provided for no more than 350 patrons. (PC) (SUP #1944)~~

3. Condition deleted. (PC) (SUP #1944)

4. **CONDITION AMENDED BY STAFF**: Hours of operation shall be 7 a.m. to 2 a.m., daily. Meals and alcoholic beverages ordered before 2 a.m. may be served but no new patrons shall be admitted, and no new meals or alcoholic beverages shall be served after 2 a.m. All patrons must leave by 3 a.m. (P&Z) ~~That the hours during which the business is open to the public be restricted to between 11:00 A.M. and 2:00 A.M., daily.~~ (P&Z) ~~(SUP #1944)~~

5. **CONDITION AMENDED BY STAFF:** ~~That n~~ No food, beverages or other materials shall be stored outside. (P&Z) ~~(SUP #1944)~~

6. **CONDITION AMENDED BY STAFF:** Trash, garbage and used cooking oils shall be stored inside. No trash or debris shall be allowed to accumulate outside. (P&Z) ~~That trash and garbage be stored inside. (PC) (SUP #1944)~~

7. That trash and garbage be collected daily except Sunday when the business is open. (P&Z) (SUP #1944)

8. **CONDITION DELETED BY STAFF:** ~~That the applicant provide a minimum of 88 off-street parking spaces. The city garage under the plaza and the spaces built in excess of code in the Torpedo Plant residences parking garage may be used for this purpose. Use of these parking spaces for a restaurant shall not affect the allocation of parking spaces necessary to service the retail and office space in building #10. (CC) (SUP #1944)~~

9. **CONDITION AMENDED BY STAFF:** The use shall comply with the City's Noise Ordinance. Outdoor loudspeakers shall be permitted for background music in the outdoor dining area until 11 p.m., daily. (T&ES) ~~That no amplified sound equipment be used outside the building.~~ (P&Z) ~~(SUP #1944~~)

10. That trash compactor be provided to reduce volume of trash. (T&ES) (SUP #1944)

11. **CONDITION SATSIFIED BY APPLICANT AND DELETED BY STAFF:** ~~That public walkway be provided at City expense between restaurant and bulkhead between Thompson's Alley and Cameron Street dock. To be built to specifications of Transportation and Environmental Services. (PC) (SUP #1944)~~

12. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~That applicant provide for sewer pump-out continuously for boats during construction and afterwards. (T&ES) (SUP #1944)~~

13. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~That applicant provide spare and utility connections for public restrooms and showers to serve dock area as well as restaurant. (The city acknowledges that it is responsible for the design and construction of the restroom facilities.) (CC) (SUP #1944)~~

14. **CONDITION DELETED BY STAFF:** ~~That restaurant not seat customers to eat after 12:00 midnight. (T&ES) (SUP #1944)~~

15. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~That all pavement surfacing to meet satisfaction of Transportation and Environmental Services. (T&ES) (SUP #1944)~~

16. Whenever there is a conflict between provisions of the lease between the City of Alexandria and the applicant dated March 27, 1986, and the conditions imposed under this permit, the conditions of this special use permit shall govern. (CC) (SUP #1944)

17. **CONDITION DELETED BY STAFF:** ~~The applicant shall consistent with the provisions of the lease insure that the restaurant approved under this special use permit shall be a "family" type restaurant. (CC) (SUP #1944)~~

18. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance of the business. (P&Z)

19. **CONDITION ADDED BY STAFF:** Limited, indoor live entertainment shall be permitted at the restaurant. No admission or cover fee shall be charged. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect the subordinate nature of the entertainment by featuring food service as well as the entertainment. (P&Z)

20. **CONDITION ADDED BY STAFF:** On-premises alcohol sales shall be permitted. (P&Z)

21. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an on-going basis, including as part of any employee orientation, to discuss all SUP provisions and requirements and on how to prevent alcohol sales to underage persons. (P&Z)

22. **CONDITION ADDED BY STAFF:** Food delivery service operated or managed by the applicant shall be prohibited. (P&Z)

23. **CONDITION ADDED BY STAFF:** All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented toward the street frontage. (P&Z)

24. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)

25. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

26. **CONDITION ADDED BY STAFF:** 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)

27. **CONDITION ADDED BY STAFF:** The applicant shall control cooking odors, smoke and 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 and Environmental Services. (T&ES)

28. **CONDITION ADDED BY STAFF:** All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)

29. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

30. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)

31. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)

32. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)

33. **CONDITION ADDED BY STAFF:** The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)

34. **CONDITION ADDED BY STAFF:** 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)

35. **CONDITION ADDED BY STAFF:** 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)

36. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review, as the result of a complaint that rises to the level of a violation of the permit conditions or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Tony LaColla, AICP, Division Chief, Land Use Services
Ann Horowitz, Principal Planner;
Sam Shelby, Urban Planner.

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

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

Findings:

1. Parking condition requiring from previous SUP of 88 spaces is no longer required for this site. (T&ES)

Conditions:

1. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)

2. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

3. 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)

4. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)

5. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)

6. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)

7. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)

8. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

9. The applicant shall require its employees who drive to use off-street parking. (T&ES)

10. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)

11. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)

12. The applicant shall encourage patrons to park off-street through the provision of information about nearby garages on advertising and on the restaurant's website. (T&ES)

13. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

14. 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)

15. Outdoor speakers are allowed for ambient background music for outdoor dining areas until 11 PM daily. These loudspeakers shall be directed away from nearby residential buildings. (T&ES)

16. The use must comply with the City's noise ordinance. (T&ES)

Code Enforcement:

No comments.

Fire:

No comments received.

Health:

No comments received.

Recreation, Parks and Cultural Activities:

No comments.

Police Department:

No comments received.

APPLICATION
SPECIAL USE PERMIT

SPECIAL USE PERMIT # _____

PROPERTY LOCATION: 1 Cameron Street, Alexandria, Virginia 22314

TAX MAP REFERENCE: 75.01 04 10 **ZONE:** CD

APPLICANT:
Name: Alexandria Waterfront Associates Limited Partnership

Address: 201 N. Union Street, Alexandria, Virginia, 22314

PROPOSED USE: Amendment to SUP #1944 to eliminate Condition 9 prohibiting outside amplified sound equipment to permit speakers and music in the outdoor dining area.

☑ **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.

Gary S. Baker		4/25/19
Print Name of Applicant or Agent	Signature	Date
201 North Union Street	703 684-0222	703 684-129
Mailing/Street Address	Telephone #	Fax #
Alexandria, VA 22314	c/o dblair@landcarroll.com	
City and State Zip Code	Email address	

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

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

1

SUP #_____

PROPERTY OWNER'S AUTHORIZATION

Property Owner is the Applicant

As the property owner of _____, I hereby
(Property Address)

grant the applicant authorization to apply for the _____ use as
(use)

described in this application.

Name:_____ Phone_____
Please Print

Address:_____ Email: _____

Signature:_____ **Date:** _____

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

[✓] **Required floor plan and plot/site plan attached.**

[ ] **Requesting a waiver. See attached written request.**

2. The applicant is the *(check one):*

[✓] Owner
[ ] Contract Purchaser
[ ] Lessee or
[ ] Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent.

Alexandria Waterfront Associates LP is a limited partnership owned by Alexandria Waterfront Restoration Group.

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. Alexandria Waterfront Restoration Group	201 N. Union Street, Alexandria, VA 22314	97%
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 1 Cameron Street, Alexandria, VA 22314 (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. City of Alexandria	310 King Street, Alexandria, VA 22314	
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 the12-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. Alexandria Waterfront Restoration Group	None	None
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.

Jan 27.2017 Carter Parker

Date Printed Name Signature

SUP #_____

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

[✓] **Yes.** Provide proof of current City business license

[ ] **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

Chart House, a full service restaurant in the community for over two decades, seeks this special use permit to enable to playing of prerecorded amplified music outdoors. The restaurant will otherwise continue to operate in the same manner in every other respect. Music will be played for the patrons on the patio via the use of amplified sound equipment.

SUP # _____

USE CHARACTERISTICS

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

5. Please describe the capacity of the proposed use:

   A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).
   Approximately 400 patrons per day.

   B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).
   Approximately 60 employees per day.

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

Day:	Hours:
Sunday	11:00 am - 10:00 pm
Monday - Thursday	11:30 am - 10:00 pm
Friday & Saturday	11:30 am - 11:00 pm

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

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

   Noise levels of mechanical equipment and patrons is anticipated to be approximately 50 db.

   B. How will the noise be controlled?

   Noise abatement will continue to be handled in the same manner, consisting of insulated walls and double glazed windows.

SUP #_____

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

New use (outdoor music) will have no effect on potential odors of Applicant. However, exhaust systems will continue to be filtered and trash and garbage will be placed in appropriate containers.

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)

New use will have no effect on trash generation of Applicant. Applicant will continue to generate typical restaurant trash - office paper, food wrappers, and food waste.

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

Approximately 20 bags a day.

C. How often will trash be collected?

Trash will continue to be collected 6 days per week.

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

Trash will be continue to be collected in appropriate receptacles preventing the littering of nearby properties. Additionally, receptacles will not be kept out during the day and will only be put out at night for pick up and promptly returned in the morning.

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:

Not applicable. New use will have no effect on hazardous materials.

SUP # _____

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

[✓] Yes. [ ] No.

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

New use will not effect the generation of organic compounds at the Applicant restaurant. The Applicant will continue using standard cleaning agents.

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

The use of said organic compounds does not pose a risk to the safety of nearby residents, employees or patrons.

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.

The proposed use, outdoor music, will not include the sale of alcoholic beverages. However, the Applicant is a full service restaurant offering for sale alcoholic beverages for on-premises consumption in accordance with a valid ABC license.

SUP #_____

PARKING AND ACCESS REQUIREMENTS

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

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

Planning and Zoning Staff Only

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

Does the application meet the requirement?
[ ] Yes [ ] No

B. Where is required parking located? *(check one)*
[ ] on-site
[✓] off-site

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

No parking offered by Applicant.

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 Dock

Planning and Zoning Staff Only

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

Does the application meet the requirement?

[ ] Yes [ ] No

SUP # _____

B. Where are off-street loading facilities located? 1 loading dock located in back of restaurant.

C. During what hours of the day do you expect loading/unloading operations to occur?
Deliveries will be made between 8:00 am - 5:00 pm

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Approximately 4 deliveries per day, 6 days per week.

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

Street access is adequate.

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? [✓] Yes [ ] No

Do you propose to construct an addition to the building? [ ] Yes [✓] No

How large will the addition be? _____ square feet.

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

10,000 sq. ft. (existing) + 0 sq. ft. (addition if any) = 10,000 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: Restaurant - Chart House

End of Application

SUP # _____

Admin Use Permit # _____

SUPPLEMENTAL APPLICATION

RESTAURANT

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

1. How many seats are proposed?

   Indoors: 340 Outdoors: 64 Total number proposed: 404

2. Will the restaurant offer any of the following?

   Alcoholic beverages (**SUP only**) _____ Yes _____ No

   Beer and wine — on-premises _____ Yes _____ No

   Beer and wine — off-premises ✓ Yes _____ No

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

   Upscale seafood restaurant.

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? _____

   Will delivery drivers use their own vehicles? ✓ Yes _____ No

   Where will delivery vehicles be parked when not in use?

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?

   _____ Yes ✓ No

   If yes, please describe:

SUP # _____

Parking Impacts. Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
   - _____ 100%
   - ___✓___ 75-99% 3 nearby parking garages.
   - _____ 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:

	300	Maximum number of patron dining seats
+	40	Maximum number of patron bar seats
+	10	Maximum number of standing patrons
=	360	Maximum number of patrons

2. 55 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

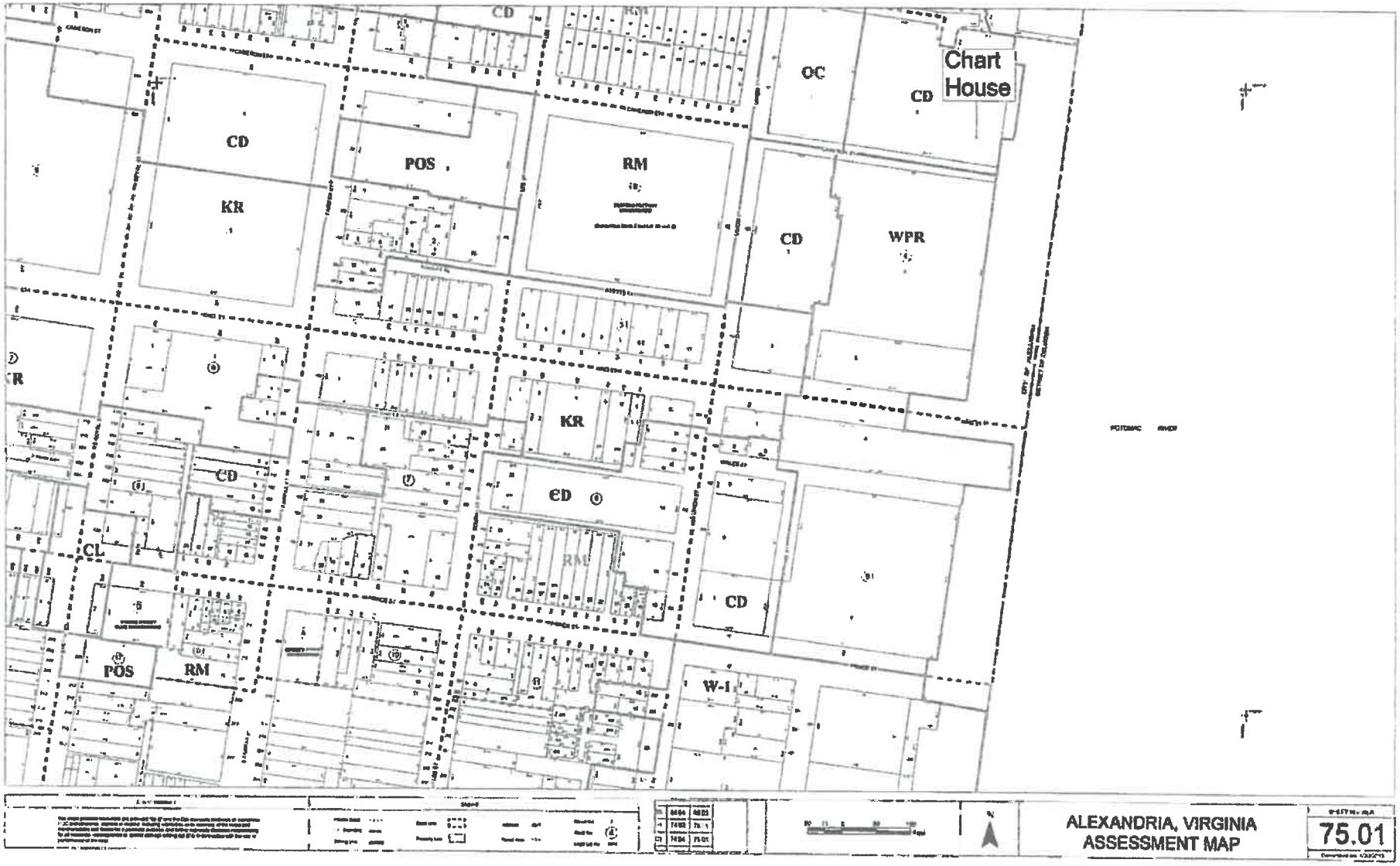


Chart House
CD
OC
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POS
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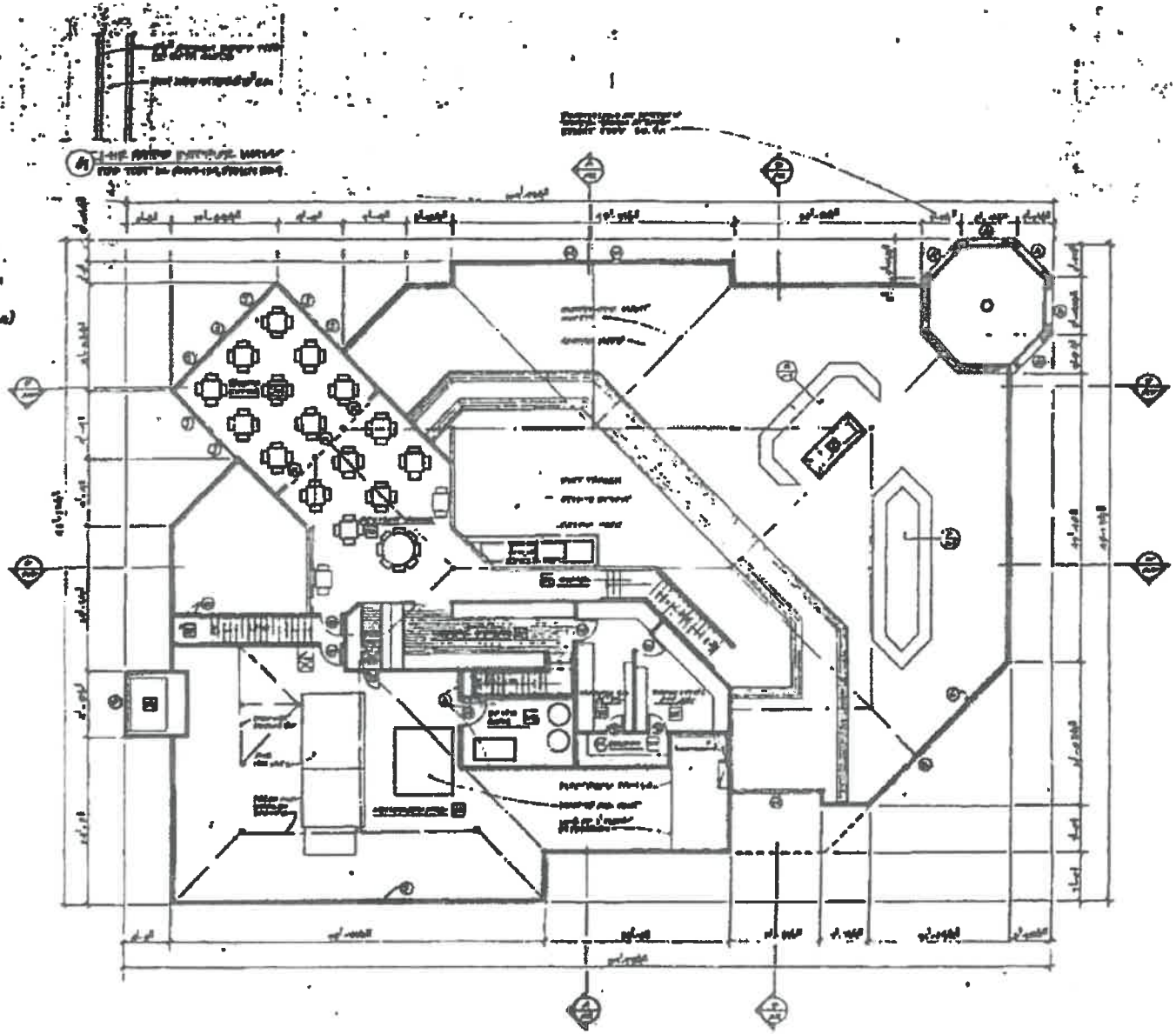
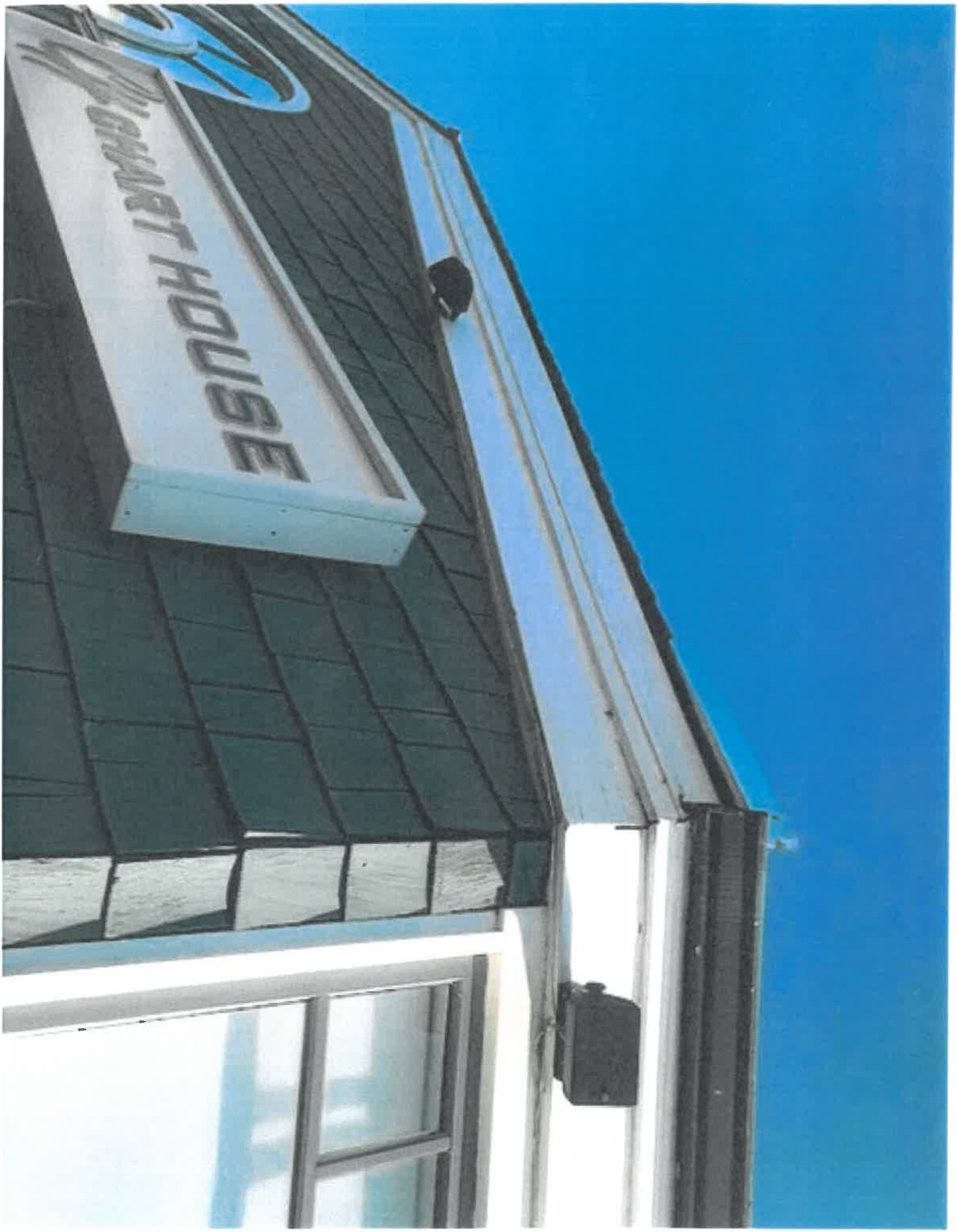
W-1
POTOMAC RIVER
ALEXANDRIA, VIRGINIA
ASSESSMENT MAP
75.01



BID ALTERNATIVES

MEZZANINE PLAN

ALEXANDRIA CHART HOUSE

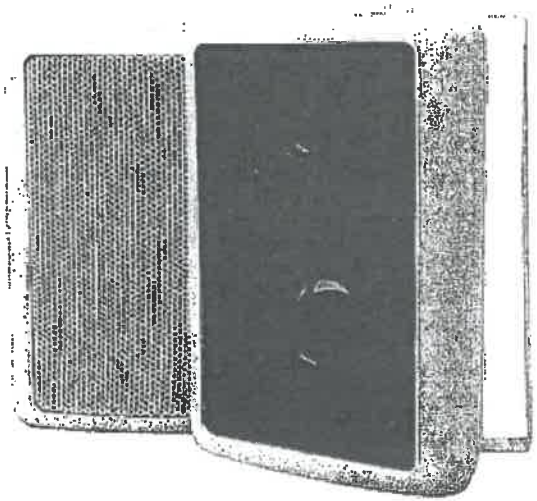

HOUSE

Surface Mount

P1 Surface Mount Speaker

Features

- **USA & Canadian UL 1480 Listed!**
- 70/100v - 8 ohm selectable
- Extended range 4" two-way speaker
- Trapazoid enclosure
- Durable injection mold ABS
- Steel U- bracket included for vertical or horizontal mounting
- Fully assembled
- Installs in minutes

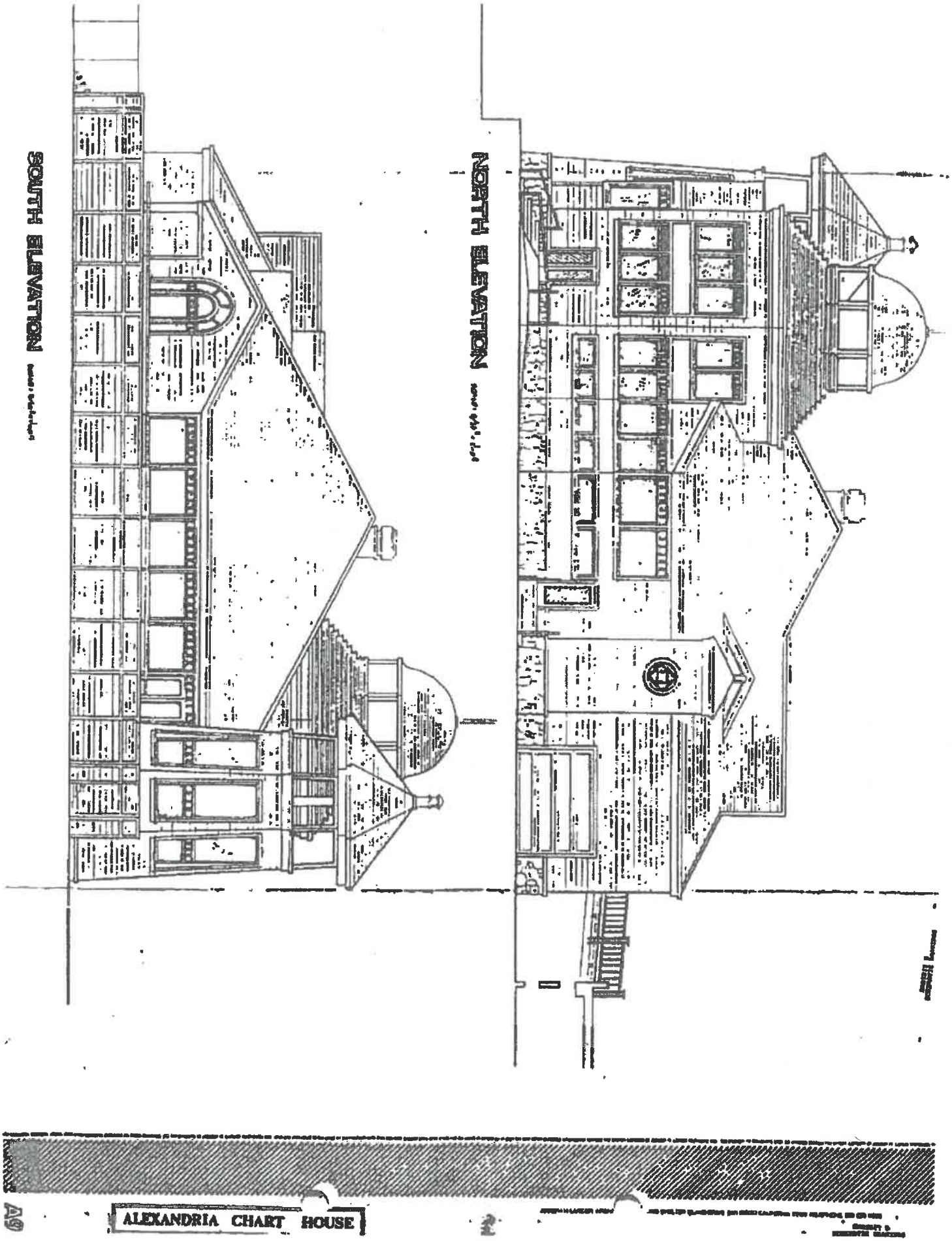


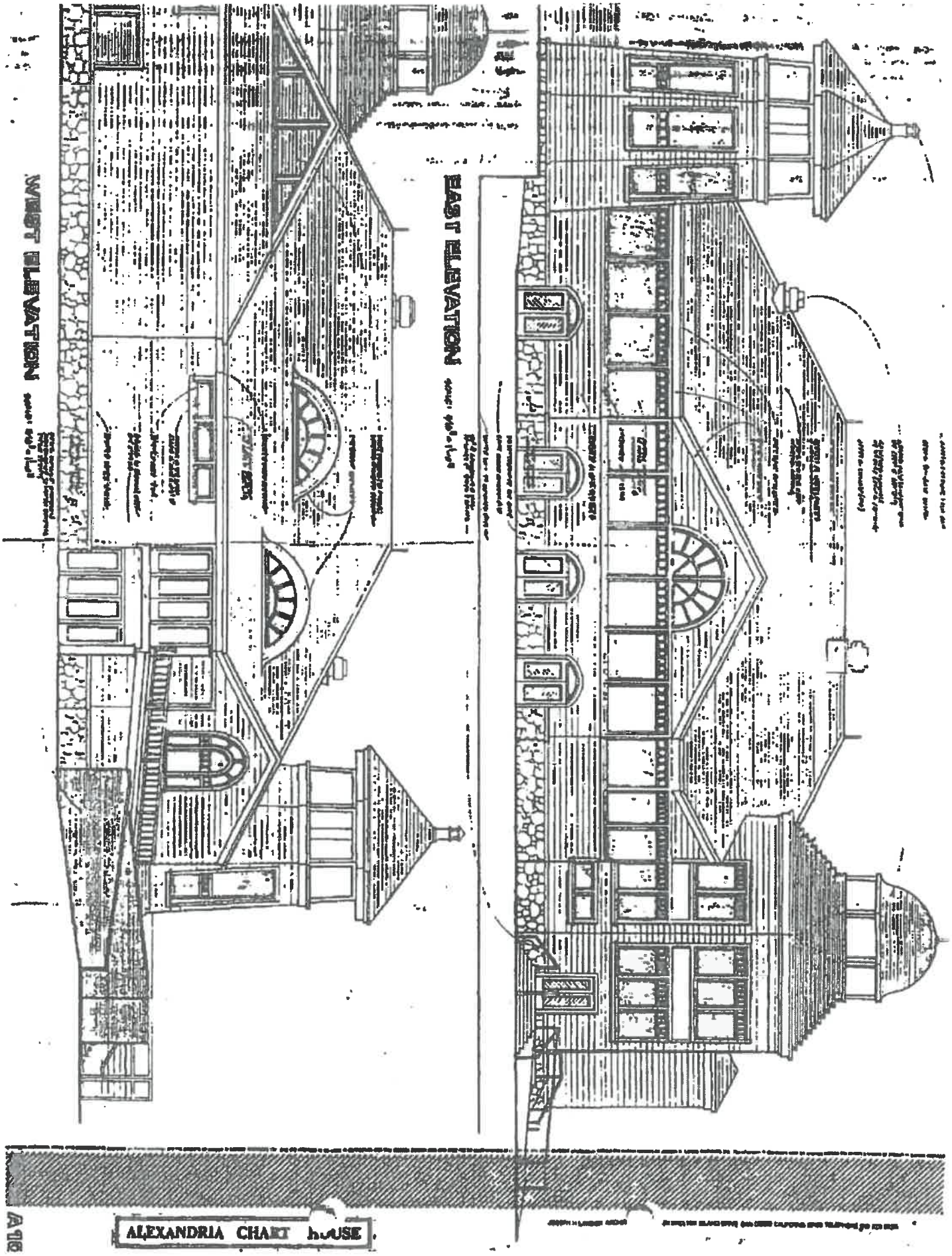
Applications

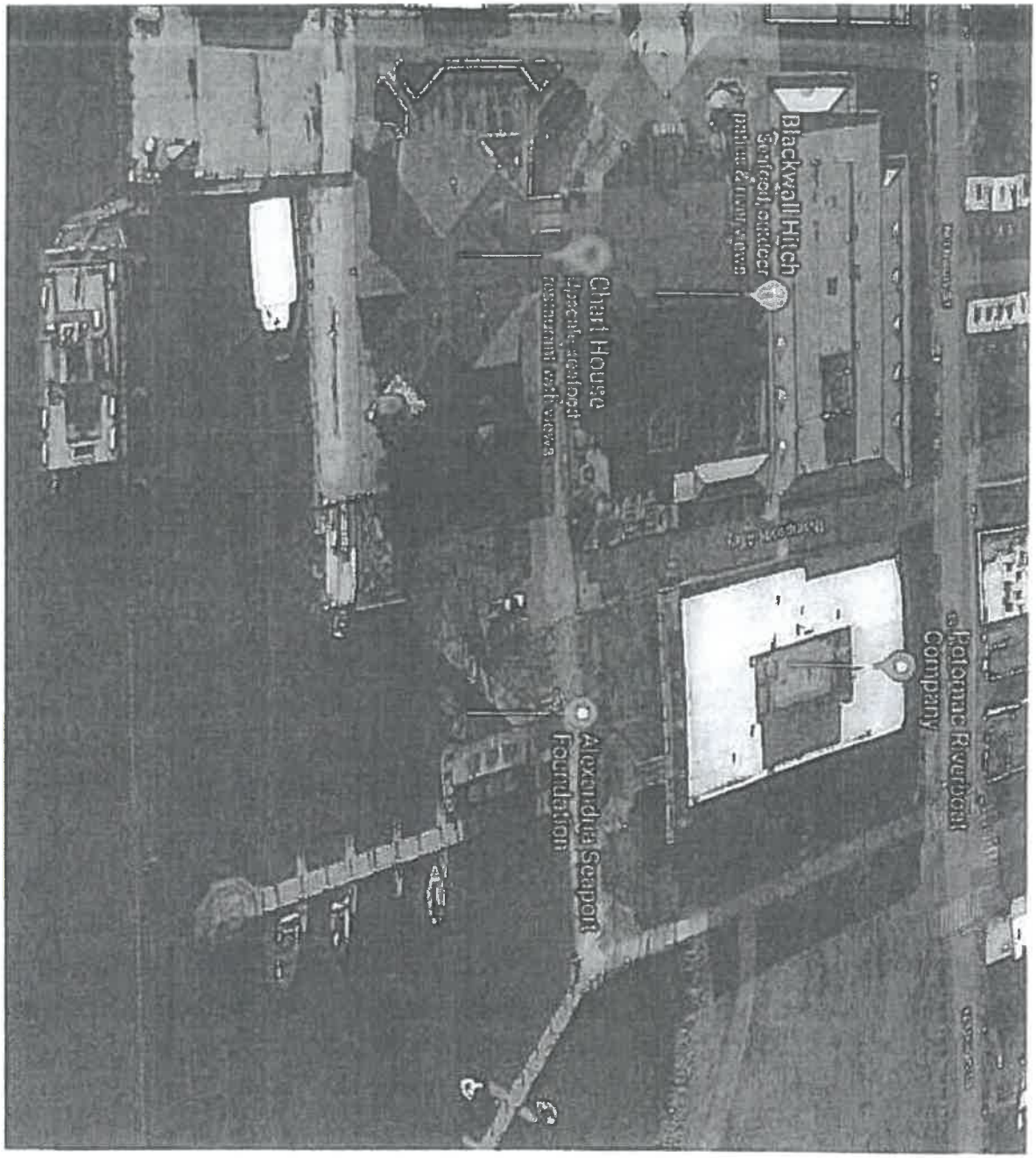
- Residential and home theater
- Restaurants
- Retail Establishments
- Houses of Worship
- Amusement Parks
- Hotels
- Lounges
- Home Audio

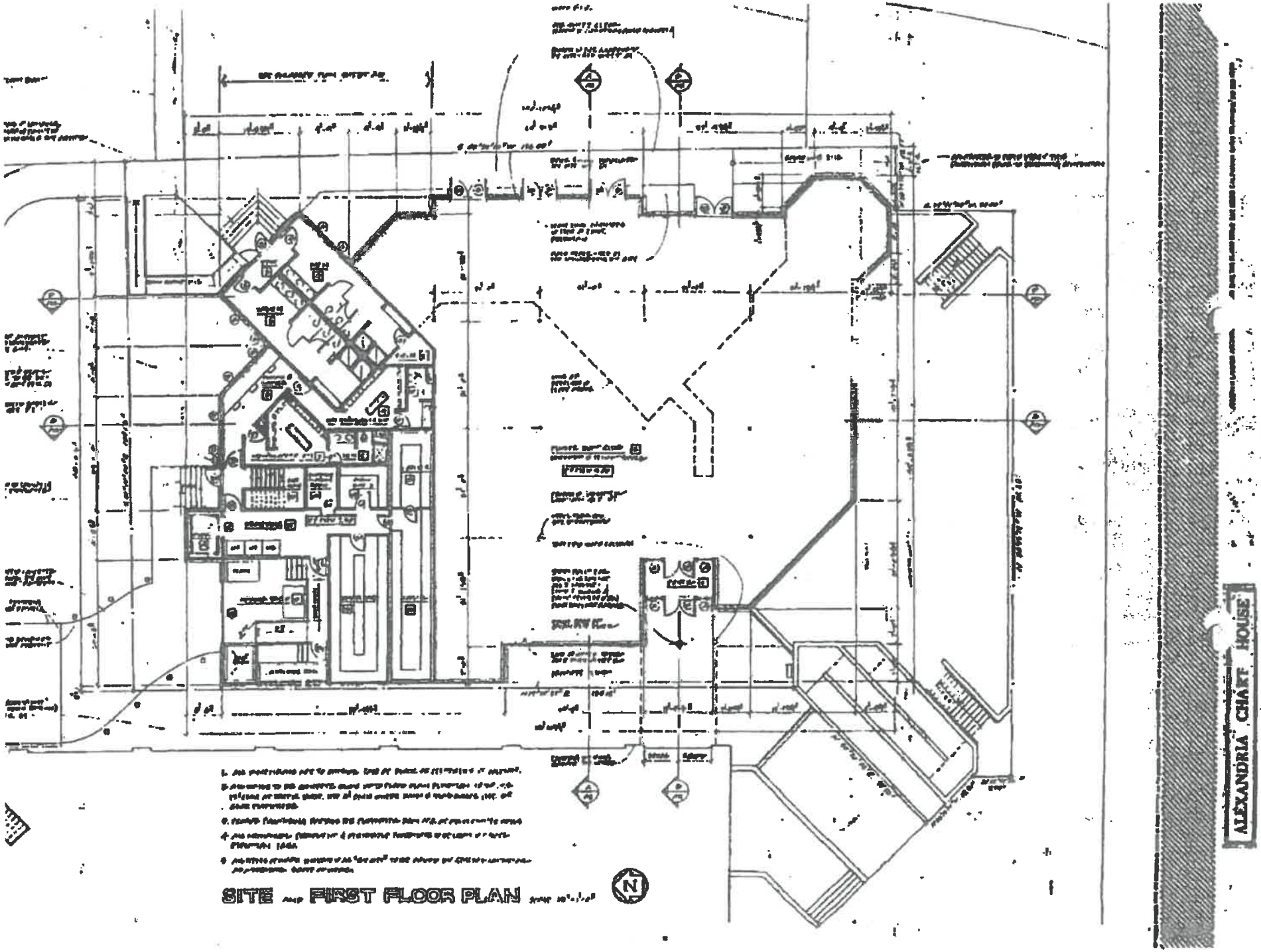
Specifications

- FREQUENCY RESPONSE: 90 Hz - 18 kHz
- POWER HANDLING: 35 watts RMS
- SPL: 88 dB 1 watt / 1 meter
- 70 volt TRANSFORMER 10w: Taps .625, 1.25, 2.5, 5, 10
- 100 volt TRANSFORMER 10w: Taps 1.25, 2.5, 5, 10
- CROSSOVER FREQUENCY: 3 kHz, phase coherent 2nd order
- LOW FREQUENCY DRIVER: 4 inch doped paper cone, butyl rubber surround, Kapton former voice coil
- HI FREQUENCY DRIVER: 3/4 inch sealed
- NET WEIGHT: 4 lbs


SOUTH ELEVATION
NORTH ELEVATION
A9
ALEXANDRIA CHART HOUSE


WEST ELEVATION
EAST ELEVATION
ALEXANDRIA CHART hOUSE.


Potomac Riverboat Company
Alexandria Seaport Foundation
Chart House
Blackwall Hitch


SITE AND FIRST FLOOR PLAN
N
ALEXANDRIA CHART HOUSE

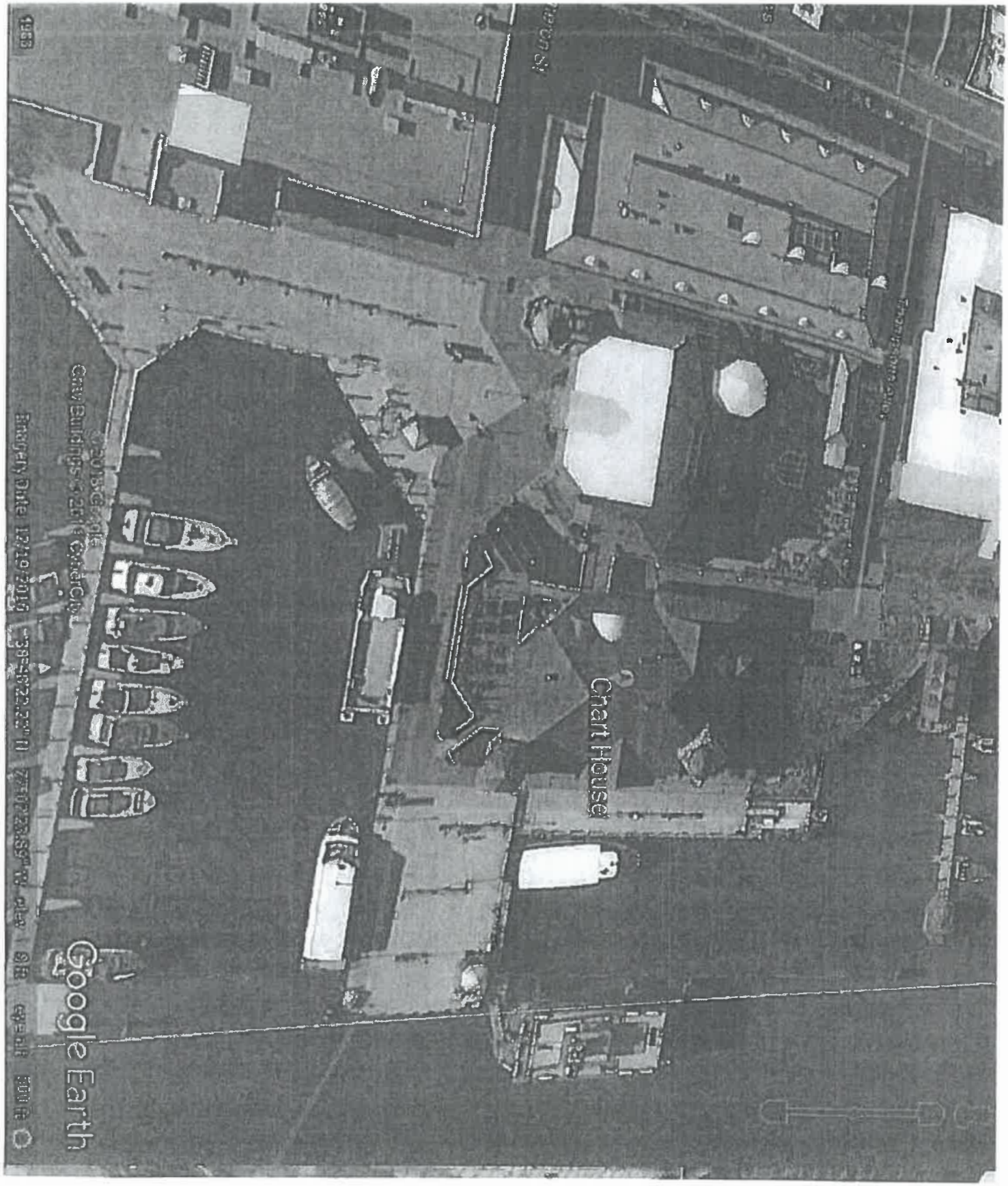


Chart House
Google Earth

Good afternoon.

I just read that you are looking to approve outdoor speakers at the Chart House Restaurant.
I think this is a BIG mistake for several reasons:
1) This is a passive area and even though the bottom of King Street will be used by the public, it is already noisy. I have been there at night and the noise reverberates a lot. There are many residential homes right there and allowing these speakers would be invading their space.
2) Founders Park is a passive park and many of us bring our dogs there to play. Loud noises will scare the dogs away and they will run. Those of us who are FPCA members want the park to stay passive and open to all. Speakers at the Chart House or at any location nearby would be invading the interest of the taxpayers and will be abused.

DO NOT allow these speakers to be installed and do not allow anything with loud noise to interfere with the peace of the neighbors. We have already had people call the police for singers who are there at night -- how can you think of speakers which would be even louder and the City would have no control?

Ann Shack
501 Tobacco Quay
Alexandria, VA

Ann Shack
I've Got A Flair For Performance!
Certified Homeowner Advocate
Certified Distress Resolution Specialist Keller Williams Realty
1701 Duke Street, Suite 100
Alexandria, VA 22314
https://na01.safelinks.protection.outlook.com/?url=www.annshack.com&data=02%7C01%7CPatrick.Silva%40alexandriava.gov%7Cdf265635ac3847a43e4b08d63eab9bae%7Cfeaa9b3143754aeeadccc76ad32a890b%7C0%7C0%7C636765304108318784&sdata=gEYYdNJladR4BCXb4MnhfZZF1Hdd02gNVayYLJFCh14%3D&reserved=0
703-966-4463 cell

Fw: June 4, 2019 Planning Commission Docket Published

Ann Shack <annshack@earthlink.net>

Thu 5/23/2019 5:18 PM

Inbox

To:PlanComm <PlanComm@alexandriava.gov>;

Regarding your docketed item for speakers to play music on the outside of the Chart House, I object. There are several entities at that location that would be affected: Blackwall Hitch and all of the public who walk on the boardwalk behind the Torpedo Factory. Also, once the sun goes down, the sound of the music will travel.

Why should the Chart House be able to dictate what music others are forced to listen to or the hour it is played, except for those dining there? Open air music defies people's ability to sit in quiet and peace.

Once the park has been finished at the bottom of King Street, that area will be affected as well. This is not a reasonable request.

Ann Shack
Tobacco Quay

-----Forwarded Message-----
From: Alexandria eNews
Sent: May 23, 2019 4:59 PM
To: "annshack@earthlink.net"
Subject: June 4, 2019 Planning Commission Docket Published

The following is a link to the docket for the Tuesday, June 4, 2019 Planning Commission public hearing. The applications and supporting documents can be viewed by clicking the links below each associated docket item. For questions regarding any of the docket items, please contact the Department of Planning & Zoning at (703) 746-4666 or via Call.Click.Connect. For reasonable disability accommodation, contact Graciela.Moreno@alexandriava.gov or (703) 746-3808, Virginia Relay 711.

June 4, 2019 Planning Commission

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Ann Shack
I've Got A Flair For Performance!
Certified Homeowner Advocate
Certified Distress Resolution Specialist
Keller Williams Realty
1701 Duke Street, Suite 100
Alexandria, VA 22314
www.annshack.com
703-966-4463 cell