

WATERFRONT SMALL AREA PLAN POLICY FOR RESTAURANT/HOTEL/COMMERCIAL USES

The cultural and historic ambience of Old Town provides the primary attraction for visitors and for residents. Restaurants, hotels, entertainment venues, marinas and other commercial establishments along the waterfront will provide activity and destinations for residents and visitors, allowing enjoyment of the City's Potomac River location. Such uses, however, must be sited in appropriate locations and designed in such a way to ensure that goals of the Waterfront Plan are achieved, including:

- ◆ Enhancing enjoyment of the waterfront for residents and visitors alike;
- ◆ Appropriately locating uses consonant with public open spaces, development sites, and the Potomac River; and
- ◆ Maintaining compatibility with both the historical and residential character of the adjacent neighborhood.

Restaurants, hotels, farmers' markets, retail, personal service, private recreational facilities, and marinas each require SUP approval in the Waterfront area. The SUP process is designed so that each use is reviewed and assessed for its appropriateness at a specific location and for its ability to coexist with adjacent and nearby uses without impacts to the character of the area, the plan goals as a whole, and the enjoyment of nearby property.

The Small Area Plan for the adjacent area of Old Town states the City's policy that the fragile balance between the residential and commercial areas "must be preserved if both are to remain strong and if the ambience of Old Town is to be preserved. Further, the commercial areas contain a mix of activities that is unique within the metropolitan area, and that mix needs to be protected if the character of Old Town is to be preserved."

The Old Town Small Area Plan (and the King Street Retail Strategy by reference) includes the City's policy with regard to restaurants, establishing guidelines to assist in SUP decision-making. The Old Town Restaurant Policy requires that Council review each restaurant application for its impacts on noise, late night hours, alcohol, parking, litter and the balance of retail and restaurant uses. A similar approach should be taken to protect the Waterfront, King Street and the nearby residential areas as to future uses and SUP review.

Each SUP for a restaurant, hotel, entertainment, or other commercial use on the waterfront must be reviewed, and appropriate findings made, according to the following guidelines:

1. City Council shall not approve an SUP for a use on the waterfront unless it finds that the use does not create significant negative impacts on the vitality and character of King Street or the character and enjoyment of nearby residential neighborhoods
2. City Council shall consider the cumulative effect of the proposal and the number of already established uses in the nearby area.
3. In the case of an expansion or other intensification, the entire operation shall be taken into account in determining the impact on King Street and nearby residential neighborhoods.
4. In making its determination, City Council shall consider the following factors as applied to the proposed use:
 - a. Restaurant
 - i. The potential for undue congestion of pedestrians or vehicles;
 - ii. The extent to which the use is open in the late night hours and situated so as to potentially disturb residential areas;
 - iii. The extent to which alcohol consumption will predominate over food consumption and situated so as to potentially disturb residential areas and negatively impact waterfront public spaces.
 - iv. The availability of off-street parking for the restaurant's patrons and employees, including whether the restaurant has contracted with nearby garages for additional off-street parking for patrons and/or employees.
 - v. The predicted extent of litter generated;
 - vi. The potential for loud or otherwise inappropriate noise; and

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- vii. The extent to which other restaurants already exist in the same area. Restaurant uses should not be located in such proximity as to detract from the character and authenticity of the waterfront by creating a monoculture similar to a Food Court or "restaurant row" environment.
 - viii. The extent to which the restaurant provides incentives for employees who are able to use transit.
 - ix. The extent to which new parking is available to support overflow parking needs of Old Town residents.
 - x. The extent to which adequate and reasonable buffers are provided between new active uses and existing residential development.
 - xi. The extent to which architecture and site design reflect the important design principles illustrated by the scale model prepared by the City during the Waterfront planning process, including alleys as view corridors; design elements that minimize the impacts of height, such as setbacks above the third story along Union Street and incorporation of the top story within a roof form; and small footprint buildings instead of large "superblock" development.
- b. Hotel
- i. The potential for undue congestion of pedestrians or vehicles;
 - ii. The type and size of hotel, and whether it is designed to attract large conventions, banquets, or other functions (such as trade shows). Hotels shall be "boutique" hotels: that is, hotels with 150 rooms or less, no ballroom, and meeting rooms for on-site use by guests. The Waterfront Small Area Plan allows the addition of up to two hotels in the W-1 zone, with a total limit of 300 rooms.
 - iii. The ability of the hotel to accommodate, and screen all of its service needs on site, including loading and delivery operations.
 - iv. Parking for visitors, customers and employees must be provided on site. Additional parking may be provided by contract with a nearby garage for patrons and/or employees. Although the Plan anticipates low parking ratios, the applied ratio must be consistent with industry norms for similar hotels.
 - v. The extent to which garage spaces will be available to the public. Parking garages must be operated so that they are open to the public at least at peak times.
 - vi. A restaurant within a hotel that is open to the public shall be the subject of a separate SUP and the same requirements as other restaurants.
 - vii. The location of the hotel and whether its layout is designed to produce the least impact on nearby residential areas and on the lower King Street area.
 - viii. The extent to which the hotel provides incentives for employees who are able to use transit.
 - ix. The extent to which new parking is available to support overflow parking needs of Old Town residents.
 - x. The extent to which adequate and reasonable buffers are provided between new active uses and existing residential development.
 - xi. The extent to which architecture and site design reflect the important design principles illustrated by the scale model prepared by the City during the Waterfront planning process, including alleys as view corridors; design elements that minimize the impacts of height, such as setbacks above the third story along Union Street and incorporation of the top story within a roof form; and small footprint buildings instead of large "superblock" development.
- c. Other commercial uses: Factors from the above lists shall be applied as relevant to the specific SUP under consideration.