

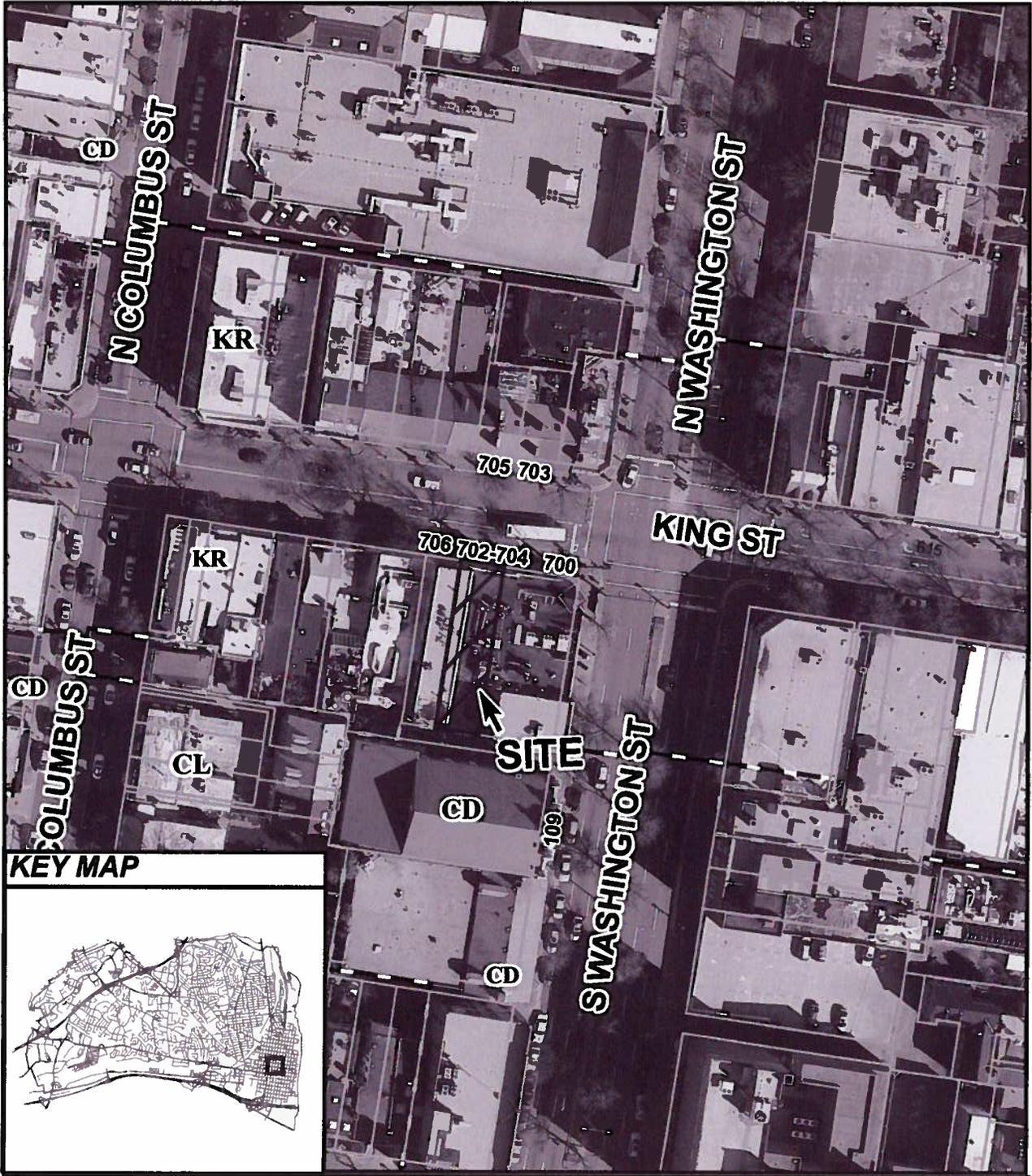
**DOCKET ITEM #7**  
**Special Use Permit #2011-0089**  
**702-704 King Street – Nando's**

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<b>Application</b>	<b>General Data</b>	
Consideration of a request to operate a restaurant.	<b>Planning Commission Hearing:</b>	March 8, 2012
	<b>City Council Hearing:</b>	March 17, 2012
<b>Address:</b> 702-704 King Street	<b>Zone:</b>	KR/King Street Retail
<b>Applicant:</b> Nando's of Alexandria, LLC by M. Catherine Puskar, attorney	<b>Small Area Plan:</b>	Old Town

**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:** Nathan Randall, [nathan.randall@alexandriava.gov](mailto:nathan.randall@alexandriava.gov)



**SUP #2011-0089**

**3/8/2012**



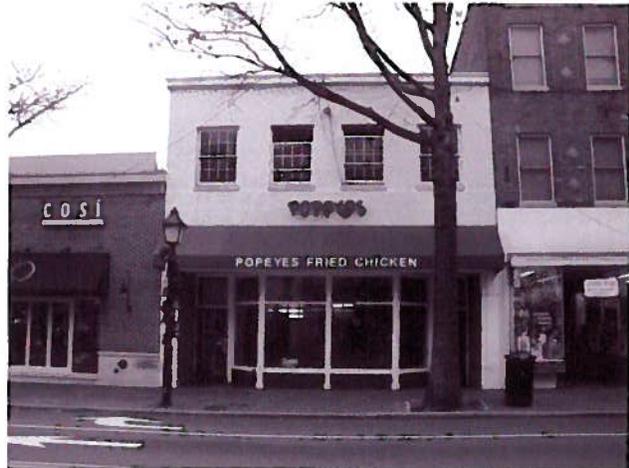
## I. DISCUSSION

The applicant, Nando's of Alexandria, LLC by M. Catherine Puskar, attorney, requests Special Use Permit approval for the operation of a restaurant at 702-704 King Street.

### SITE DESCRIPTION

The subject site is one lot of record having 26 feet of frontage on King Street, 100 feet of depth, and a total lot area of 2,600 square feet. The site is improved with a two-story commercial building.

The surrounding area is comprised of commercial and institutional uses. Retail stores and restaurants are located on the same block and across King Street. The Washington Street United Methodist Church, in which a day care center is located, is located to the south.



### BACKGROUND

Popeye's Restaurant, a fast-food establishment, began operation at this site in 1984 following City Council approval of SUP#1682. City Council renewed its approval or granted a change of ownership several times between 1984 and 1991, and the restaurant briefly operated outside of the Popeye's franchise during this period as well. The most recent SUP approval at the site occurred in 2007 when staff administratively approved a change of ownership (SUP#2007-0023). Popeye's closed for business last year.

### PROPOSAL

The applicant proposes to operate a new restaurant serving Portuguese-style chicken dishes and sandwiches in an existing two-level restaurant space near the intersection of King and Washington Streets in Old Town. Nando's is a South Africa-based restaurant group with locations around the world, including two in the Washington, DC area. The applicant expects to offer 144 seats, which is a 46-seat increase compared to Popeye's. The primary type of service offered will be "fast-casual" in which food is ordered at a counter and brought by staff to customers at their tables. Additional elements of the applicant's request are as follows:

Hours: 11 a.m. – 10 p.m. Monday-Thursday  
11 a.m. – 11 p.m. Friday and Saturday  
11 a.m. – 9 p.m. Sunday

Number of Seats: 144

Type of Service: Dine-in and carry-out

<u>Customers:</u>	Approximately 350 customers/day
<u>Alcohol:</u>	On-premises alcohol service only
<u>Entertainment:</u>	No live entertainment is proposed
<u>Delivery:</u>	No delivery service is proposed
<u>Noise:</u>	Minimal noise levels anticipated
<u>Trash/Litter:</u>	Food waste and recyclable items will be picked up daily

#### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the KR/King Street Retail Zone. Section 4-503(W) of the Zoning Ordinance allows a restaurant in the KR zone only with a Special Use Permit.

The proposed use is consistent with the uses shown in the Old Town Small Area Plan chapter of the Master Plan which designates the property for commercial use.

#### PARKING

The subject property is located within the Central Business District (CBD). Restaurants located within the CBD are exempt from parking requirements pursuant to Section 8-300(B) of the Zoning Ordinance.

## **II. STAFF ANALYSIS**

Staff supports the applicant's request to operate a new fast-casual restaurant in this location. The proposal appears to be a good fit for Old Town neighborhood and, despite being an international chain, is likely to be significantly more compatible with the character of Old Town than the formulaic fast-food restaurant that had occupied this tenant space for decades. Staff also finds that the request is consistent with the Old Town Restaurant Policy, which requires consideration of the restaurant's potential impact on the surrounding neighborhood regarding matters such as parking, late night hours and alcohol use, litter, and a diversity of uses.

#### Parking

Staff acknowledges that some potential exists for parking impacts from the use, both as a cumulative matter and given that the applicant proposes to add 46 more seats here compared to the prior restaurant on the site. However, public parking is available at several sites within a few blocks of the restaurant, such as the North Alfred Street garage, the North Saint Asaph Street lot, and the Courthouse garage. To further reduce the potential parking impact from this use, staff has included standard condition language requiring the applicant to provide off-street parking spaces for its employees who drive to work (Condition #14) and to participate in a parking program as recommended in the King Street Retail Strategy (Condition #16). Staff has also included Condition #15 requiring the applicant to post information about the location of parking and the availability of public transportation on its website and in printed materials.

Diversity of Uses

The current request will simply replace the prior restaurant in the space with another. No changes to the balance of uses will occur here as a result of this proposal. Staff also recently reviewed the uses in this area as part of the Yogiberry case located across the street at 711 King Street. It found that, although the majority of the uses along the 700 block of King Street are restaurants, a balance of retail, restaurant, and personal service uses can be found in the three-block area between the 600 and 800 blocks of King Street, including Gap, Banana Republic, Nine West, Burke & Herbert Bank, Walgreen's, The Dog Park, Papyrus, Chico's, and Random Harvest.

Litter

Staff does not anticipate significant litter impacts from this use given that the restaurant concept here is oriented mostly toward dine-in customers. Nonetheless, staff has included standard condition language (Condition #20) that will require the applicant to pick up litter on the property and surrounding area at least twice a day.

Late-Night Hours and Alcohol

The Old Town Restaurant Policy is designed to anticipate the possibility that a combination of late-night hours and alcohol could create neighborhood impacts. Although on-premises alcohol will be served here, no live entertainment is proposed and the closing hour will be at either 10 p.m. or 11 p.m. daily, which is earlier than most restaurants in the area. Neighborhood impacts from the combination of late-night hours and alcohol as contemplated in the Policy are therefore not expected in connection with this proposal.

Staff recognizes the potential for some quick-service chain restaurants to offer a formulaic interior design with little differentiation between stores and potentially detracting from the unique character of Old Town. However, the proposed restaurant appears unlikely to present these types of problems. A review of the restaurant's only other United States locations, near Dupont Circle and Chinatown, reveals that is not a typical fast-food chain in many respects. For example, it offers partial table service and serves its food with non-disposable plates and silverware. The attractive interior spaces at both locations feature muted colors and natural materials, such as brick and wood. To ensure that the restaurant space includes such features now and in the future, however, staff has included condition language (Condition #8) requiring enhanced interior finishes to the satisfaction of the Director of Planning & Zoning. Similar condition language has been included in Special Use Permit approvals for other quick-service restaurants on King Street, such as the Subway Café at 320 King Street and at the recently-approved Yogiberry at 711 King Street.

In conclusion, staff believes that the proposed restaurant will be a positive addition on King Street and recommends approval of the applicant's request, subject to the conditions contained in Section III of this report.

### III. RECOMMENDED CONDITIONS

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

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. The hours of operation of the restaurant shall be limited to between 11 a.m. and 10 p.m. Sunday-Thursday and between 11 a.m. and 11 p.m. Friday and Saturday. (P&Z)
3. The maximum number of indoor seats at the restaurant shall be 144. Additional outdoor seating may be provided subject to approval by the Director of Planning and Zoning through the King Street Outdoor Dining Program. (P&Z)
4. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
5. No live entertainment shall be permitted at the restaurant. (P&Z)
6. No delivery service shall be available from the restaurant. (P&Z)
7. On-premises alcohol service shall be permitted at the restaurant but no off-premises alcohol sales shall be allowed. (P&Z)
8. The applicant shall submit and maintain an interior design plan to the satisfaction of the Director of Planning & Zoning. The plan shall include relevant information and illustrations regarding the final design of the restaurant including, but not limited to, interior finishes, colors, materials, furniture, and lighting. The Director shall review the plan for its use of attractive, high-quality materials as well as its compliance with the following elements:
  - a. Lighted signage in the windows shall not be permitted.
  - b. Lighting fixtures in the dining area and the serving area shall avoid the use of fluorescent tubes.
  - c. Furniture shall be constructed out of wood, granite, or other high quality and preferably natural materials, with minimal use of plastic.
  - d. Flooring within the dining area shall be ceramic tile or other high quality material.
  - e. Any tiling on the vertical surface of the cashier service counter shall be a generally solid color and or design.
  - f. Decorative wood interior trim shall include moldings and other detail.
  - g. Menu boards, if any, shall not be backlighted or have any internal lighting. (P&Z)
9. Meals ordered before the closing hour may be sold, but no new patrons may be admitted and all patrons must leave by one hour after the closing hour. (P&Z)
10. 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. (P&Z)

11. No food, beverages, or other material shall be stored outside. (P&Z)
12. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z)
13. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
14. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
15. The applicant shall direct patrons to the availability of parking at nearby public garages and shall provide information about off-street parking and alternative forms of transportation to access the location of the restaurant, via print and electronic promotional materials, posting on the restaurant website, and other similar methods. (P&Z) (T&ES)
16. The applicant 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. (T&ES)
17. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
18. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
19. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
20. 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)
21. All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)

22. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and robbery readiness training for all employees. (Police)
23. The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)
24. 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:** Barbara Ross, Deputy Director, Department of Planning and Zoning;  
Nathan Randall, Urban Planner.

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**Staff Note:** In accordance with Section 11-506(C) of the Zoning Ordinance, operation shall be commenced 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 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises be picked up at least twice a day, and more often if necessary, to prevent an unsightly and unsanitary accumulation, on each day that the business is open to the public.
- R-2 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers.
- R-3 The applicant shall control 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 and Environmental Services.
- R-4 All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line.
- R-5 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees.
- R-6 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.
- R-7 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am.
- R-8 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground.
- C-1 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-2 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)

Code Enforcement:

- F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Acting Plan Review Supervisor at [ken.granata@alexandriava.gov](mailto:ken.granata@alexandriava.gov) or 703-746-4193.
- F-2 Staff has found an interior demolition permit has been applied for on 2/6/12 for preparation of new tenant located at this site.
- C-1 Building and trades permits are required for this project. Six sets of *construction documents* sealed by a *Registered Design Professional* that fully detail the construction as well as layout and schematics of the mechanical, electrical, and plumbing systems shall accompany the permit application(s)
- C-2 Alterations to the existing structure and/or installation of equipment requires construction/alteration permits. Six sets of architectural quality drawings shall accompany the permit applications that fully detail the construction/alteration as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-3 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 Any proposed future alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Before a building permit can be issued on any proposed future alterations, a certification is required from the owner or owner's agent that the building has been inspected by a licensed asbestos inspector for the presence of asbestos.
- C-6 Building Code Analysis: The following minimum building code data is required on the drawings: a) use group, b) number of stories, c) construction type d) tenant area and e) total occupancy load.
- C-7 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.

- C-8 Toilet Rooms for Persons with Disabilities:
  - (a) Water closet heights must comply with USBC 1109.2.2
  - (b) Door hardware must comply with USBC 1109.13
- C-9 Toilet Facilities for Persons with Disabilities: Larger, detailed, dimensioned drawings are required to clarify space layout and mounting heights of affected accessories. Information on door hardware for the toilet stall is required (USBC 1109.2.2).
- C-10 Two means of egress are required from each level of the restaurant (USBC 1021.1).
- C-11 A seating/table layout (indoor and outdoor) complete with dimensions showing all aisle and passageway clearances will be required for review and approval prior to occupancy (USBC 1004.2).
- C-12 Electrical wiring methods and other electrical requirements must comply with the USBC and NFPA #70, 2008.
- C-13 Sufficient toilet rooms must be provided to accommodate the total occupancy load for restaurant staff and the combined indoor and outdoor patron seating capacity (USBC 2902.1).
- C-14 All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system (USBC 904: M-507.1).
- C-15 A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor (USBC 2801).
- C-16 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-17 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
  - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
  - (b) How food stuffs will be stored on site.
  - (c) Rodent baiting plan.

Health:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.

- C-2 Permits must be obtained prior to operation.
- C-3 Six sets of plans of each facility must be submitted through the Permit Center and approved by this department prior to construction. Plans must comply with Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$200.00 fee for review of plans for food facilities.
- C-4 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Parks and Recreation:

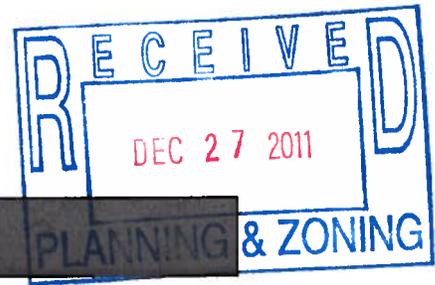
- F-1 No Comments Received

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for all employees.
- F-1 The applicant is seeking an "ABC On" license only. The Police Department has no objections.



# APPLICATION SPECIAL USE PERMIT



SPECIAL USE PERMIT # Sup 2011-0089

PROPERTY LOCATION: 702-704 King Street

TAX MAP REFERENCE: 074.02-10-10 ZONE: KR

**APPLICANT:**

Name: Nando's of Alexandria, LLC

Address: 702-704 King Street, Alexandria, VA 22314

PROPOSED USE: Restaurant

**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.

Nando's of Alexandria, LLC

By: M. Catharine Puskar, Attorney M. Catharine Puskar by sm 12/27/11

Print Name of Applicant or Agent \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Walsh, Colucci, Lubeley, Emrich & Walsh, PC \_\_\_\_\_  
2200 Clarendon Blvd., Suite 1300 \_\_\_\_\_  
Mailing/Street Address \_\_\_\_\_ Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_

\_\_\_\_\_ Telephone # \_\_\_\_\_ Fax # \_\_\_\_\_

\_\_\_\_\_

Arlington, VA 22201 \_\_\_\_\_  
City and State \_\_\_\_\_ Zip Code \_\_\_\_\_ Email address \_\_\_\_\_

\_\_\_\_\_ Email address \_\_\_\_\_

ACTION-PLANNING COMMISSION: _____	DATE: _____
ACTION-CITY COUNCIL: _____	DATE: _____

SUP # 2011-0089

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 702/704 King Street, I hereby  
(Property Address)  
grant the applicant authorization to apply for the Restaurant serving Beer & Wine use as  
(use)  
described in this application.

Name: Eleventh Hour, LLC  
Scott McElhaneey, managing member Phone (703) 862-3365

Please Print  
Address: PO Box 7437, Arlington VA 22207 Email: Scott@arlingtonproperty.net

Signature: [Handwritten Signature] Date: 12/19/2011

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 ten percent.

Nando's Restaurant Group, Inc. - 100%  
819 7th Street, N.W.  
Washington, DC 20001

**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 ten 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
<sup>1</sup> Nando's Restaurant	819 7th Street, NW	Owns 100% of Applicant
<sup>2</sup> Group, Inc. Owned By:	Washington, DC 20001	Entity
<sup>3</sup> Nando's Restaurant Group Holdings BV		There are no owners of 10% or greater.

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 702-704 King Street (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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
<sup>1</sup> Eleventh Hour, LLC	c/o Scott McElhaney P. O. Box 7434	
<sup>2</sup> Scott McElhaney	Arlington, VA 22207	50% Ownership
<sup>3</sup> Lisa McElhaney	Same	50% Ownership

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 below and "None" in the corresponding fields)**

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.)
<sup>1</sup> Nando's Restaurant Group, Inc.	Applicant	None
<sup>2</sup> Eleventh Hour, LLC		
<sup>3</sup> Scott McElhaney Lisa McElhaney	Owner	None

**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.

Revised 1/4/12 M. Catharine Puskar

Date

Printed Name

*M. Catharine Puskar by EM*  
Signature



### 3.) Narrative Description

Nando's of Alexandria, LLC (the "Applicant") is requesting an SUP in order to establish a Nando's restaurant at 702-704 King Street. This site is currently occupied by Popeye's Restaurant. The Applicant intends to preserve the existing building, located in the City's Old and Historic District, and redesign the interior for a restaurant serving all-natural, Portuguese-style chicken in platters, sandwiches and wraps as well as salads and side dishes. For your information, the Applicant also intends to file a BAR application in conjunction with this SUP for signage and some exterior improvements to the building.

The Nando's restaurant concept began in 1987 in South Africa. Nando's Restaurants have now opened in 34 countries, on five continents around the world. Nando's opened its first restaurant in Washington, DC in July of 2008. Nando's chicken is always prepared fresh, never frozen, and is grilled to order over an open flame to reduce fat content. Nando's signature Peri-Peri chicken flavor stems from their mastery of cooking with the red, pili-pili (which means "pepper-pepper") chili that originated in Swahili.

With this SUP application, there are a maximum of 144 restaurant seats proposed. Approximately ten to twelve restaurant employees are proposed to be working per shift (lunch or dinner). The Applicant requests hours of operation from 11:00 AM-10:00 PM Monday through Thursday, from 11:00 AM to 11:00 PM on Friday and Saturday, and from 11:00 AM to 9:00 PM on Sunday. Please see a menu for the restaurant attached. The sale of wine, beer and Sangria are proposed for on-premises consumption only.

Pursuant to Zoning Ordinance Section 8-300(C), because the restaurant is located within the Central Business District, no off-street parking is required for this use. However, adequate street parking is provided within proximity to the restaurant as there are three public parking opportunities within a few blocks, including the N. St. Asaph Street lot, the N. Alfred Street garage and the 418 Cameron Street garage. It is anticipated that most customers will be nearby residents, office workers, and visitors to the City who will arrive at the restaurant on foot.

The atmosphere at Nando's is fun and friendly and the restaurant strives to be an atmosphere where patrons can truly relax and enjoy the healthy lunch and dinner fare. Nando's looks forward to providing a new and healthy choice for dining within the City's Old and Historic District while furthering the goals for the Central Business District and vision of the King Street Retail Strategy. Nando's will offer a new and vibrant, pedestrian-friendly restaurant at 702-704 King Street.

**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).

Lunch - 150 patrons

Dinner - 200 patrons

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

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

Lunch - 10 employees

Dinner - 12 employees

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

Day:	Hours:
<u>Monday-Thursday</u>	<u>11:00 am - 10:00 pm</u>
<u>Friday-Saturday</u>	<u>11:00 am - 11:00 pm</u>
<u>Sunday</u>	<u>11:00 am - 9:00 pm</u>
_____	_____

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

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

Exterior noise limited to rooftop exhaust fan with  
low level of noise (standard for restaurant)

B. How will the noise be controlled?

N/A

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

Normal cooking odors with mechanical equipment and filters  
to be cleaned on a regular basis.

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)  
Food waste and recyclables.

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

C. How often will trash be collected?  
Daily.

D. How will you prevent littering on the property, streets and nearby properties?  
Trash area and sidewalks to be monitored several times  
per day.

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

Yes.                       No.

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

\_\_\_\_\_  
\_\_\_\_\_

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

Yes.       No.

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

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

Employees to attend safe practice class and premises to  
be designed with safety concerns in mind.

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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.

Sale of beer, wine, and sangria for on-premises  
consumption only. Alcohol to comprise less than 10%  
of total sales.

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**PARKING AND ACCESS REQUIREMENTS**

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

- N/A   Standard spaces
- N/A   Compact spaces
- N/A   Handicapped accessible spaces.
- N/A   Other.

\*Pursuant to Zoning Ordinance Section 8-300(c), no off-street parking is required for this use.

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?

  N/A\*  

**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?   Loading access through rear alley.  

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? Rear of site via alley.

C. During what hours of the day do you expect loading/unloading operations to occur?  
After 8:00 am.

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?

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? N/A square feet.

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

4,270 sq. ft. (existing) + 0 sq. ft. (addition if any) = 4,270 sq. ft. (total)

19. The proposed use is located in: (check one)

- a stand alone building
- a house located in a residential zone
- a warehouse
- a shopping center. Please provide name of the center: \_\_\_\_\_
- an office building. Please provide name of the building: \_\_\_\_\_
- other. Please describe: \_\_\_\_\_

End of Application

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.

- How many seats are proposed?  
Indoors: 144      Outdoors: 0      Total number proposed: 144
- 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
- Please describe the type of food that will be served:  
Please see attached restaurant menu.  
\_\_\_\_\_  
\_\_\_\_\_
- The restaurant will offer the following service (check items that apply):  
 table service       bar       carry-out       delivery
- 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?  
\_\_\_\_\_  
\_\_\_\_\_
- Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?  
 Yes       No  
If yes, please describe:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Parking impacts.** Please answer the following:

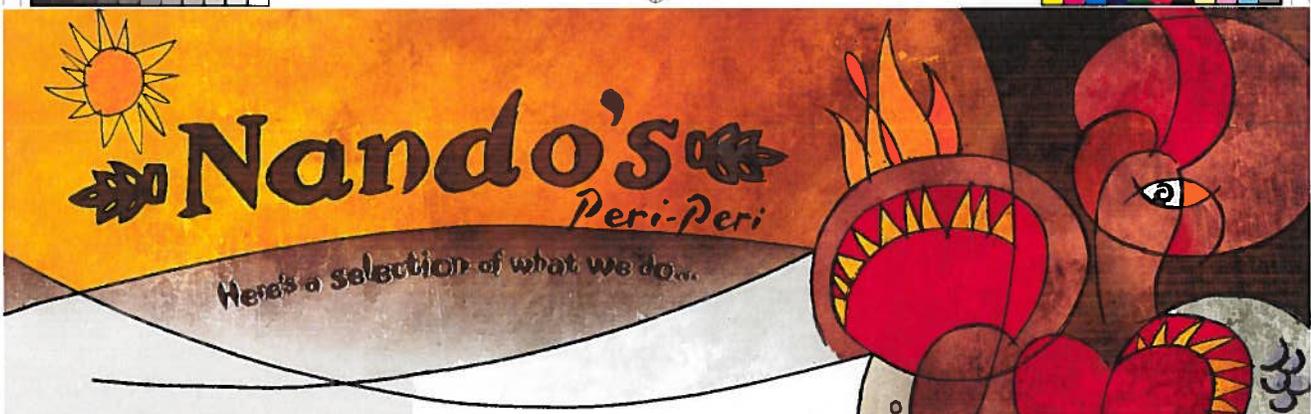
1. What percent of patron parking can be accommodated off-street? (check one)
  - 100%
  - 75-99%
  - 50-74%
  - 1-49%
  - No parking can be accommodated off-street
  
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
  - All
  - 75-99%
  - 50-74%
  - 1-49%
  - None
  
3. What is the estimated peak evening impact upon neighborhoods? (check one)
  - No parking impact predicted
  - Less than 20 additional cars in neighborhood
  - 20-40 additional cars
  - More than 40 additional cars

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

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

1. Maximum number of patrons shall be determined by adding the following:
  - 144 Maximum number of patron dining seats
  - +            Maximum number of patron bar seats
  - +            Maximum number of standing patrons
  - = 144 Maximum number of patrons
  
2. 12 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





### Appetizers

Big enough for two.	
Red Pepper Dip	3.95
Spicy Mixed Olives ★	3.95
Peri-Peri Nuts	2.95
Hummus with Peri-Peri Drizzle	3.95
Garlic Bread	3.95
Peri-Peri Wings	4.95

### Beer

Sagres / Superbock / Sam Adams Light	BOTTLE	each 4.95
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### Sangria

Mediterranean Specialty	GLASS	PITCHER	5.75	15.95
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### Wine

	GLASS	BOTTLE		
	(5 oz/8 oz)	(750ml)		
Cara Viva	4.95/5.75	15.95		
Red / White / Rosé				
Adega de Pego	5.25/5.95	16.95		
Gatao Vinho Verde <b>new</b>	5.25/5.95	16.95		
Indaba Chenin Blanc <b>new</b>	5.55/6.95	19.25		
Robertson Chardonnay	6.25/7.95	21.95		
Quinta de Cidrô Chardonnay	7.25/8.95	28.95		
Mulderbosch Sauvignon Blanc <b>new</b>	7.95/9.75	34.95		
Alandra	5.25/5.95	16.95		
Borges Lello	5.45/6.75	18.95		
Indaba Merlot <b>new</b>	5.55/6.95	19.25		
Robertson Cabernet Sauvignon	6.25/7.95	21.95		
Zonnebloem Shiraz <b>new</b>	6.95/8.25	26.95		
Quinta dos Adiprestes	7.95/9.75	34.95		

### Peri-Posts

"Eating is sublime no matter your choice, the chicken is fresh, marinated, with generous sides. Trust me you'll love it."

"It's a food cult. Each bird is grilled to order, so the meat is juicy."

Jane Black  
The Washington Post  
July 2008

Tom Scuderi - Food Editor  
The Washington Post Magazine  
October 2008

"Nando's Peri-Peri chicken brings on hot peppers with health benefits."  
Express - August 2008



**Nando's Peri-Peri**  
www.nandosperi-peri.com

### Peri-Peri Chicken

The Nando's Peri-Peri specialty is legendary. Fresh (never frozen) All Natural chicken is marinated with our unique Portuguese Peri-Peri spice and then flame-grilled to order.

		+	+
		1 REG	2 REG
		SIDE	SIDES
1/4 Chicken	4.95	6.95	8.85
1/2 Chicken ★	8.95	10.95	12.85
Whole Chicken	16.95		
Chicken Livers	4.95	6.95	8.85

### Platters to share

Sharing embodies the true spirit of Nando's Peri-Peri - great heaps of food and good messy fun roll up your sleeves and enjoy!

<b>Full Platter</b>		
Whole Chicken + 2 Large Sides	23.45	
<b>Perfect for 2-3 People</b>		
<b>Jumbo Platter</b>		
2 Whole Chickens + 4 Large Sides	46.45	
<b>Perfect for 4-6 People</b>		
<b>Wing Platter</b>		
10 Whole Wings + 2 Large Sides	19.95	
<b>Perfect for 2-3 People</b>		

### Peri-Peri Wings

		+	+
		1 REG	2 REG
		SIDE	SIDES
3 Whole Chicken Wings	4.95	6.95	8.85
5 Whole Chicken Wings	7.95	9.95	11.85
10 Whole Chicken Wings	14.95		

### Sandwiches, Pitas and Wraps

We fill our Portuguese Rolls, Toasted Pitas and Wraps with All Natural Peri-Peri chicken, steak or vegetable goodness.

		+	+
		1 REG	2 REG
		SIDE	SIDES
Chicken Breast Pita	6.25	8.25	10.15
Double the Chicken add 2.95			
Chicken Breast Wrap ★	6.45	8.45	10.35
Served fresh green leaf lettuce, peppery sweet chilli jam and tangy yogurt sauce			
Double the Chicken add 2.95			
Chicken Breast Sandwich	6.25	8.25	10.15
Double the Chicken add 2.95			
Chicken Caesar Wrap <b>new</b>	6.25	8.25	10.15
Double the Chicken add 2.95			
Steak Sandwich	8.25	10.25	12.15
Roasted Portobello Mushroom ★	7.25	9.25	11.15
with Halloumi Cheese and Chilli Jam			
On a whole wheat wrap. Also available on a Portuguese roll or toasted pita			
Veggie Burger	6.25	8.25	10.15

Please be aware that as we grill ours, there may be traces of nuts in all our products

★ Nando's Favorites

### Salads

With or without chicken breast fillet.	ON ITS OWN	WITH CHICKEN
Mediterranean Salad	6.95	9.90
Caesar Salad	5.95	8.90
Country Salad	6.95	9.90
Butternut Squash and Couscous Salad ★	7.95	10.90
Liver and Feta Salad	6.95	9.90
Mixed Leaf Salad	5.75	8.70

### Regular Sides

Pick one or two to create your ideal combination REG 2.35 LARGE 3.95

Chips (aka Fries)	Garlic Bread
+ Peri-Peri Salt .15	Portuguese Rice
+ Perinalse .75	Coleslaw
Portuguese Roll	Red Skin Mashed Potato
Grilled Corn on the Cob	Macho Peas

### Fino Sides (Portuguese for Deluxe!)

To help your meal go further...

Caesar Side Salad	3.25
Mixed Leaf Side Salad	2.95
Butternut Squash and Grilled Corn	3.95
Chunky Portuguese Medley	3.95

### Nandininos (Under 10 years old) 5.25

Marinated lightly in a Peri-Peri and basted with sweet and tangy sauce.

Nandinino Chicken Breast Fillet Sandwich / 3 Chicken Wings / Grilled Chicken Breast Strips / Grilled Cheese

Nandininos' meals include one side of Fries, Coleslaw, Corn on the Cob, Garlic Bread or Sliced Apple and a Bottomless Frozen Yogurt

Kid's Soda, Apple Juice or Milk 1.50

### Soft Drinks

Bottomless <b>Coca-Cola</b> <b>Callz</b> <b>Sprts</b> .	1.95
per person	
Iced Tea	1.95
Saratoga Sparkling or Still Water (12oz)	2.45
Izze Sparkling Juice (12oz) <b>new</b>	2.95



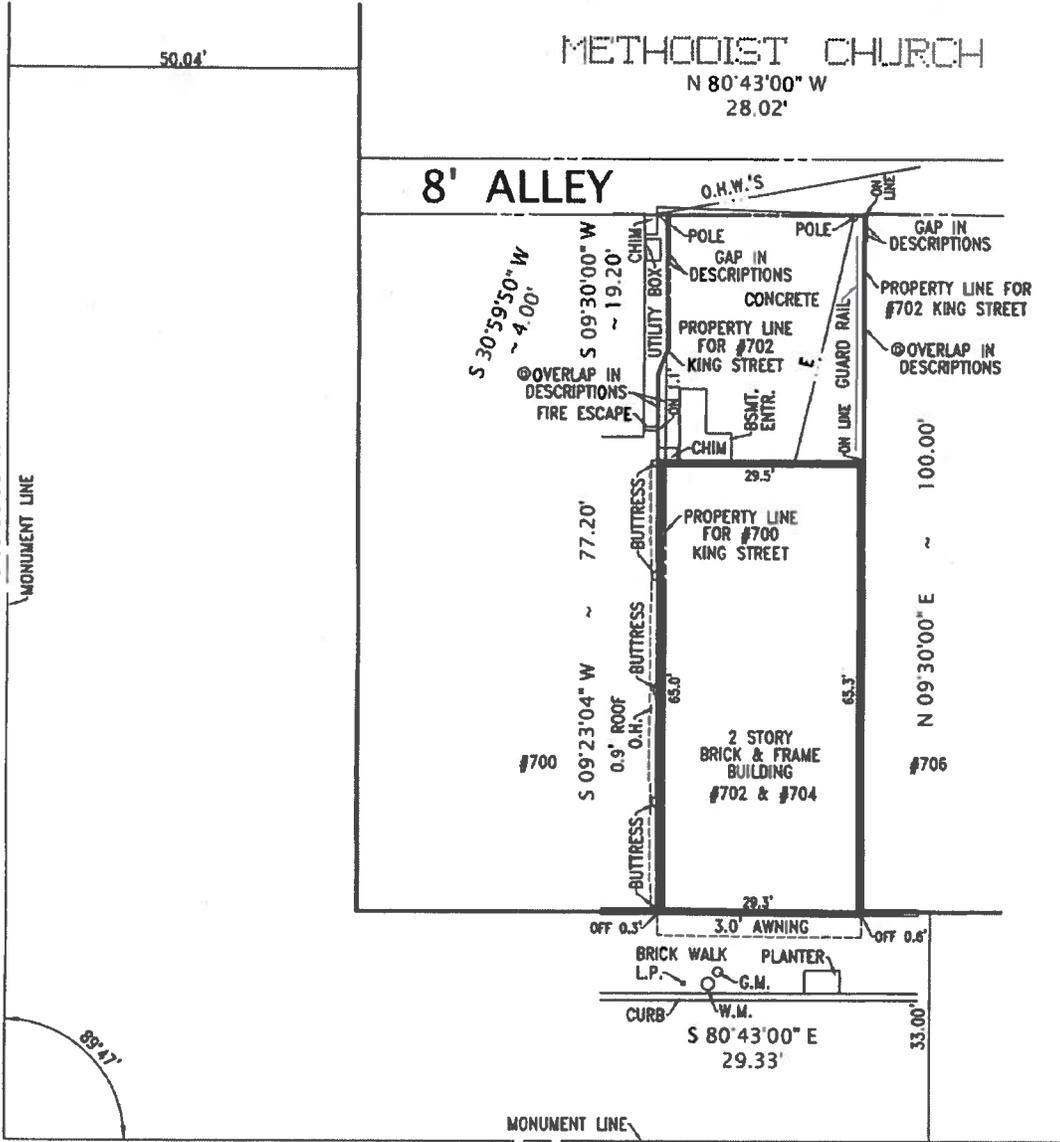


SOUTH WASHINGTON STREET

100' WIDE PUBLIC RIGHT-OF-WAY

S 09°30'00" W

MONUMENT LINE



MONUMENT LINE  
N 80°43'00" W

KING STREET

66' WIDE PUBLIC RIGHT-OF-WAY



**Julie Fuerth**

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**From:** Trey Hanbury <trey.hanbury@gmail.com>  
**Sent:** Saturday, March 03, 2012 2:22 PM  
**To:** Julie Fuerth  
**Subject:** Re: Docket for 3/8/12 Planning Commission Hearing

Julie,

For what it's worth, I'd like to voice my support for the proposed Nando's at 702 King Street. I've been going to the one at 7th and I in DC for years. It's an extremely well run and responsible establishment that serves some really fantastic chicken. We could do far worse.

Trey

On Fri, Feb 24, 2012 at 5:13 PM, Julie Fuerth <[Julie.Fuerth@alexandriava.gov](mailto:Julie.Fuerth@alexandriava.gov)> wrote:

The following is the docket for the March 8, 2012 Planning Commission hearing. Staff reports can be viewed by clicking on the link below each docket item. Please note when clicking on the staff report links, if prompted to save the document before opening, save it as a .pdf document for proper viewing.

Thank you,

Julie Fuerth  
Senior Planning Technician  
Planning & Zoning  
[703-746-3831](tel:703-746-3831)

[Description: <http://admin-101.granicus.com/content/alexandria/images/alex.jpg>]

City of Alexandria  
Planning Commission  
Docket

Regular Public Hearing  
THURSDAY, MARCH 8, 2012 7:30PM  
Council Chambers, City Hall  
301 King Street, Alexandria, Virginia 22314

The Alexandria Planning Commission docket is subject to change. Planning Commission staff can provide information on changes that occur prior to the meeting. The Planning Commission reserves the right to vary the order of the meeting or reopen the public hearing on specific items, if so announced.

All persons, including applicants, wishing to speak before the Planning Commission must fill out a Speaker's Form<<http://www.alexandriava.gov/goto.aspx?u=http%3A//alexandriava.gov/uploadedFiles/planning/Speaker%2520Form.pdf&i=55&s=content&h=Speaker%26apos%3Bs%20Form%20%28Planning%20Commission%29>>. Speaker's

Form<<http://www.alexandriava.gov/goto.aspx?u=http%3A//alexandriava.gov/uploadedFiles/planning/Speaker%2520Form.pdf&i=55&s=content&h=Speaker%26apos%3Bs%20Form%20%28Planning%20Commission%29>>