

APPLICATION for SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2011-0044

PROPERTY LOCATION: **521 E. Howell Avenue, Alexandria, Virginia 22301**

TAX MAP REFERENCE: **035.03 04 11** ZONED: **CSL**

APPLICANT NAME: **The Old Pump House, LLC**
1200 Chadwick Avenue, Alexandria, VA 22308

PROPERTY OWNER Name: **Howell Properties LLC**
1200 Chadwick Avenue, Alexandria, VA 22308

PROPOSED USE: **Special Use Permit to operate a restaurant.**

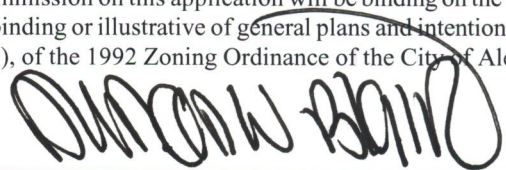
[X] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[X] **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.

[X] **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.

[X] **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 Commission 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.

Land, Clark, Carroll, Mendelson & Blair, P.C.
Duncan W. Blair, Esquire



Print Name of Applicant or Agent

Signature

524 King Street **(703) 836-1000** **(703) 549-3335**

Mailing/Street Address

Telephone #

Fax #

dblair@landclark.com

Alexandria, Virginia 22314

June 21, 2011

City and State

Zip Code

Date

===== **DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY** =====

Application Received: _____ Date & Fee Paid: _____ \$ _____

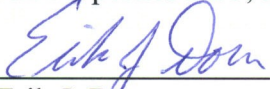
ACTION - PLANNING COMMISSION: _____ DATE: _____

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Property Owner's Authorization

On behalf of property owner of **521 E. Howell Avenue**, I hereby grant the applicant authorization to apply for the **Special Use Permit to operate the Restaurant** as described in this application.

Name: Howell Properties LLC, a Virginia limited liability company

By: 
Erik J. Dorn

Date: **June 21, 2011**

Address: 1200 Chadwick Avenue Properties
Alexandria, VA 22308

Phone: **703 549-2999**

E-mail: delrayshops@gmail.com

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.

The Old Pump House, LLC

Name	Address	Percent of Ownership
1. Erik Dorn	1200 Chadwick Avenue Alexandria, VA 22308	90%
2. Eric Reid	1200 Chadwick Avenue Alexandria, VA 22308	10%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 521 E. Howell Avenue, 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.

Howell Properties, LLC

Name	Address	Percent of Ownership
1. Erik Dorn	1200 Chadwick Avenue Alexandria, VA 22308	100%
2.		
3.		

3. Business or Financial Relationship. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required 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.

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. Erik Dorn	None	Planning Commission and City Council
2. Eric Reid	None	Planning Commission and City Council
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.

6/21/11
Date

Erik Dorn
Printed Name

Erik Dorn
Signature

Alexandria City Council

William Euille, Mayor
Kerry Donley, Vice Mayor
Frank Fannon, IV
Alicia Hughes
Rob Krupicka
Redella "Del" Pepper
Paul Smedberg

Planning Commission

John Komoroske, Chair
H. Stewart Dunn, Vice Chair
Donna Fossum
J. Lawrence Robinson
Mary Lyman
Jesse Jennings
Eric Wagner

Board of Zoning Appeals

Harold Curry, Chair
Mark Allen, Vice Chair
Geoffrey Goodale
David Lantzy
Jennifer Lewis
Eric Zander
John Keegan

**Board of Architectural Review
Old and Historic District**

Thomas Hulfish, Chair
Oscar Fitzgerald
Arthur Keleher
Wayne Neale
Peter Smealie
James Spencer
John Von Senden

**Board of Architectural Review
Parker-Gray District**

Chrstina Kelley, Chair
William Conkey
H. Richard Lloyd, III
Thomas Marlow
Douglas Meick
Philip Moffat
Deborah Rankin

Definition of business and financial relationship.

Section 11-305 of the Zoning Ordinance defines a business or financial relationship as any of the following:

- (1) a direct one;
- (2) by way of an ownership entity in which the member or a member of his immediate household is a partner, employee, agent or attorney;
- (3) through a partner of the member or a member of his immediate household;
- (4) through a corporation in which any of them is an officer, director, employee, agent or attorney or holds 10 percent or more of the outstanding bonds or shares of stock of a particular class. In the case of a condominium, this threshold shall apply only if the applicant is the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium;
- (5) not as an ordinary customer or depositor relationship with a professional or other service provider, retail establishment, public utility or bank, which relationship shall not be considered a business or financial relationship;
- (6) created by the receipt by the member, or by a person, firm, corporation or committee on behalf of the member, of any gift or donation having a value of more than \$100, singularly or in the aggregate, during the 12-month period prior to the hearing on the application from the applicant.

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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*)

the Owner

Contract Purchaser of the building

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, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

The Old Pump House LLC is a limited liability company. The only individuals owning an interest in the limited liability company in excess of ten (10%) are Erik J. Dorn (90%) and Eric Reid (10%). Their mailing address is: 1200 Chadwick Avenue, Alexandria, Virginia 22308.

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, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

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Alexandrian Chef Eric Reid, formerly of the Chef of the Del Merei restaurant and currently the chef of Del Ray Pizzeria and Del Ray resident, Eric Dorn, the principals of The Old Pump House, LLC are filing an application for a special use permit to renovate and adaptively reuse the decommissioned pump station on Howell Ave as a classic road side diner to be known as the "The Howell'n Pig."

The Howell'n Pig will have a traditional southern road side menu of BBQ chicken, pork ribs, pork BBQ, hamburgers, hot dogs, breakfast sandwiches, southern side orders and desserts. Served counter style with three (3) inside seats and seasonal outside picnic table dining during day light hours.

USE CHARACTERISTICS

4. The proposed special use permit request is for: *(check one)*

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- 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).

The Applicant anticipates the restaurant will have approximately one hundred fifty (150) patrons.

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

Approximately fifteen (15) individuals will be employed on a full or part time basis. The anticipated maximum number of employees on site at any one time is four (4).

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

Day:

Hours:

Monday – Sunday

7:00 a.m. – 10:00 p.m.

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

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

It is not anticipated that noise levels will exceed permitted levels under the Alexandria City Code.

B. How will the noise from patrons be controlled?

It is not anticipated that patron noise will be a source of complaints; as such, no extraordinary noise mitigation and control measures are warranted.

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

It is not anticipated that offensive odors will emanate from the use of the property as a restaurant.

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 space, food wrappers)

The type of volume of trash and garbage generated by the restaurant will be mainly refuse from products received (i.e. cardboard delivery boxes) and from general restaurant operations (product remnants) and recyclables. Trash and garbage will be deposited and stored in the commercial dumpster in the loading area.

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

The restaurant will generate approximately one (1) dumpster per day.

C. How often will trash be collected?

Trash and garbage will be collected by a commercial collector six (6) days a week.

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

Litter is not an anticipated problem; however, the restaurant's staff will self-police the adjacent right-of-way.

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:

Small quantities of materials defined as hazardous, generally recognized to be appropriate for use by restaurants in the operation of the business, will be stored, used as solvents, and disposed of in accordance with applicable regulations.

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:

Small quantities of organic compounds, generally recognized to be appropriate for use by restaurants in the operation of the business, will be stored, used as solvents, and disposed of in accordance with applicable regulations.

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

The location and the proposed hours of operations of the restaurant should provide a safe environment for its patrons and staff. It is not anticipated that extraordinary security measures will be required.

ALCOHOL SALES

13. 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.

On-premise consumption of beer.

Off-premise beer.

PARKING AND ACCESS REQUIREMENTS

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

5 Standard spaces.

 Compact spaces.

1 Handicapped accessible spaces.

 Other.

6 Total

Planning and Zoning Staff Only
Required number of spaces for use per Zoning Ordinance Section 8-200A <u> </u>
Does the application meet the requirement?
<input type="checkbox"/> Yes <input type="checkbox"/> No

B. Where is required parking located? (*check one*)

on-site

off-site (*check one*)

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

The required parking is on the adjacent lot at 519 Howell Avenue owned by Howell Properties LLC.

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? **None.**

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____
Does the application meet the requirement?
<input type="checkbox"/> Yes <input type="checkbox"/> No

B. Where are off-street loading facilities located?

N/A

C. During what hours of the day do you expect loading/unloading operations to occur?

It is anticipated that loading and unloading activities will occur Monday – Saturday 9:00 a.m. – 3:00 p.m.

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

It is anticipated that there will be 1 delivery per day Monday - Saturday.

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 to the property 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

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

1,000 sq. ft. (existing) + _____ sq. ft. (addition if any) = 1,000 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 SUPPLEMENTAL APPLICATION

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: 3 Outdoor: 16 Total numbers proposed: 19

2. Will the restaurant offer any of the following?

Alcoholic beverages (SUP only) Yes No.

Beer and wine – on-premises Yes No. **Beer Only**

Beer and wine – off-premises Yes No. **Beer Only**

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

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?

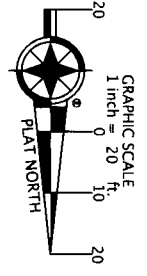
Will delivery drivers use their own vehicles? Yes. No.

Where will delivery vehicles be parked when not in use?

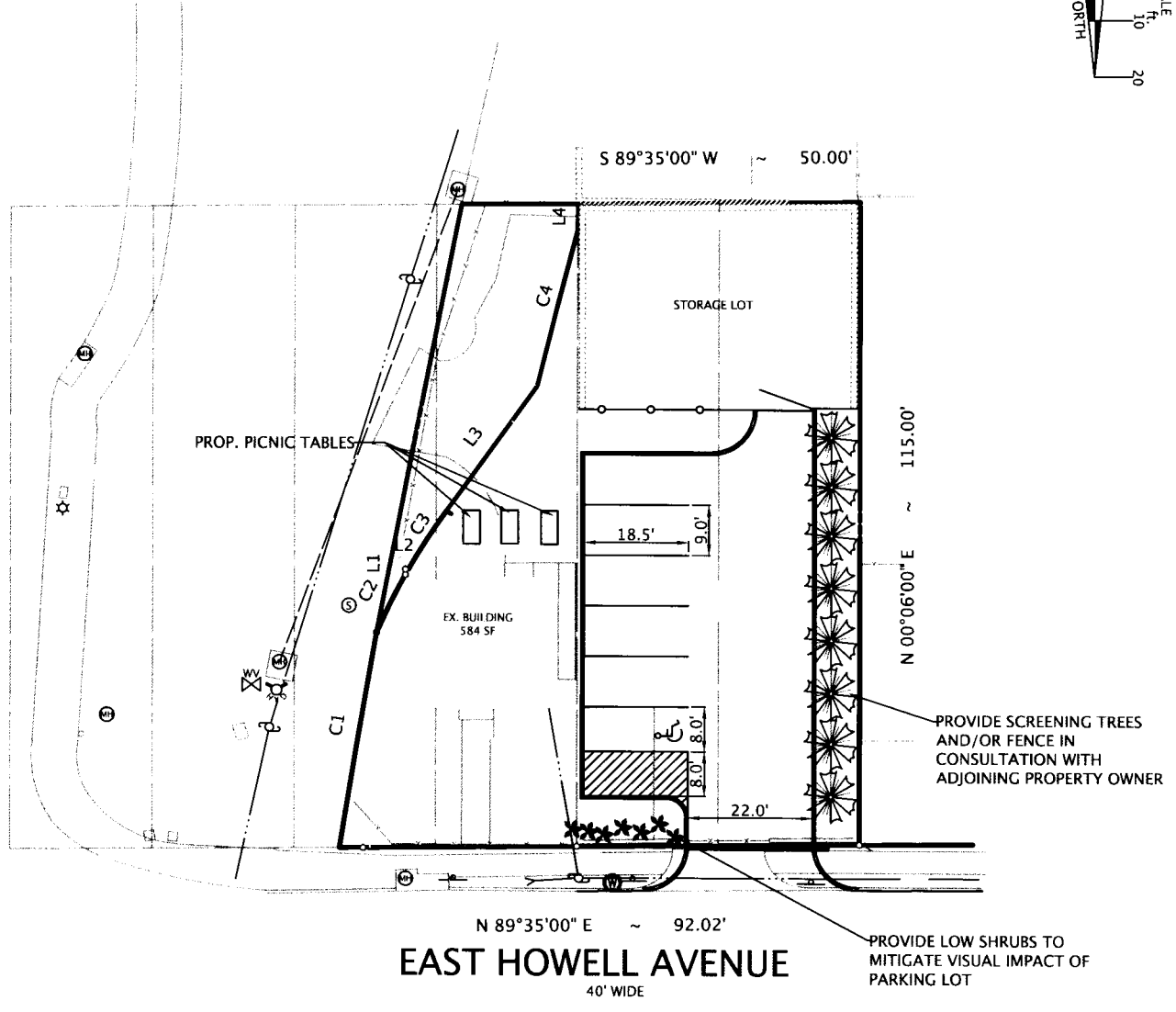
6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)? Yes. No.

If yes, please describe:

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JEFFERSON DAVIS HIGHWAY
WIDTH VARIES ~ US ROUTE #1



CONCEPTUAL LAYOUT

521 EAST HOWELL

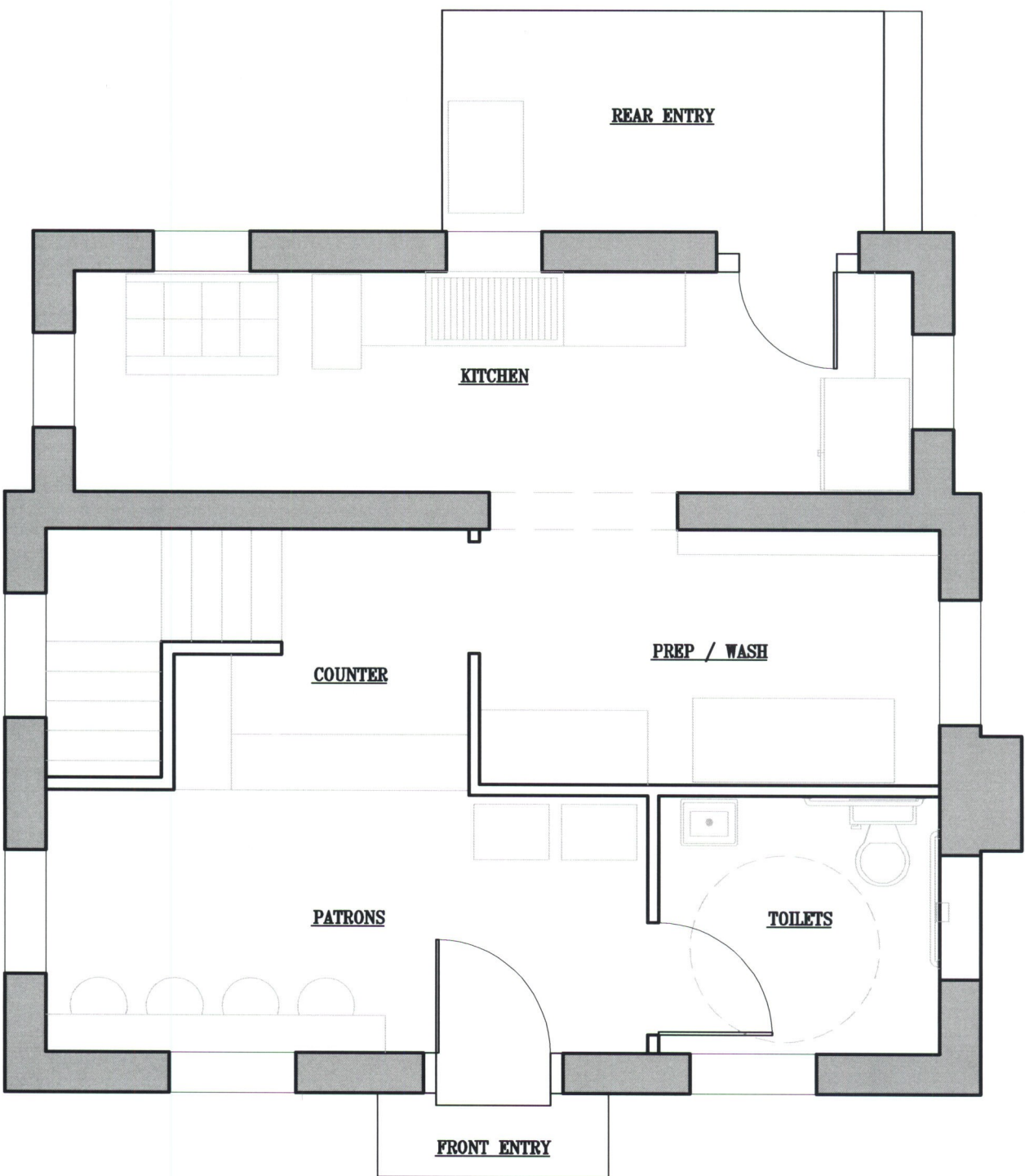
CITY OF ALEXANDRIA, VIRGINIA

DOMINION Surveyors Inc.

8808-H PEAR TREE VILLAGE COURT
ALEXANDRIA, VIRGINIA 22309
703-619-6555
FAX 703-799-6412

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PUMPHOUSE

519 E HOWELL AVENUE

SPACE PLAN

1'-0" : 1/4" SCALE

A1

SHEET NUMBER



KULINSKIGROUP.COM | 703.636.7243

44-001-291 SUP

