

Docket Item #17
SPECIAL USE PERMIT #2004-0065

Planning Commission Meeting
September 9, 2004

ISSUE: Consideration of a request for a special use permit to operate a restaurant.

APPLICANT: Daniel O'Connell's Irish Restaurant, L.L.C
by Robert L. Calhoun, Esq., agent

LOCATION: 108A, 110 and 112 King Street

ZONE: CD/Commercial Downtown

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.

SUP#2004-0065
108A, 110 and 112 King Street

SITE GRAPHIC
(AVAILABLE IN THE PLANNING AND ZONING OFFICE)

I. DISCUSSION

REQUEST

The applicant, Daniel O'Connell's Virginia Holdings, LLC, requests special use permit approval for the operation of a restaurant located at 108A, 110, and 112 King Street.

SITE DESCRIPTION

The subject property is three lots of record with 33 feet of frontage on King Street, 116 feet of depth and a total lot area of 4,495 square feet. The site is developed with a two-story brick building totaling 8,200 square feet. The site was most recently occupied by Bullfeathers Restaurant, as well as the Hats in the Belfry store. Bullfeathers vacated the premises in May 2004.

Surrounding the property is a mix of commercial uses. Immediately to the east is What's the Scoop ice cream shop on the first floor and an antique store on the second floor, and to the west is Rugs to Riches home furnishings store. Behind the building to the south is an alley, and a three-story building with offices and shops on the upper floors and a public parking garage on the first floor. Across King Street to the north are restaurants including Landini's, Buggy's Pizza, and the Fish Market.

BACKGROUND

A restaurant has occupied the building at 108A and 112 King Street for over 35 years and is considered a grandfathered use. The space was most recently occupied by Bullfeathers Restaurant, which maintained a maximum of 170 seats on the premises, no on-site parking, and a closing hour of 2:00 a.m. There was no live entertainment. These are considered the grandfathered aspects of the restaurant. A new restaurant that included these features could occupy the space without the necessity of a SUP.

PROJECT DESCRIPTION

The applicant proposes to expand the restaurant into the adjacent space at 110 King Street, most recently occupied by Hats in the Belfry retail shop, and to provide up to 350 seats. The applicant proposes an Irish restaurant called "Daniel O'Connell's", described by the applicant as a high-end, white-table-linen, fine-dining experience. Specific aspects of the proposal are as follows:

Number of

Seats:

The applicant proposes 245 seats at dining tables and 40 seats at the bar, for a total of 285 seats. In addition, the applicant proposes a banquet room for occasional functions with 50 seats, as well as an outdoor rooftop patio with 15 seats to be open seasonally. When all functions are operational, there will be a total of 350 seats. (The applicant had originally proposed over 400 seats, and reduced the number at staff's suggestion.)

- Hours: The applicant proposes the hours of operation to be 11:00 a.m. to 2:00 a.m. daily, consistent with the grandfathered hours.
- Entertainment: The applicant proposes to have high-end, dining music approximately once per month or once per quarter. The applicant anticipates having featured artists from Ireland to play during dinner hours on infrequent special occasions.
- Alcohol: The applicant proposes on-premise beer, wine and alcohol. The applicant estimates that there will be a balanced ratio of alcohol to food. According to the applicant, the primary use is a restaurant, with drinks served to compliment the food service.
- Number of Employees: Twenty employees between 10:00 a.m. and 6:30 p.m. and 20 employees between 6:00 p.m. and 2:30 a.m. Specific shift hours will be staggered so that there will not be a complete staffing turn-over at a given moment between shifts. A maximum of 30 employees will be on the premises at the shift change.
- Trash: The types of trash and garbage generated will be food wastes, discarded packaging and bottles. The applicant anticipates that the amount of trash and garbage to be generated by the use will be approximately two standard size dumpsters per day. The applicant will contract for three dumpsters to be available. Trash will be collected six days per week by a commercial service. Alternatively, the restaurant may choose to use the City's commercial dumpster in Wales Alley, with City pick-up. The restaurant will not produce the high volume of paper trash of a fast-food or carry-out establishment. The applicant does not anticipate a large number of discarded bottles.
- Litter: The restaurant will not be of a type that is likely to produce litter; patrons will not leave the restaurant with carry-out items for consumption on the streets. Although the applicant does not expect litter to be generated from its restaurant, the applicant will clean its property and adjacent rights-of-way and property daily before opening, at closing, and at any time during the day that circumstances warrant.
- Loading: The applicant proposes to load from the alley located behind the building. Loading will generally be done twice each day before 10:00 a.m.

Code: The applicant will be upgrading the site by adding a complete fire suppression sprinkling system to the entire building.

Facade Improvements: The applicant proposes a new facade that will combine and unify the storefronts and will need approval from the Board of Architectural Review.

PARKING

The subject property is located in the Central Business District where parking is not required for restaurants. In response to staff's discussion with the applicant about parking, it has submitted a Parking Management Plan. The following information is included in the applicant's analysis:

In developing the Parking Management Plan, the applicant used the zoning ordinance requirement for restaurants outside the CBD, which is one parking space for every four seats. Although staff's records indicate that the grandfathered number of seats at Bullfeathers was 170, the applicant found evidence that the restaurant most recently had 198 seats. The applicant estimated that a 198-seat restaurant would have demanded 50 spaces, and the retail shop four spaces. The applicant points out that although it is requesting 350 seats, 50 of those seats are set aside for banquets, receptions, and meetings, and 15 are seasonal for outdoor patio seating. Based on the remaining 285 seats, the estimated generated parking space demand would be 71. If the banquet and outdoor seats are counted, the demand would be for 88 spaces.

Parking demand: In response to this estimated parking demand, the applicant states that the restaurant will actively seek the patronage of local business, professional, and government people during lunch hours and, for dinner, nearby residents many of whom will walk to the restaurant. The applicant estimates that this portion of the restaurant's clientele will total approximately 20 seats and reduce the parking demand by approximately five spaces.

Given the hypothetical parking demand by the previous restaurant and retail use, and assuming a number of clients will walk to the restaurant, the applicant anticipates that the parking demand will increase by approximately 12 spaces when the banquet room and patio are not in use, and by 29 spaces when these areas are in use.

Availability of Off-Street Parking: At the 100 block of North Union Street, Colonial Parking operates an off-street parking garage with a capacity of 405 vehicles. The garage also has an exit in the 100 block of North Lee Street. The hours of operation of the garage are as follows:

Sunday 8:00 a.m. to 12:00 a.m.
Monday-Thursday 7:00 a.m. to 3:00 a.m.
Friday and Saturday 8:00 a.m. to 3:00 a.m.

At the 100 block of South Union Street, Central Parking operates another off-street parking garage with two sites—one on the west side of the street and a smaller section on the east side of the street. The Central Parking Garage has a capacity of approximately 100 vehicles, with 75 being on the west side and 25 on the east side. The hours of operation of the Central Parking facility are as follows:

	<u>West Facility</u>	<u>East Facility</u>
Sunday	11:00 a.m. to 8:00 p.m.	5:00 p.m. to 3:00 a.m.
Monday-Thursday	7:00 a.m. to 12:00 a.m.	5:00 p.m. to 3:00 a.m.
Friday	7:00 a.m. to 3:00 a.m.	5:00 p.m. to 3:00 a.m.
Saturday	11:00 a.m. to 3:00 a.m.	5:00 p.m. to 3:00 a.m.

In addition to the foregoing, four off-street parking facilities are located within a three-block radius of the entrance to Daniel O’Connell’s. Those facilities are located in the 200 block of South Union Street, the 200 block of The Strand, the 200 block of North Union Street, and the 100 block of North Fairfax Street.

Employee Parking: The employment contract for all employees will prohibit employees who choose to drive to work from parking on the street during their working hours. To facilitate off-street parking or use of alternative transportation by employees, the applicant proposes to subsidize employees to an extent of approximately 50% of the employees’ parking or public transportation costs. The applicant has verified with Colonial Parking that, at this time, sufficient space exists at the facility for employee contract parking.

Customer Subsidies: The applicant will provide subsidized parking for patrons at the Colonial Parking or Central Parking facilities on North and South Union Streets. The applicant anticipates that the parking subsidy provided to patrons will be 30% to 50% of the patron’s cost of parking, based on the patron having spent a minimum of \$15.00 at the restaurant.

Because of the above strategies, the applicant anticipates that the restaurant will not have a heavy impact on parking supply in the evening, weekend, or daytime peak hours.

ZONING

The subject property is located in the CD/Commercial Downtown zone. Section 4-503 (W) of the zoning ordinance allows a restaurant in the CD zone only with a special use permit. In this case, a special use permit is required because of the expansion and intensification of the grandfathered rights on the property.

MASTER PLAN DESIGNATION

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

II. STAFF ANALYSIS

Staff supports this new full-service restaurant along King Street. The upscale restaurant will promote an active street presence, will occupy vacant retail spaces, and will return activity and vitality to lower King Street. The proposed restaurant is consistent with the guiding principles set forth in the *King Street Retail Study*, currently underway within the Department of Planning and Zoning, as well as with the Old Town Restaurant Policy. Seeking to retain an active street life along King Street, the Retail Study promotes attracting and retaining the types of businesses that foster such activity. The proposed restaurant will generate desirable customer activity on the ground floor of the building and will optimize the pedestrian experience for people on street level. The proposed rooftop dining area and banquet and meeting space will be added amenities for lower King Street. In addition, the proposed hours of operation will contribute to a vibrant street and sidewalk even beyond the typical retail or office hours. The Old Town Restaurant Policy allows new restaurants on lower King Street, provided that their impacts are minimized. Staff also notes that approval of the restaurant will bring it within the control of SUP regulation and enforcement; it will no longer have its grandfathered status.

Although supportive, staff is mindful of the need to protect surrounding residential areas from any negative effects of increased activity on lower King Street. With the residential neighborhood in mind, staff has some concerns about some of the specific features of the proposal, particularly about parking impacts from the proposed number of seats and about the hours of operation. In considering the impacts from this restaurant, staff is taking into account the fact that it is also processing an application for 100 additional seats at the Fish Market restaurant across the street.

Hours

As a grandfathered restaurant, Bullfeathers was allowed to stay open until 2:00 a.m., as are other grandfathered restaurants in the immediate area, including the Fish Market, the old Alamo restaurant space, the Wharf and the Union Street Public House. Although in recent years many problems have subsided, there have historically been problems with late night drinking and noise spilling over into the adjacent residential areas that were attributed to the restaurants in the lower King Street area,

and the City has spent considerable resources, in the form of police and inspectors, to control the problem. Although several of the remaining grandfathered restaurants are allowed to remain open until 2:00 a.m., in recent years, restaurants have been approved with 12:00 midnight or 1:00 a.m. closing hours to address this concern. The only recent exception was the Old Town Theater, which is allowed to be open to 2:00 a.m. daily, mainly to accommodate late night movies and shows.

In this case, staff recommends a closing hour of 1:00 a.m., in an attempt to control noise impacts associated with late night drinking in lower King Street, to be consistent with other SUP restaurant closing hours on King Street that are intentionally earlier than 2:00 a.m., and because of the high number of seats proposed for the restaurant. Staff will be recommending the same closing hours at the Fish Market when its SUP is considered. Thus, although a few remaining grandfathered restaurants, such as the Wharf, the Alamo, and Union Street Public House have 2:00 a.m. closing times, with the proposed SUP for the Fish Market and the recently approved earlier hours at Landini's (12:30 a.m.) and with Il Porto (12:00 midnight), there will be several restaurants with earlier hours. The proposed 1:00 a.m. closing for both O'Connell's and the Fish Market will create a better balance, limit the potential problem experienced in the past, and set a precedent for the future.

Loss of Retail Space

Staff encourages a diverse mix of restaurants and shops along King Street, and encourages existing retail shops to remain. However, in this case the retail space that will be occupied by the restaurant is small, and will allow the restaurant to have a presence on the street and contribute to street vitality. Therefore, in this case staff does not object to the restaurant expansion into the adjacent retail space.

Entertainment

The applicant proposes to have high-end, live entertainment that is conducive to dining at the restaurant on an infrequent basis, once a month or on a quarterly basis. Staff supports the applicant's efforts to provide entertainment as it provides diverse activities along King Street. Staff recommends a condition that only indoor entertainment is permitted and only to the extent that no amplified sound is audible outside the restaurant, no admission or cover fee is charged, and that all entertainment be subordinate to the principal function of the restaurant as an eating establishment.

Parking

The issue of parking is essentially one of the availability of parking to meet demand. In the case of a new restaurant on Lower King Street, the question relates to the number of seats proposed and the steps a business can take to minimize the absolute impact and the impact on street parking in residential areas.

Under the zoning ordinance, parking is not required for restaurants in the Central Business District. Nevertheless, it is an issue in the lower King Street where there is a concentration of restaurants competing for limited parking at similar peak hours. The zoning ordinance requirement for restaurants (one space for every four seats) outside the CBD is one way to gauge parking impacts, and in this case would be 88 spaces, based on a restaurant with 350 seats.

The number of seats requested is high, and staff was concerned that with the potential for 350 seats, the restaurant was adding to the parking impact in Old Town. In order to assess the impact of increased restaurant seats, staff considered the fact that there have been several reductions in restaurant seats in the lower King Street area over the last ten years. For example, 285 seats from that portion of the Fish Market that occupied 101 and 103 King Street have been removed. In addition, the Seaport Inn, which had included 290 seats, now only includes 184. On the other hand, Council approved an increase of 117 seats at Landini's for a total of 267 seats two years ago. The overall result is that there are approximately 275 seats fewer than there were ten years ago. If the proposed increase in seats for O'Connell's (180) and the proposed addition to the Fish Market (100) are approved, the number of seats on lower King Street will be similar to what has been there historically. Given that the Fish Market's proposal is for 100 banquet seats, and the applicant's proposal includes 65 seats that are banquet and seasonal outdoor seats, the actual number of full time dining seats is significantly lower than what it was ten years ago. Given this historical analysis, staff is recommending that the O'Connell request for 350 seats be approved, and has fashioned a condition which highlights the fact that 65 of those seats are not anticipated to be used everyday.

In response to staff's concerns about parking, the applicant has submitted a Parking Management Plan stating that it hopes to draw a significant number of customers from the immediate area who will walk to the restaurant, which would reduce the anticipated demand. The applicant is also proposing several measures to reduce parking impacts and to ensure that customers and employees park in nearby garages or take mass transit. It will require that all employees who drive park off the street, and will encourage employees to use public transportation. The applicant's application states that it will subsidize employee parking or transit use. As to customers, the applicant has proposed and agreed to reimburse customers at the rate of \$1 for a meal of at least \$15.

With these significant agreements, staff supports the proposed number of seats with the conditions that the applicant subsidize customer parking for at least \$1, that all employees who drive park off the street, and that employees be encouraged to use public transit. Staff has also included a condition requiring that for banquets and prearranged functions in the banquet room, the applicant must provide information to the guests about the parking garages, including location and rates. Staff also recommends a one year review to ensure that the proposed parking strategies are implemented and function well.

As part of the King Street Retail Study, staff and the community has been looking at a number of parking strategies and hopes to formulate certain organized programs to assist with both employee and customer parking for businesses, such as a rejuvenated Park Alexandria program. In anticipation of that type of organized business approach, which would be far superior to each restaurant having separate and different conditions, staff has included language in the conditions which would require the applicant to participate when and if such a program is established at least to the extent provided in what the applicant has already agreed and is otherwise required to do by this SUP with regard to employee and customer parking.

The proposed restaurant is a location that for years has been operating without a special use permit. Its renewed vitality will add greatly to the active streetlife and economic vitality of King Street. With the special use permit protections, potential negative elements can be controlled with conditions and, if necessary, enforcement strategies and a one year review. With the recommended conditions, staff recommends approval of the special use permit.

III. RECOMMENDED PERMIT 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. Seating shall be provided for no more than 285 patrons. An additional 50 seats are allowed only for banquets and special events, and an additional 15 seats are allowed only for seasonal outdoor dining. (P&Z)
3. The closing hour shall be no later than 1:00 a.m. daily. (P&Z)
4. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
5. On-site alcohol service is permitted; no off-premise alcohol sales are permitted. (P&Z)
6. No delivery service shall be permitted. (P&Z)
7. The three subject lots shall be consolidated and recorded as one lot in the land records in order to comply with fire separation issues between each parcel. The applicant shall file a copy of the consolidation plat with the Department of Planning and Zoning. (Code Enforcement) (P&Z)
8. No food, beverages, or other material shall be stored outside. (P&Z)
9. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z)
10. 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. (P&Z)

11. The applicant shall maintain a parking arrangement with area garages, by which the regular parking price at those garages is discounted by at least \$1 for customers. The applicant shall post information regarding the availability of parking at those garages for patrons at the restaurant. (P&Z) (T&ES)
12. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities.
13. The applicant shall require that its employees who drive to work use off-street parking. (P&Z)
14. Prior to a banquet or special event, the applicant shall provide to the guests information regarding the location, hours and fees at area parking garages. (P&Z)
15. The applicant shall participate in any organized program to assist with both employee and customer parking for businesses, such as the Park Alexandria program, that is formed as a result of suggested parking strategies in the King Street Retail Study, at least to the extent provided in the applicant's application and otherwise required by this SUP with regard to employee and customer parking.
16. Indoor live entertainment shall be permitted to the extent that no amplified sound is audible outside 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)
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 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. (T&ES)
19. All loudspeakers shall be prohibited from the exterior of the building and no amplified noise shall be audible at the property line. (T&ES)
20. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business prior and a robbery awareness for all employees prior to opening. (Police)

21. Meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and all patrons must leave by one hour after the closing hour. (P&Z)
22. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z)
23. 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, 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: Eileen Fogarty, Director, Department of Planning and Zoning;
Valerie Peterson, 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:

- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers.
- R-2 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-3 All loudspeakers shall be prohibited from the exterior of the building and no amplified noise shall be audible at the property line.
- R-4 The applicant shall post signs directing patrons to the availability of discounted validated parking in the immediate area.
- 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.

Code Enforcement:

- F-1 The proposed project spans across 3 individual lots of record. In order for the project to comply with the USBC, the 3 lots shall be combined and recorded as one lot in the land records in order to comply with fire separation issues between each parcel.
- C-1 The proposed project shall be equipped with a complete automatic fire suppression system and fire alarm system.
- C-2 An enclosed, rated interior egress stairwell shall be installed in accordance with the USBC.
- C-3 A Handicap accessible elevator is required.
- C-4 The applicant shall submit a list of interior finish materials at the time of permit application for review of compliance with the USBC.

- C-5 The current use of part of the proposed space is classified as B, Business; the proposed use is A, Assembly. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-6 A Certificate of Use of Occupancy is required prior to opening (USBC 119.1).
- C-7 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-8 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-9 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 (USBC 112.1.4).
- C-10 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-11 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-12 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-13 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- C-14 The following code requirements apply where food preparation results in the development of grease laden vapors:
 - (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.

- (b) 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.
- C-15 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 Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Five sets of plans are to be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-3 Permits must be obtained prior to operation.
- C-4 This facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-5 Certified Food Managers must be on duty during all hours of operation.
- C-6 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 The applicant is to contact the Crime Prevention 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 Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.

R-3 Recommend “ABC On” license only. If “ABC Off” is approved we recommend the following conditions:

1. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold.
2. That the SUP is reviewed after one year.

SUP#2004-0065
108A, 110 and 112 King Street

**REPORT ATTACHMENTS
AVAILABLE IN THE OFFICE OF PLANNING AND ZONING**