

DATE: January 24, 2017

TO: Alex Dambach, Division Chief
Land Use Regulatory Services, Department of Planning and Zoning

FROM: Ann Horowitz, Urban Planner III
Department of Planning and Zoning

SUBJECT: Special Use Permit #2016-0092
Administrative Review for a Change of Ownership
Use: Catering
Applicant: AB/FH Morrison House Owner, LLC
Location: 116 South Alfred Street
Zone: CD/Commercial Downtown

Request

Special Use Permit #2016-0092 is an administrative request to change the ownership of an existing catering operation from CLPF Morrison House Venture L.P. to AB/FH Morrison House Owner, LLC. The catering business would continue to prepare food for delivery and operate out of the Morrison House's commercial kitchen. No other changes would be made to the operation.

Background

City Council approved Special Use Permit #96-0106 to MHC, Inc. on September 21, 1996 for the operation of a catering business at the Morrison House Hotel. Staff administratively approved SUP #2007-0043 to change the ownership of the catering operation to CLPF-Morrison House Venture, L.P. in 2007. A recent SUP inspection revealed compliance with all SUP conditions.

Community Outreach

Public Notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, the Old Town Civic Association and the Old Town Business and Professional Association have been informed of the new restaurant application. Staff has not received any comments or concerns related to the request.

Staff Action

Staff supports the change of ownership request for the catering operation at the Morrison House Hotel. The relatively small business has operated without producing impacts on the neighborhood for several years while providing an opportunity for the hotel to diversify its operations.

Conditions have been carried forward and some have been amended to reflect modern-day language. As the Health Department has previously reviewed a list of foods handled at the catering business, Condition 12 has been deleted. The applicant is required to contact Local Motion at localmotion@alexandriava.gov for information on establishing an employee transportation benefits program in Condition 20, which triggered the deletion of Condition 13.

CONDITIONS OF SPECIAL USE PERMIT #2016-0092

The owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)(SUP96-0106)
2. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be ~~placed~~ stored inside or 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, ~~or leaking~~. No trash and debris shall be allowed to accumulate ~~on-site~~ outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (SUP96-0106)
3. No food, beverages, or other materials shall be stored outside. (P&Z)(SUP96-0106)
4. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (P&Z) (SUP #2007-0043)
5. **CONDITION AMENDED BY STAFF:** Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residuals be washed into the street, alley, or storm sewers. (P&Z)
6. The applicant shall provide free off-street parking for employees who drive to work. (P&Z) (SUP #2007-0043)
7. Delivery vehicles shall park in off-street parking only, and shall not park in the public streets. (P&Z)(Police)(SUP96-0106)
8. Lighting in the parking garage shall be maintained at a minimum of 2.0 foot candles. (Police)(SUP96-0106)
9. 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 any unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #2007-0043)
10. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (P&Z) (SUP #2007-0043)
11. 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) (SUP #2007-0043)

Angela K. Davis

From: Schonfeld, Jeremy <JSchonfeld@milbank.com>
Sent: Thursday, February 02, 2017 6:27 PM
To: Duncan Blair
Cc: Bernsten, Jayne
Subject: RE: The Alexandrian Hotel/Morrison House

You are authorize. Our clients have approved the new conditions and the SUPs.

Jeremy A. Schonfeld | Milbank
28 Liberty Street | New York, NY 10005-1413
T: +1 212.530.5307 | F: +1 212.822.5219
JSchonfeld@milbank.com | www.milbank.com

From: Duncan Blair [<mailto:dblair@landcarroll.com>]
Sent: Thursday, February 2, 2017 6:26 PM
To: Schonfeld, Jeremy <JSchonfeld@milbank.com>
Subject: Re: The Alexandrian Hotel/Morrison House

I can sign when authorized

Sent from my iPhone

On Feb 2, 2017, at 5:23 PM, Schonfeld, Jeremy <JSchonfeld@milbank.com> wrote:

Does the owner sign these or are these like the applications where you sign on behalf of owner?

Jeremy A. Schonfeld | Milbank
28 Liberty Street | New York, NY 10005-1413
T: +1 212.530.5307 | F: +1 212.822.5219
JSchonfeld@milbank.com | www.milbank.com

From: Duncan Blair [<mailto:dblair@landcarroll.com>]
Sent: Thursday, February 2, 2017 5:23 PM
To: Schonfeld, Jeremy <JSchonfeld@milbank.com>
Subject: Re: The Alexandrian Hotel/Morrison House

Are the coming back to me

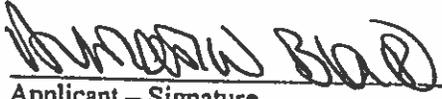
Sent from my iPhone

On Feb 2, 2017, at 5:14 PM, Schonfeld, Jeremy <JSchonfeld@milbank.com> wrote:

We just got the sign off. Thanks again.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-0092. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a catering operation at 116 South Alfred Street.


Applicant – Signature

February 3, 2017
Date

AB/FH MORRISON HOUSE OWNER, LLC
Applicant – Printed

February 3, 2017
Date

by
Duncan W. Blair, Attorney for Applicant