

SUP2017-00107



# APPLICATION SPECIAL USE PERMIT

## ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership       Minor Amendment

[must use black ink or type]

**PROPERTY LOCATION:** 103 North Alfred Street

**TAX MAP REFERENCE:** 074.01-06-08      **ZONE:** KR

**APPLICANT**

Name: AV RESTO GROUP, LLC

Address: 1000 Bernard Street, Alexandria VA 22314

**PROPERTY OWNER**

Name: Serendipitous, Inc.

Address: 823 King Street, Alexandria VA 22314

**SITE USE:** Restaurant

**Business Name:**      **Current:** Bittersweet Catering      **Proposed (if changing):** The People's Drug

**THE UNDERSIGNED** hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

**THE UNDERSIGNED**, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

**THE UNDERSIGNED** hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

By: M. Catharine Puskar, Attorney

Print Name of Applicant or Agent  
Walsh, Colucci, Lubeley & Walsh P.C.

2200 Clarendon Blvd Suite 1300

Mailing/Street Address

Arlington, VA      22201

City and State      Zip Code

MC Puskar

Signature

703-528-4700      703-525-3197

Telephone #      Fax #

cpuskar@thelandlawyers.com

Email address

8/29/17

Date

**DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_

Legal advertisement: \_\_\_\_\_

ACTION - PLANNING COMMISSION \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

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The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2016-0022

Date approved: 05 / 12 / 2016  
month day year

Name of applicant on most recent special use permit Serendipitous, Inc.

Use Restaurant

2. Describe below the nature of the existing operation in detail so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

Please see attached.

Multiple horizontal lines for text entry.



4. Is the use currently open for business?  Yes  No  
If the use is closed, provide the date closed. August /            / 2016  
month day year

5. Describe any proposed changes to the conditions of the special use permit:  
Please see the attached letter.  
\_\_\_\_\_  
\_\_\_\_\_

6. Are the hours of operation proposed to change?  Yes  No  
If yes, list the current hours and proposed hours:  
Current Hours: 7:30 AM - 10 PM  
Proposed Hours: 7:30 AM - midnight  
\_\_\_\_\_  
\_\_\_\_\_

7. Will the number of employees remain the same?  Yes  No  
If no, list the current number of employees and the proposed number.  
Current Number of Employees: 5  
Proposed Number of Employees: 4 per shift/8 total  
\_\_\_\_\_

8. Will there be any renovations or new equipment for the business?  Yes  No  
If yes, describe the type of renovations and/or list any new equipment proposed.  
Two new bathrooms, new bar with under counter refrigeration, new kitchen equipment  
(tankless hot water heater and electric disconnect). All other kitchen equipment is  
existing.  
\_\_\_\_\_

9. Are you proposing changes in the sales or service of alcoholic beverages?  Yes  No  
If yes, describe proposed changes:  
\_\_\_\_\_  
\_\_\_\_\_

10. **Is off-street parking provided for your employees?**  Yes  No  
 If yes, how many spaces, and where are they located?

\_\_\_\_\_

\_\_\_\_\_

11. **Is off-street parking provided for your customers?** \_\_\_\_\_ Yes  No  
 If yes, how many spaces, and where are they located?

\_\_\_\_\_

\_\_\_\_\_

12. **Is there a proposed increase in the number of seats or patrons served?**  Yes  No  
 If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:  
 12 indoor  
 \_\_\_\_\_  
 16 outdoor  
 \_\_\_\_\_  
 \_\_\_\_\_

Proposed:  
 23  
 \_\_\_\_\_  
 [18 seats at tables, 5 bar stools]  
 \_\_\_\_\_  
 16 outdoor seats  
 \_\_\_\_\_

13. **Are physical changes to the structure or interior space requested?**  Yes  No  
 If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. **Is there a proposed increase in the building area devoted to the business?**  Yes  No  
 If yes, describe the existing amount of building area and the proposed amount of building area.

Current:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Proposed:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

15. **The applicant is the** (check one)  Property owner  Lessee  
 other, please describe: \_\_\_\_\_

16. **The applicant is the** (check one) \_\_\_\_\_ Current business owner  Prospective business owner  
 other, please describe: \_\_\_\_\_

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17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (3%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

**Please provide ownership information here:**

AV RESTO GROUP LLC

- 50% Seth W. McClelland

- 50% Oglesby Management, LLC 1605 King Street Alexandria, VA 22314 (90% Janet Kim, 3741 Keller Ave Alexandria, VA 22302; 10% Joseph Kim, 1323 Pendleton Street Alexandria, VA 22314)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Statement of Justification

The Applicant seeks approval for a change of ownership and plans to open a restaurant on the Property, formally occupied by Bittersweet Catering, called "The People's Drug". All proposed changes to the SUP are within the limits of a Minor Amendment.

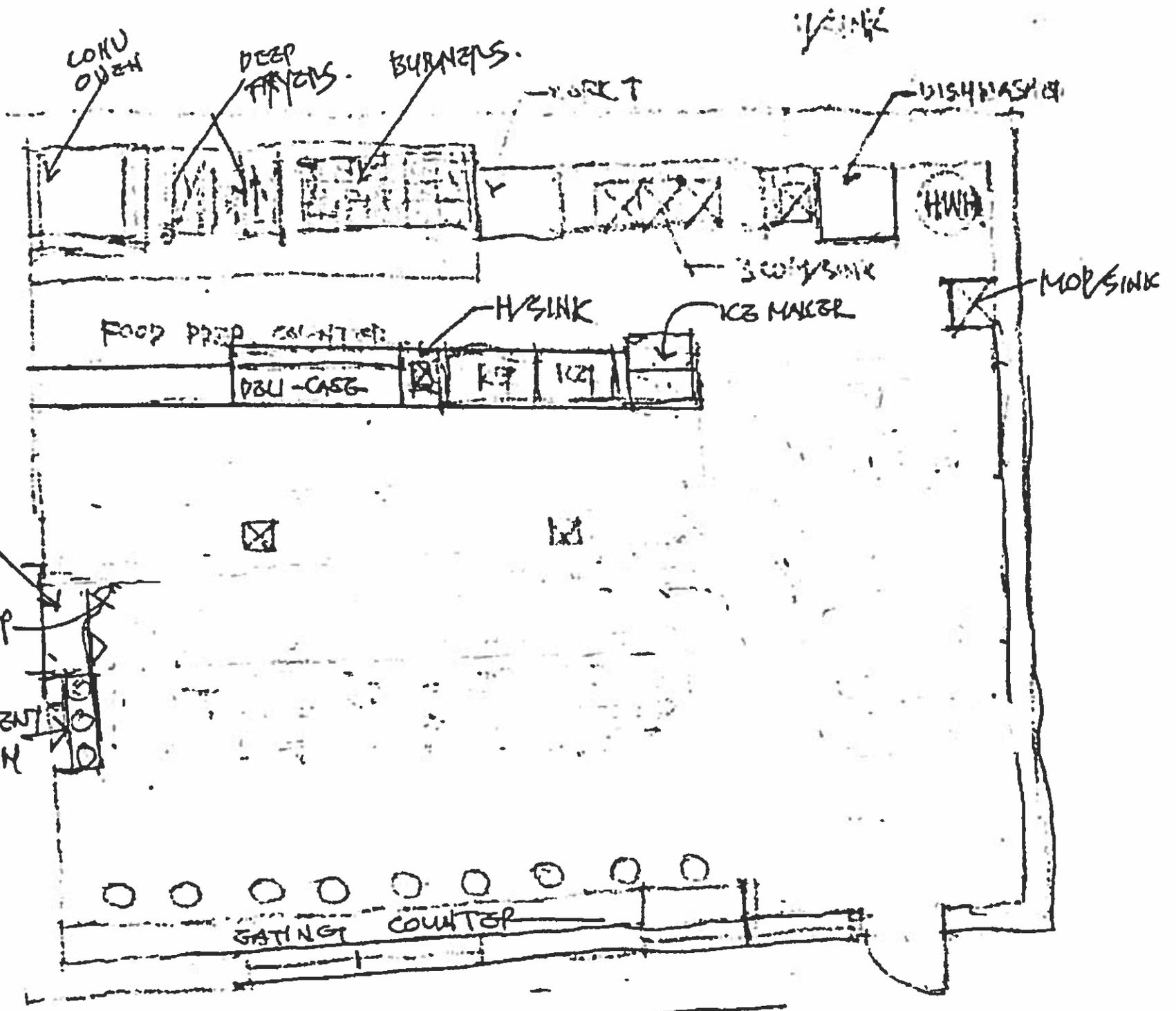
In the way of background, prior to August 2016, the subject space was used in conjunction with the neighboring tenant at 821 and 823 King Street as Bittersweet's restaurant and catering operation. In May, 2016, an Administrative SUP was approved that separated the approvals for the tenant at 821 and 823 King Street (which became Sweetgreen) and this tenant at 103 N Alfred Street. The SUP from May, 2016 provides for a small quick-service and carry-out restaurant at 103 N Alfred Street, but the business has yet to open. Currently, the site contains a kitchen area with equipment.

The Applicant plans to open a new neighborhood restaurant called "The People's Drug" at 103 N Alfred Street. This restaurant will serve craft sandwiches and cocktails. The Applicant proposes a restaurant with 23 indoor seats and a maximum of four employees per shift. The Applicant intends to maintain the 16 outdoor seats as approved in the existing SUP. The Applicant plans to use the existing kitchen and add two bathrooms. Additionally, the interior design will be updated. The propose hours of operation are 7:30AM to midnight.

The Applicant is asking for a Change of Ownership Administrative and a Minor Amendment. The Applicant proposes to increase the number of seats in the restaurant from 12 to 23 and the Applicant proposes to change the hours of operation from 7:30AM-10PM to 7:30AM-midnight, as permitted under the administrative regulations.

The People's Drug will be an establishment that will serve the local community and will promote the goals of the King Street Retail Strategy.

EXISTING LAYOUT



COOK OVEN

DEEP FRYERS

BURNERS

SINK

DISHWASHER

FOOD PREP COUNTER

HOT SINK

30KZ CABINET

ICE MAKER

DBU-CASE

REF

ICM

MOP SINK

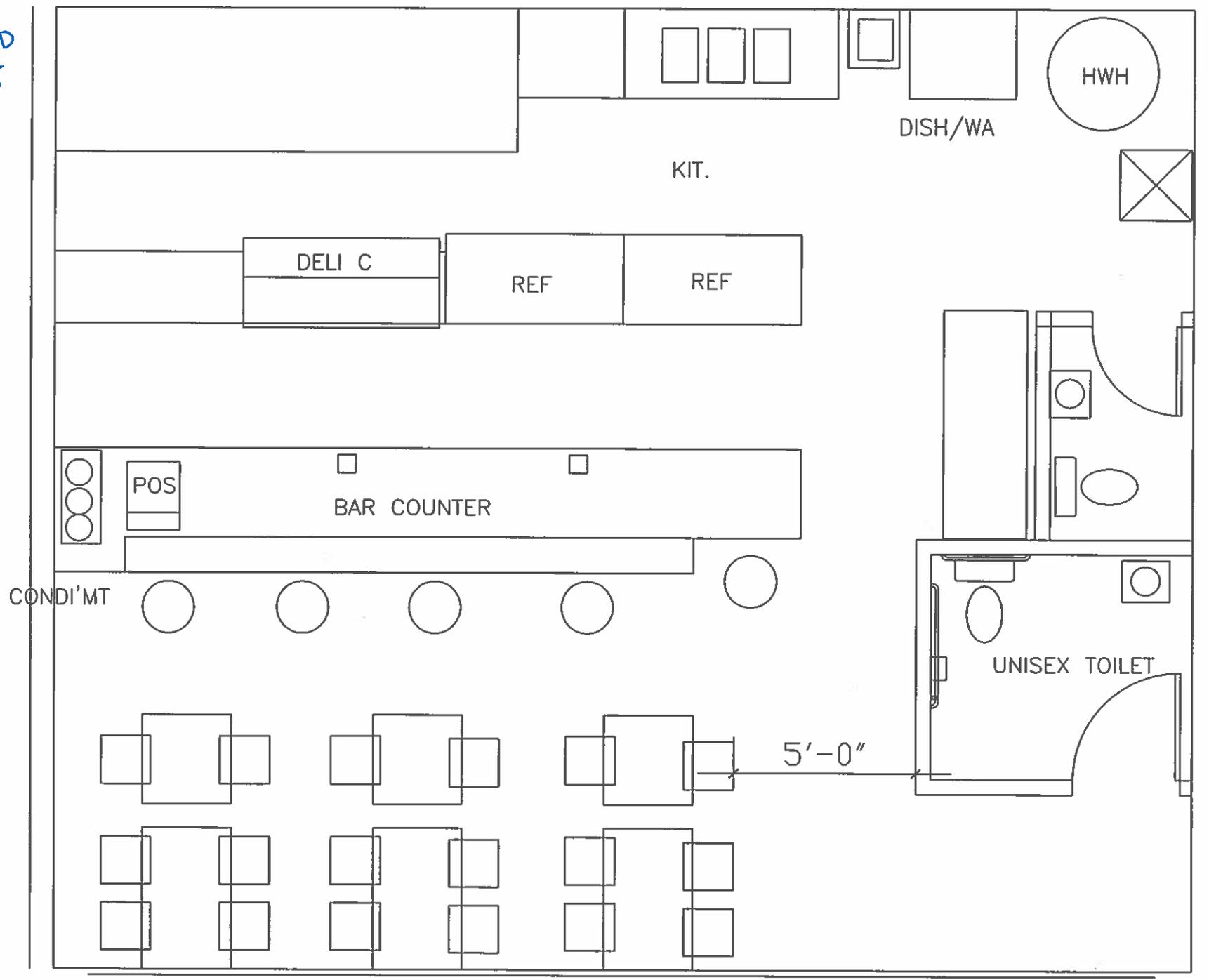
30KZ CABINET

TRAP

CONDIMENT STATION

SERVING COUNTER

PROPOSED LAYOUT



**BITTERSWEET**  
**CATERING • CAFE • BAKERY**  
*a neighborhood favorite since 1983*

Karl Moritz  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

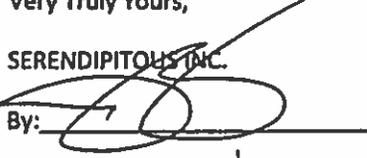
Re: Consent to File Application for an Administrative Special Use Permit for a  
Change of Ownership and Minor Amendment  
103 N Alfred St, Tax Map ID 074.02-01-01 (the "Property")

Dear Mr. Moritz:

As owner of the above-referenced Property, Serendipitous, Inc. hereby consents to the filing of an application by AV RESTO GROUP, LLC for an Administrative Special Use Permit for a Change of Ownership on the Property and any related requests.

Very Truly Yours,

SERENDIPITOUS INC.

By: 

Its: President

Jody M Zner

AV RESTO GROUP, LLC  
1605 King Street  
STE 3  
Alexandria, VA 22314

AV RESTO GROUP, LLC  
1605 King Street  
Suite 3  
Alexandria, VA 22314

Karl Moritz  
301 King Street  
City Hall, Room 2100  
Alexandria, Virginia 22314

Re: Authorization to File Application for an Administrative Special Use Permit for a  
Change of Ownership and Minor Amendment  
103 N Alfred St, Tax Map ID 074.02-01-01 (the "Property")

Dear Mr. Moritz:

AV RESTO GROUP, LLC hereby authorizes Walsh, Colucci, Lubeley & Walsh, P.C. to  
act as agent on its behalf for the filing and representation of an application for an Administrative  
Special Use Permit for a Change of Ownership on the Property and any related requests.

Very truly yours,

AV RESTO GROUP, LLC

By:   
\_\_\_\_\_

Teddy Kim

Its: Managing Member

Date: 08/25/17