City of NORFOLK

C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

April 12, 2016

From: George M. Homewood, AICP, CFM, Planning Director

Subject: Change of zoning from R-8 (Single-Family) district to conditional C-1 (Limited Commercial) district and an Entertainment Establishment Special Exception at 2729 Bowdens Ferry Road – Andalousi

Reviewed: _____ **Ward/Superward: 2/6**
Ronald H. Williams, Jr., Deputy City Manager

Approved: _____ **Item Number: PH-2**
Marcus D. Jones, City Manager

I. **Staff Recommendation: Approval.**

II. **Commission Action:** By a vote of **5 to 1**, the Planning Commission recommends **Approval** of the requests.

III. **Request:** Change of zoning to Limited Commercial and an Entertainment Establishment Special Exception.

IV. **Applicant: Andalousi**

V. **Description:**

i. General

- The site is currently developed as a religious institution, however, it has been vacant for some time.
- Applicant is proposed an adaptive reuse of the existing church to a banquet facility.
- The applicant requested that the item be continued from the March 22nd agenda.

	Proposed
Hours of Operation	9:00 a.m. until 12:00 midnight, seven days a week
Hours for the Sale of Alcoholic Beverages and Entertainment	11:00 a.m. until 12:00 midnight, seven days a week
Capacity	232 seats indoors 0 seats outdoors 240 total capacity
Entertainment	Disc Jockey 6 member live band

Staff point of contact: Susan Pollock at 664-4765, susan.pollock@norfolk.gov

Attachments:

- Staff Report to CPC dated February 25, 2016 with attachments
- Proponents and Opponents
- Ordinances

THE CITY OF NORFOLK
CITY PLANNING

Planning Commission Public Hearing: February 25, 2016

Executive Secretary: George M. Homewood, AICP, CFM

Planner: Susan Pollock Hart

Staff Report	**Item No. 5**		
Address	**2729 Bowdens Ferry Road**		
Applicant	**Andalousi**		
	Change of Zoning	**From: R-8 (Single-Family)**	**To: C-1 (Limited Commercial)**
Request	**Special Exception**	**Entertainment Establishment**	
Property Owner	Southern Back & Trust		
Site Characteristics	Site Area/Building	20,125/9,718 sq. ft.	
	Future Land Use	Single Family Traditional	
	Zoning	R-8 (One-Family)	
	Neighborhoods	Lamberts Point	
	Character District	Traditional	
Surrounding Area	North	R-8: Single-Family homes	
	East	IN-1 (Institutional): Madison Career Center	
	South	R-8: Single-Family homes	
	West	R-8: Single-Family homes	

A. Summary of Request

- The site is located on the west side of Bowdens Ferry Road just south of 37th Street.
- The applicant proposes to operate a banquet facility with alcohol and entertainment.

B. Plan Consistency

- *plaNorfolk2030* designates this site as single-family traditional, meaning the proposed use is not consistent with *plaNorfolk2030*.
- The Preserving Our Heritage chapter of *plaNorfolk2030* calls for protecting Norfolk's historic resources, in part by encouraging the re-use of nonconforming historic structures.
- Since the proposed rezoning and special exception will permit the re-use of an existing historic designation-eligible structure that is not appropriate for single-family residential use, it can be supported despite the inconsistency with *plaNorfolk2030*.

C. Zoning Analysis

i. General

- The site is currently developed as a religious institution, however, it has been vacant for some time.
- The site is zoned R-8 which permits religious institutions by special exception.

	Proposed
Hours of Operation	9:00 a.m. until 12:00 midnight, seven days a week
Hours for the Sale of Alcoholic Beverages and Entertainment	11:00 a.m. until 12:00 midnight, seven days a week
Capacity	232 seats indoors 0 seats outdoors 240 total capacity
Entertainment	Disc Jockey 6 member live band

ii. Parking

- The site is located in the Traditional Character District, which requires one parking space per 175 square feet of enclosed building area for entertainment establishments.
  - Religious institutions require one parking space per 60 square feet.
- The parking required would be less than the previous use required and would comply with current standards.

- Although there are no parking spaces on site, the applicant will lease parking from the Madison Career Center which is located directly across Bowden's Ferry Road to the east.

iii. Flood Zone

- The property is located in the X (Low to Moderate) Flood Zone which is a low risk zone.

D. Transportation Impacts

- Institute of Transportation Engineers (ITE) figures estimate that that this proposal will generate 1,032 new vehicle trips per day.
- Based upon ITE data, the existing church on this site would be expected to generate 89 trips while the proposed 232 restaurant/banquet hall would be expected to generate 1,121 trips on weekdays.
- Hampton Boulevard just south of this location is identified as a severely congested corridor in the PM peak in the most recent update to regional Hampton Roads Congestion Management analysis – other portions of Hampton Boulevard adjacent to the site are shown as moderately congested during the morning and afternoon peaks in the regional document.
- The site is near transit service with Hampton Roads Transit bus route 2 (Hampton) operating along Hampton Boulevard near the site.
- Bowdens Ferry Road adjacent to the site is an identified priority corridor in the City of Norfolk Bicycle and Pedestrian Strategic Plan.

E. Historic Resources Impacts

- The existing building is not located within a federal, state, or local historic district.
  - Since the original structure on the site was built in 1895 and is at least 50 years old, it could potentially meet the criteria for designation as a federal, state or local historic resource under the Department of Historic Resources guidelines.
- As part of the conditional rezoning, the applicant has proffered that the building on the site shall not be demolished and that no modifications will be made to the exterior of the building.

F. Public Schools Impacts

The site is located in the Taylor Elementary School, the Blair Middle School, and the Maury High School Districts.

G. Impact on the Environment

There were two calls for service for this site over the past year, with no arrests made.

H. Impact on Surrounding Area/Site

By requiring this use to conform to the conditions listed below, the proposed entertainment establishment should not have a negative effect on the surrounding neighborhood.

I. Payment of Taxes

The owner of the property is current on all real estate taxes.

J. Civic League

- The application was sent to the Lamberts Point Civic League on January 13.
- A letter of support was received from the Lamberts Point Civic League on December 31, 2015.

K. Communication Outreach/Notification

- Legal notice was posted on the property on January 19.
- Letters were mailed to all property owners within 300 feet of the property on February 11.
- Legal notification was placed in *The Virginian-Pilot* on February 11 and February 18.

L. Recommendation

Staff recommends that the special exception request be **approved** subject to the conditions shown below:

(a) The hours of operation for the establishment shall be limited to 9:00 a.m. until 12:00 midnight, seven days a week. No use of the establishment outside of the hours of operation listed herein shall be permitted

(b) The hours of operation for the sale of alcoholic beverages, and for entertainment shall be limited to 11:00 a.m. until 12:00 midnight, seven days a week.

(c) The seating for the establishment shall not exceed 232 seats indoors, no seats outdoors, and the total occupant capacity, including employees, shall not exceed 240 people.

(d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

(e) Entertainment shall be limited to a disc jockey or live bands having no more than 6 members. No other form of entertainment is permitted.

(f) The dance floor shall not exceed 196 square feet and shall be located as indicated on the basic floor plan attached hereto and marked as "Exhibit B." The dance floor shall be constructed of a different material than the primary floor material.

(g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."

(h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.

(i) The establishment shall maintain a current, active business license at all times while in operation.

(j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.

(k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff and shall not be permitted within any restroom.

(l) The proposed dumpster(s) shall not be located within any required front yard or corner side yard and shall be gated and shielded from view from any public right-of-way by opaque masonry or concrete walls (exclusive of that area needed for accessibility for trash removal) designed to be compatible with the principal building that it serves.

(m) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so at to keep such areas free of litter, refuse, solid waste, and any bodily discharge.

(n) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description

printed on the menu.

(o) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.

(p) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

(q) The violation of any requirement, limitation, or restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

(r) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.

(s) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.

(t) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.

Notwithstanding anything to the contrary, the requirements of this subsection shall not apply to the following entities, who may lease or otherwise use the establishment for events that are permitted by and comply with this ordinance in all other respects:

(1) Any federal, state, or local government or governmental agency;

(2) Any party that receives a grant or other direct funding from a state or local government; and

(3) Any party that is recognized as a charitable organization in good standing under § 501(c)(3) of the Internal Revenue Code of the United States Code at the time of the event.

Collectively, the parties identified in items 1, 2 and 3 above are defined as "Authorized Entities".

(u) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected or any event held by an Authorized Entity which leases, lets, or uses the establishment.

(v) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:

(1) This special exception;

(2) Any ABC license(s);

(3) Any occupancy permit(s);

(4) Certifications of all persons who work on the premises as a security guard;

(5) All fire code certifications, including alarm and sprinkler inspection records;

(6) Any health department permit(s);

(7) The emergency action plan required under the Fire Prevention Code;

(8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;

(9) The establishment's designated driver program; and

(10) The establishment's Security Plan.

(w) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 180 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p. m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.

(x) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Attachments:

Location Map
Zoning Map
1000' radii map of similar ABC establishments and Norfolk Public Schools
Application
Notice to the Lamberts Point Civic League

Proponents and Opponents

Proponents

Omar Boukhriss
2729 Bowdens Ferry Road
Norfolk, VA 23508

Thomas Harris
1231 W. 27th Street
Norfolk, VA 23508

Opponents

Pastor Julius Burchette
1414 W. 27th Street
Norfolk, VA 23508

Peter and Robin Bernath
3711 Bowdens Ferry Road
Norfolk, VA 23508

Leonder Garris
1241 W. 38th Street
Norfolk, VA 23508

02/24/2016 lds

Form and Correctness Approved:

By _____
Office of the City Attorney

Contents Approved:

By _____
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

PH-1

AN ORDINANCE TO REZONE PROPERTY LOCATED AT 2729 BOWDENS FERRY ROAD FROM R-8 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO CONDITIONAL C-1 (LIMITED COMMERCIAL) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the property located at 2729 Bowdens Ferry Road is hereby rezoned from R-8 (Single-Family Residential) district to conditional C-1 (Limited Commercial) district. The property which is the subject of this rezoning is more fully described as follows:

> Property fronting 244 feet, more or less, along the western line of Bowdens Ferry Road and 27 feet, more or less, along the northern line of West 27th Street; premises numbered 2729 Bowdens Ferry Road.

Section 2:- That the property rezoned by this ordinance shall be subject to the following condition:

(a) The existing building located on the site shall not be demolished.

(b) No modification will be done to the exterior of the building.

Section 3:- That the official Zoning Map for the City of Norfolk is hereby amended and reordained so as to reflect this rezoning.

Section 4:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 5:- That this ordinance shall be in effect from the date of its adoption.

02/24/2016 lds

Form and Correctness Approved:

By
Office of the City Attorney

Contents Approved:

By
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

PH-1A

AN ORDINANCE GRANTING A SPECIAL EXCEPTION AUTHORIZING THE OPERATION OF AN ENTERTAINMENT ESTABLISHMENT WITH ALCOHOLIC BEVERAGES KNOWN AS "ANDALOUSI" ON PROPERTY LOCATED AT 2729 BOWDENS FERRY ROAD.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to Omar Boukhriss authorizing the operation of an entertainment establishment with alcoholic beverages named "Andalousi" on property located at 2729 Bowdens Ferry Road. The property which is the subject of this Special Exception is more fully described as follows:

> Property fronting 244 feet, more or less, along the western line of Bowdens Ferry Road and 27 feet, more or less, along the northern line of West 27th Street; premises numbered 2729 Bowdens Ferry Road.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

(a) The hours of operation for the establishment shall be limited to 9:00 a.m. until 12:00 midnight, seven days per week. No use of the establishment outside of the hours of operation listed herein shall be permitted.

(b) The hours of operation for the sale of alcoholic beverages and for entertainment shall be limited to 11:00 a.m. until 12:00 midnight, seven days per week.

(c) The seating for the establishment shall not exceed 232 seats indoors, no seats outdoors, and the total occupant capacity, including employees, shall not exceed 240 people.

(d) This special exception shall terminate in the event of a change in ownership of the establishment and may be revoked in the event of a change in the operation or management of the establishment as described in the Description of Operations set forth in "Exhibit A," attached hereto, provided that no termination in the event of a change in ownership of the establishment shall be effective until 120 days after the change or until a new special exception is granted showing the new owner, whichever is earlier. Notwithstanding the above, no violation of this condition shall be deemed to have occurred if the only change in management is a result of one or more of the members of the management team identified in the Description of Operations ceasing to work at the establishment.

(e) Entertainment shall be limited to a disc jockey or live bands having no more than six (6) members. No other form of entertainment is permitted.

(f) The dance floor shall not exceed 196 square feet and shall be located as indicated on the basic floor plan attached hereto and marked as "Exhibit B." The dance floor shall be constructed of a different material than the primary floor material.

(g) The layout of the establishment shall adhere to the specifications of the floor plans attached hereto and marked as "Exhibit B."

(h) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.

(i) The establishment shall maintain a current, active business license at all times while in operation.

(j) The establishment shall remain current on all food and beverages taxes and business personal property taxes which may become due while it is in operation.

(k) No public telephone(s) shall be permitted on the exterior of the property. Any public phone(s) on the interior of the building shall be located in an area within full view of the establishment's staff

and shall not be permitted within any restroom.

(l) Dumpsters shall not be located within any required front yard or corner side yard and shall be gated and shielded from view from any public right-of-way by opaque masonry or concrete walls designed to be compatible with the principal building.

(m) During all hours of operation, the establishment operator shall be responsible for maintaining those portions of public rights-of-way improved by sidewalk and portions of any parking lot adjacent to the premises regulated by the special exception so at to keep such areas free of litter, refuse, solid waste, and any bodily discharge.

(n) The establishment shall maintain a designated driver program which shall provide, at minimum, that designated drivers may be served non-alcoholic beverages at no charge. The establishment shall describe the program in writing and its availability shall be made known to patrons via either a printed card placed on each table and on the bar or a description printed on the menu.

(o) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.

(p) The business authorized by this special exception shall be conducted in accordance with the Description of Operations set forth in "Exhibit A," attached hereto. The representations made in "Exhibit A" shall be binding upon all owners, operators and managers who operate and/or manage the premises covered by this special exception. Should any owner, operator or manager desire to operate the business in a manner different than as represented in "Exhibit A," a new special exception must be obtained prior to implementing such change. Where any limitation or representation contained in "Exhibit A" is inconsistent with any condition of this ordinance, the conditions of this ordinance shall govern.

(q) The violation of any requirement, limitation, or

restriction imposed by the Virginia ABC Commission shall be deemed a violation of this special exception. This special exception may be revoked for any violation of a general or specific condition, including a condition incorporated by reference and including a condition arising from requirements, limitations, or restrictions imposed by the ABC Commission or by Virginia law.

(r) An ABC manager, employed and compensated by the applicant, shall be present at all events held on the premises. This manager shall supervise the event at all times. The ABC manager shall be present on the premises at least one hour prior to the beginning of the event and shall remain on the premises until the event is concluded and the establishment is secured and locked. If alcohol is not served or consumed, a responsible supervisor, employed and compensated by the applicant, shall perform this function.

(s) In addition to the ABC manager or supervisor the applicant shall provide such additional paid staff as may be necessary to coordinate, supervise, and manage any event held on the premises.

(t) Neither the establishment nor any portion of it shall be leased, let, or used by any third party to stage an event for profit. No outside promoter shall be permitted to use, operate, rent, or host any event on the premises.

Notwithstanding anything to the contrary, the requirements of this subsection shall not apply to the following entities, who may lease or otherwise use the establishment for events that are permitted by and comply with this ordinance in all other respects:

(1) Any federal, state, or local government or governmental agency;

(2) Any party that receives a grant or other direct funding from a state or local government; and

(3) Any party that is recognized as a charitable

organization in good standing under § 501(c)(3) of the Internal Revenue Code of the United States Code at the time of the event.

Collectively, the parties identified in items 1, 2 and 3 above are defined as "Authorized Entities".

(u) The establishment manager shall notify the Commissioner of the Revenue no less than 72 hours prior to the commencement of any event at which a cover charge is to be collected or any event held by an Authorized Entity which leases, lets, or uses the establishment.

(v) A binder or folder containing documentation relating to the operation of the establishment shall be kept on the premises at all times and shall be produced upon request made by any person. For purposes of this section, the documentation relating to the operation of the establishment shall include copies of the following:

(1) This special exception;

(2) Any ABC license(s);

(3) Any occupancy permit(s);

(4) Certifications of all persons who work on the premises as a security guard;

(5) All fire code certifications, including alarm and sprinkler inspection records;

(6) Any health department permit(s);

(7) The emergency action plan required under the Fire Prevention Code;

(8) The names, addresses, and phone numbers of all persons who manage or supervise the establishment at any time;

(9) The establishment's designated driver program; and

(10) The establishment's Security Plan.

(w) The business shall provide in-house security or retain the services of a licensed security firm to provide security services at a rate of one security guard per 50 guest occupants on the property whenever occupancy shall exceed 180 people or when otherwise required by at least 36 hours prior written notice of the Fire Marshal, Chief of Police, or any designee of either. After 8:00 p.m. each Friday and Saturday as well as during special events, a security supervisor certified either in the Responsible Hospitality Training course offered by the City of Norfolk or in accordance with the requirements of the Virginia Department of Criminal Justice Services shall be present on the property.

(x) The written security plan submitted to the City as part of the application for this special exception and on file with the Department of Planning shall remain in full force and effect at all times while the establishment is in operation.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

(a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;

(b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;

(c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;

(d) The proposed use and development will be

constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;

(e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools;

(f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;

(g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;

(h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;

(i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;

(j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and

(k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENTS:
Exhibit A (4 pages)
Exhibit B (5 pages)

EXHIBIT "A"
Description of Operations
Entertainment Establishment
(Please Print)

Date 1-7-16

Trade name of business ANDALOUSI

Address of business 2729 Bowdens Ferry Road NORFOLK VA

Name(s) of business owner(s)* Omar Boukhriss

Name(s) of property owner(s)* Suffern Bank and Trust.

Name(s) of business manager(s)/operator(s) Shoina Sandler

Daytime telephone number (757) 621-5018

*If business or property owner is a partnership, all partners must be listed.
*If business or property owner is an LLC or Corporation, all principals must be listed.

1. Proposed Hours of Operation:

Facility				Alcoholic Beverage Sales and Entertainment			
Weekday	From 9 AM	To	12 AM	Weekday	From 11 AM	To	12 AM
Friday	From 9 AM	To	12 AM	Friday	From 11 AM	To	12 AM
Saturday	From 9 AM	To	12 AM	Saturday	From 11 AM	To	12 AM
Sunday	From 9 AM	To	12 AM	Sunday	From 11 AM	To	12 AM

2. Type of ABC license applied for (check all applicable boxes):
☑ On-Premises ☑ Off-Premises (second application required)

3. Type of alcoholic beverage applied for:
☑ Beer ☑ Wine ☑ Mixed Beverage

DEPARTMENT OF CITY PLANNING
810 Union Street, Room 508
Norfolk, Virginia 23510
Telephone (757) 664-4752 Fax (757) 441-1569
(Revised January 2015)

Exhibit A – Page 2
Entertainment Establishment

4. Will video games, pool tables, game boards or other types of games be provided?
☐ Yes (If more than 4, additional application required) ☑ No

4a If yes, please describe type and number of each game to be provided:

_____

_____

5. Will patrons ever be charged to enter the establishment?
☑ Yes ☐ No

5a. If yes, why: Non Profit Organisation and Funds Raising

5b. Which days of the week will there be a cover charge (circle all applicable days):

Monday Tuesday Wednesday Thursday Friday Saturday Sunday

6. Will the facility or a portion of the facility be available for private parties?
☑ Yes ☐ No

6a. If yes, explain: Wedding, Birthdays, Funds Raising Bat Mitzvah, Bar Mitzvah. etc...

7. Will a third party (promoter) be permitted to lease, let or use the establishment?
☑ Yes ☐ No

7a. If yes, explain: Non Profitable Organization such as Physician For Peace /

8. Will there ever be a minimum age limit?
☐ Yes ☑ No

Exhibit A – Page 3
Entertainment Establishment

9. Additional comments/description/operational characteristics or prior experience:

6 Men Band / DJ

Note: If smoking is permitted, then floor plans must be submitted showing all necessary building requirements for such facility

Signature of Applicant

Exhibit A – Floor Plan(s) Worksheet
Entertainment Establishment

- Complete this worksheet based for each floor plan submitted with application.
- Floor plan(s) must be prepared by a registered design professional and include:
  - Tables/seats
  - Restroom facilities
  - Bar
  - Ingress and egress
  - Standing room
  - Disc Jockey/Band/Entertainment area)
  - Outdoor seating
  - Total maximum capacity (including employees)

1. Total capacity

a. Indoor

Number of seats (not including bar seats)	232
Number of bar seats	0
Standing room	

b. Outdoor

Number of seats	0

c. Number of employees 8

Total Occupancy
(Indoor/Outdoor seats, standing room and employees) = 240

2. Entertainment
List ANY type of entertainment proposed other than a 3 member live band, karaoke, comedian, or poetry reading.

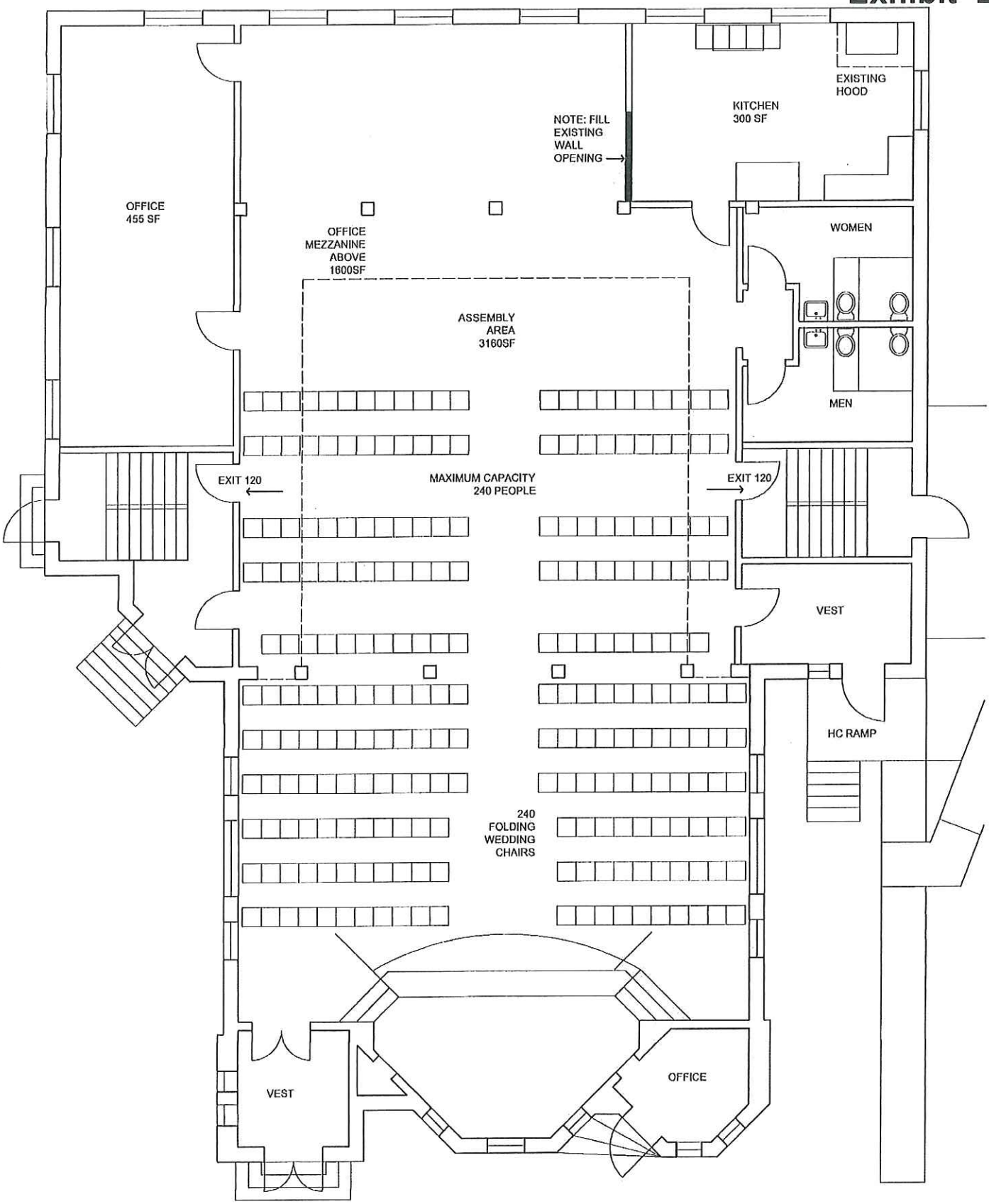
DJ, 6 Member live band

3. Will a dance floor be provided?
☑ Yes ☐ No

3a. If yes,
Square footage of establishment _____
Square footage of dance floor 14 X 14

- If a disc jockey is proposed, a dance floor must be provided.
- If the dance floor is more than 10% of the square footage of the establishment, a Dance Hall permit is required.

Exhibit B



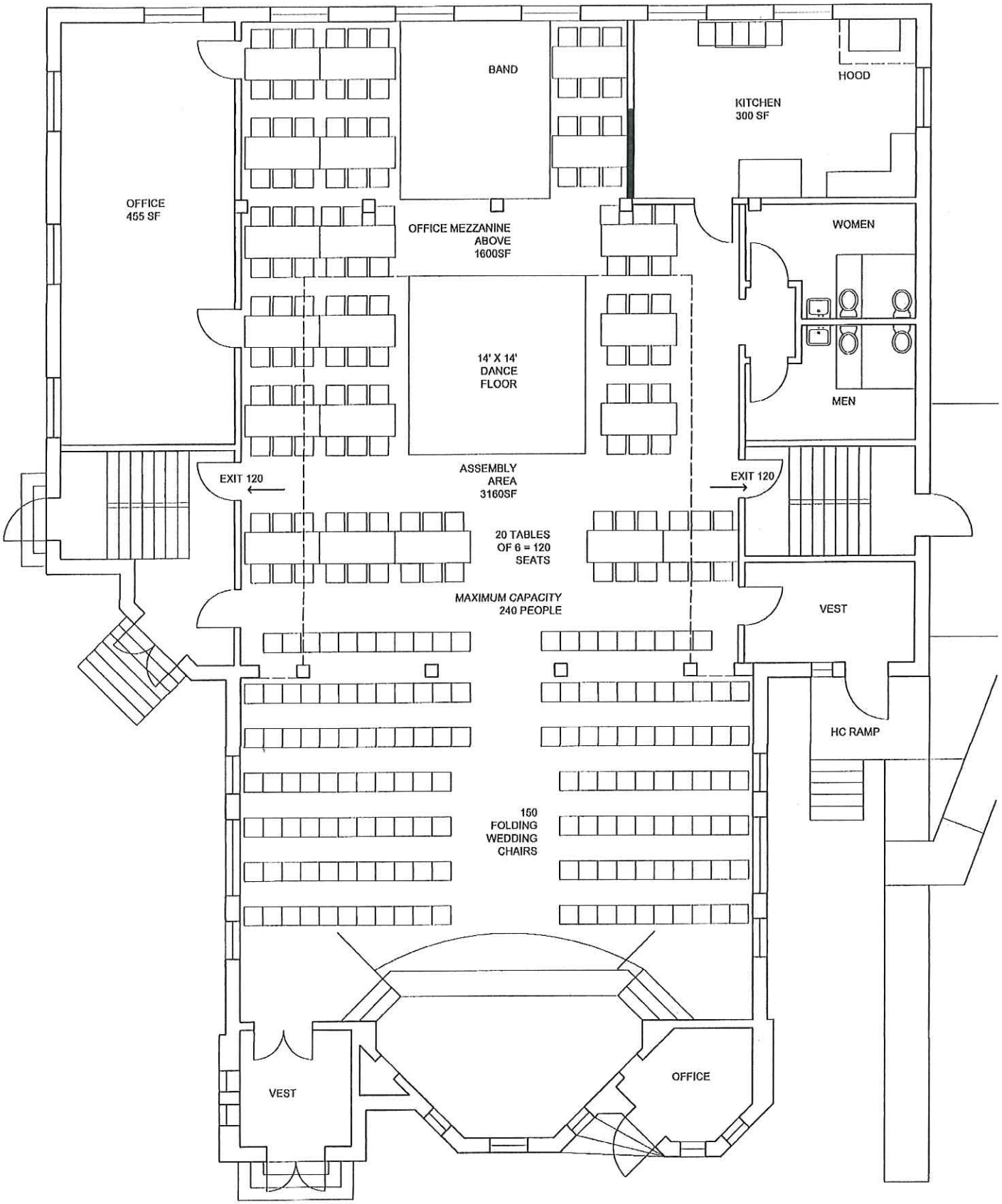
FURNITURE LAYOUT OPTION 1

TYMOFF MOSS ARCHITECTS
JANUARY 9 2016

0' 8' 16'

2729 BOWDEN FERRY ROAD

5200 GROSS SQUARE FEET GROUND FLOOR
EXISTING USE GROUP A-3
PROPOSED USEGROUP A-2
MAXIMUM POSTED OCCUPANCY 240 PEOPLE
TYPE 5B CONSTRUCTION, NON-SPRINKLERED
(2) EXISTING MARKED EXITS 36" DOORS X .3= 240 PEOPLE MAXIMUM



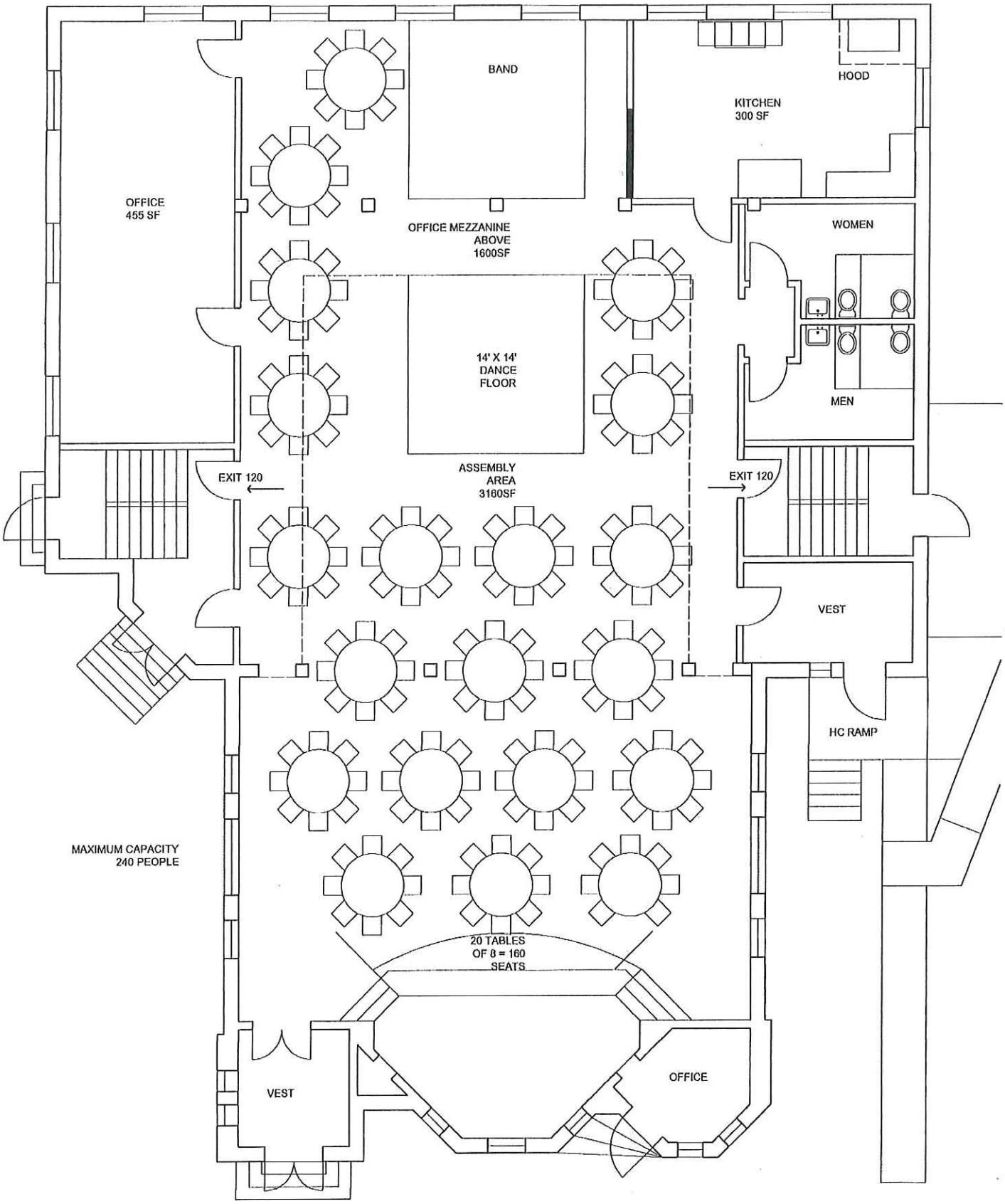
FURNITURE LAYOUT OPTION 2

TIMOTHY MOSSA ARCHITECTS
JANUARY 2016

0' 8' 16'

2729 BOWDEN FERRY ROAD

5200 GROSS SQUARE FEET GROUND FLOOR
EXISTING USE GROUP A-3
PROPOSED USEGROUP A-2
MAXIMUM POSTED OCCUPANCY 240 PEOPLE
TYPE 5B CONSTRUCTION, NON-SPRINKLERED
(2) EXISTING MARKED EXITS 36" DOORS X .3= 240 PEOPLE MAXIMUM



FURNITURE LAYOUT OPTION 3

TYMOFF MOSS ARCHITECTS
JANUARY 9 2016

0' 8' 16'

2729 BOWDEN FERRY ROAD

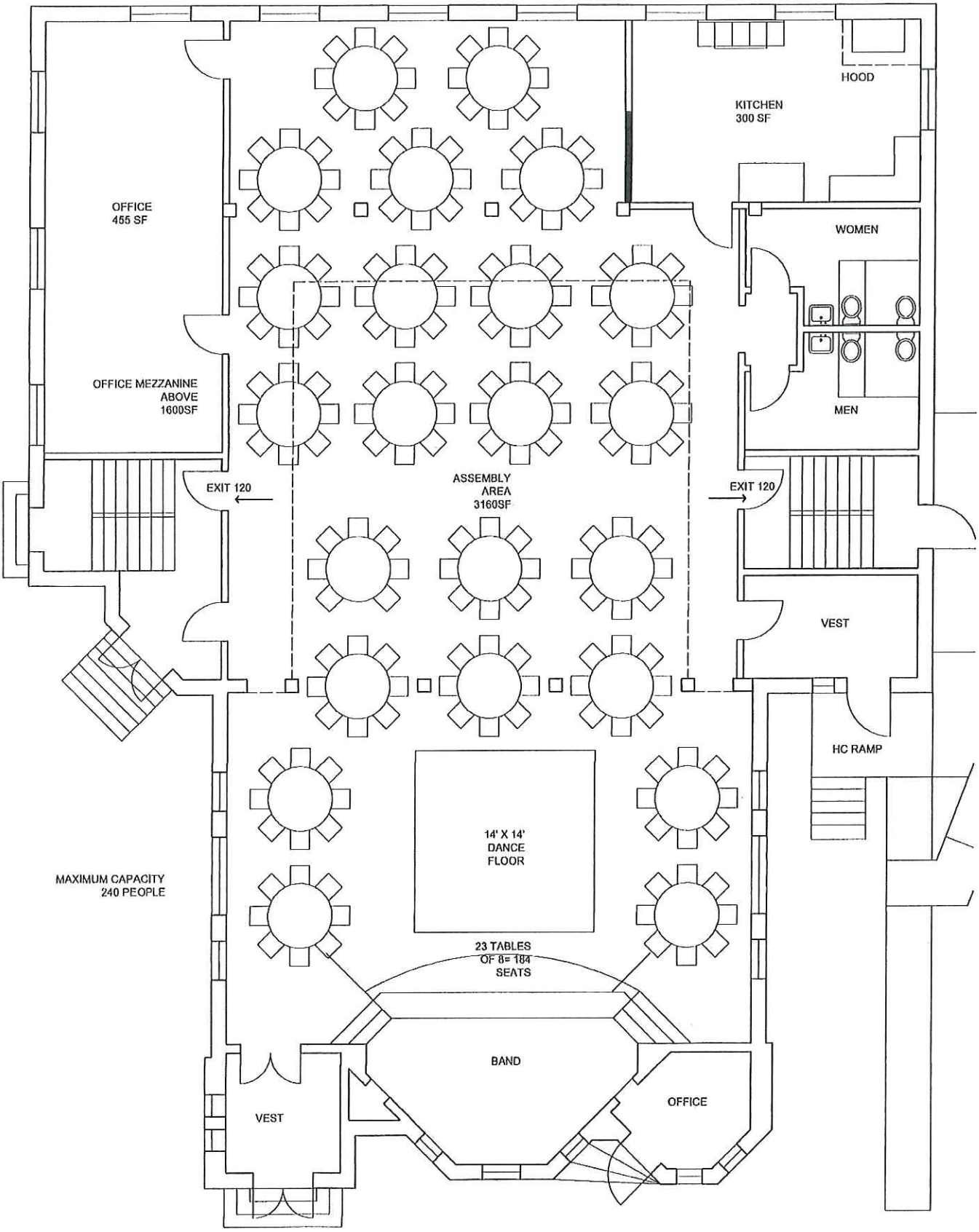
5200 GROSS SQUARE FEET GROUND FLOOR
EXISTING USE GROUP A-3

PROPOSED USEGROUP A-2

MAXIMUM POSTED OCCUPANCY 240 PEOPLE

TYPE 5B CONSTRUCTION, NON-SPRINKLERED

(2) EXISTING MARKED EXITS 36" DOORS X .3= 240 PEOPLE MAXIMUM



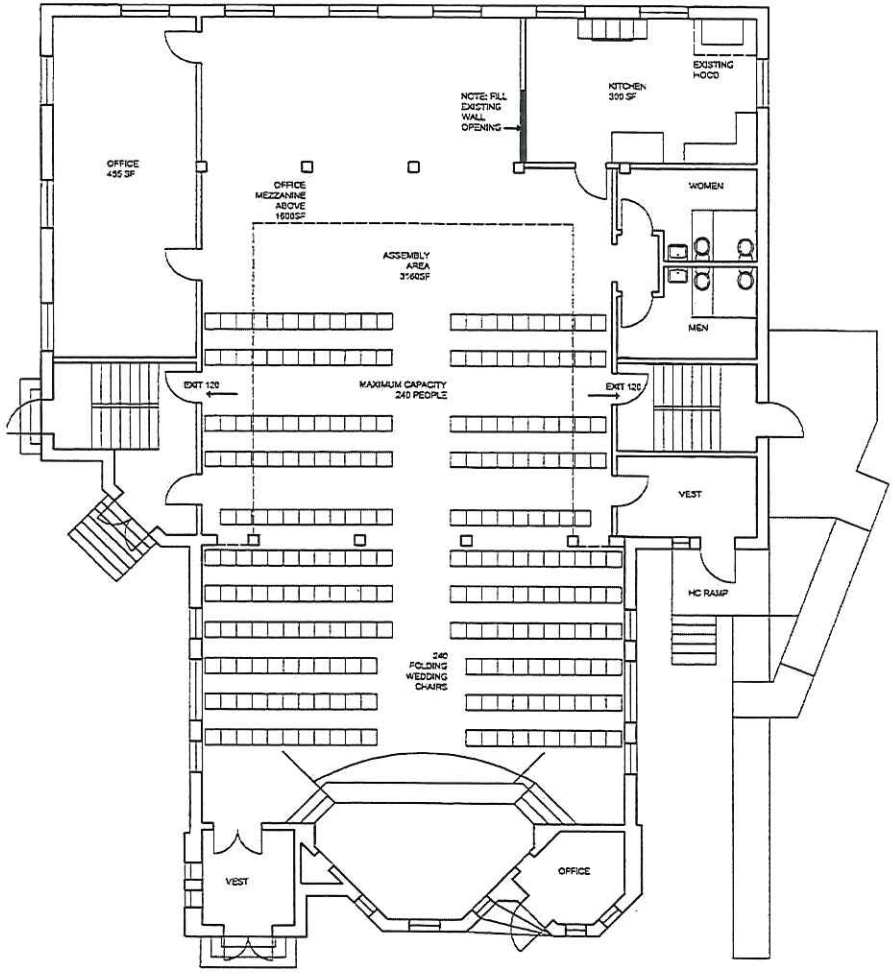
FURNITURE LAYOUT OPTION 4

TYMOFF MOSS ARCHITECTS
JANUARY 9 2016

0' 8' 16'

2729 BOWDEN FERRY ROAD

5200 GROSS SQUARE FEET GROUND FLOOR
EXISTING USE GROUP A-3
PROPOSED USEGROUP A-2
MAXIMUM POSTED OCCUPANCY 240 PEOPLE
TYPE 5B CONSTRUCTION, NON-SPRINKLERED
(2) EXISTING MARKED EXITS 36" DOORS X .3= 240 PEOPLE MAXIMUM



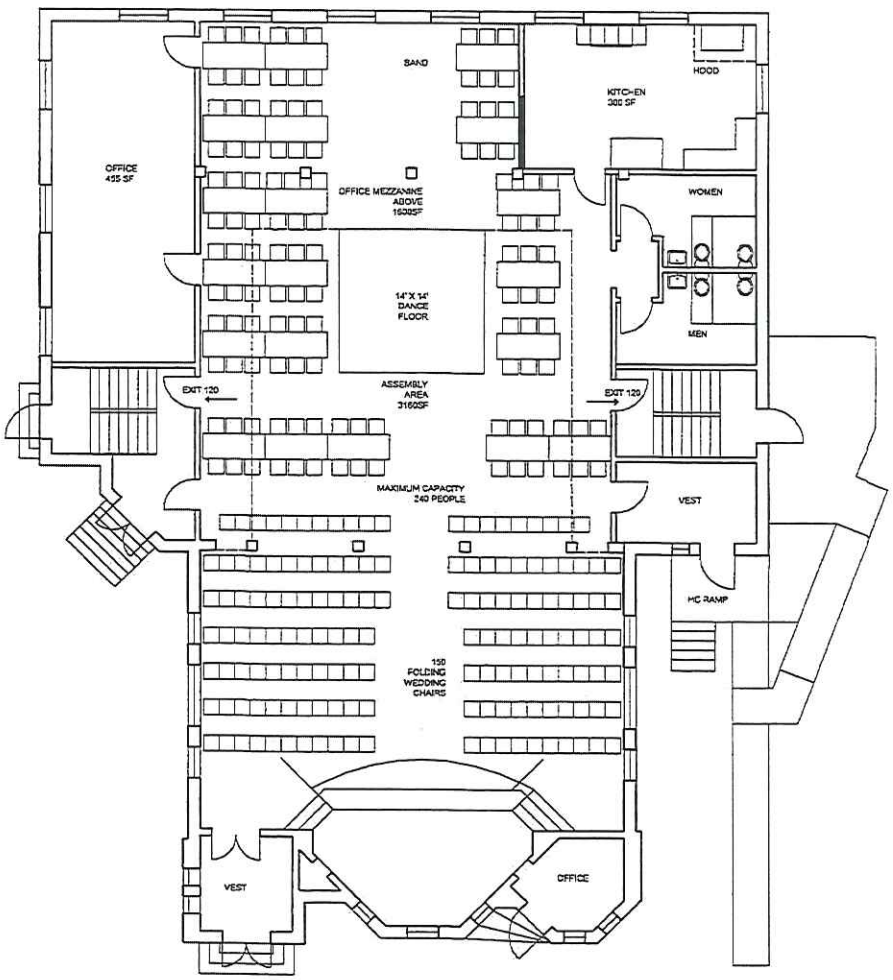
FURNITURE LAYOUT OPTION 1

TYMOFF MOSS ARCHITECTS
JANUARY 9 2018

0' 8' 16'

2729 BOWDEN FERRY ROAD
5200 GROSS SQUARE FEET GROUND FLOOR
EXISTING USE GROUP A-2
PROPOSED USEGROUP A-2
MAXIMUM POSTED OCCUPANCY 240 PEOPLE
TYPE 5B CONSTRUCTION, NON-SPRINKLERED
(2) EXISTING MARKED EXITS 36" DOORS X .3= 240 PEOPLE MAXIMUM

20 TABLES
OF 8 = 120
SEATS

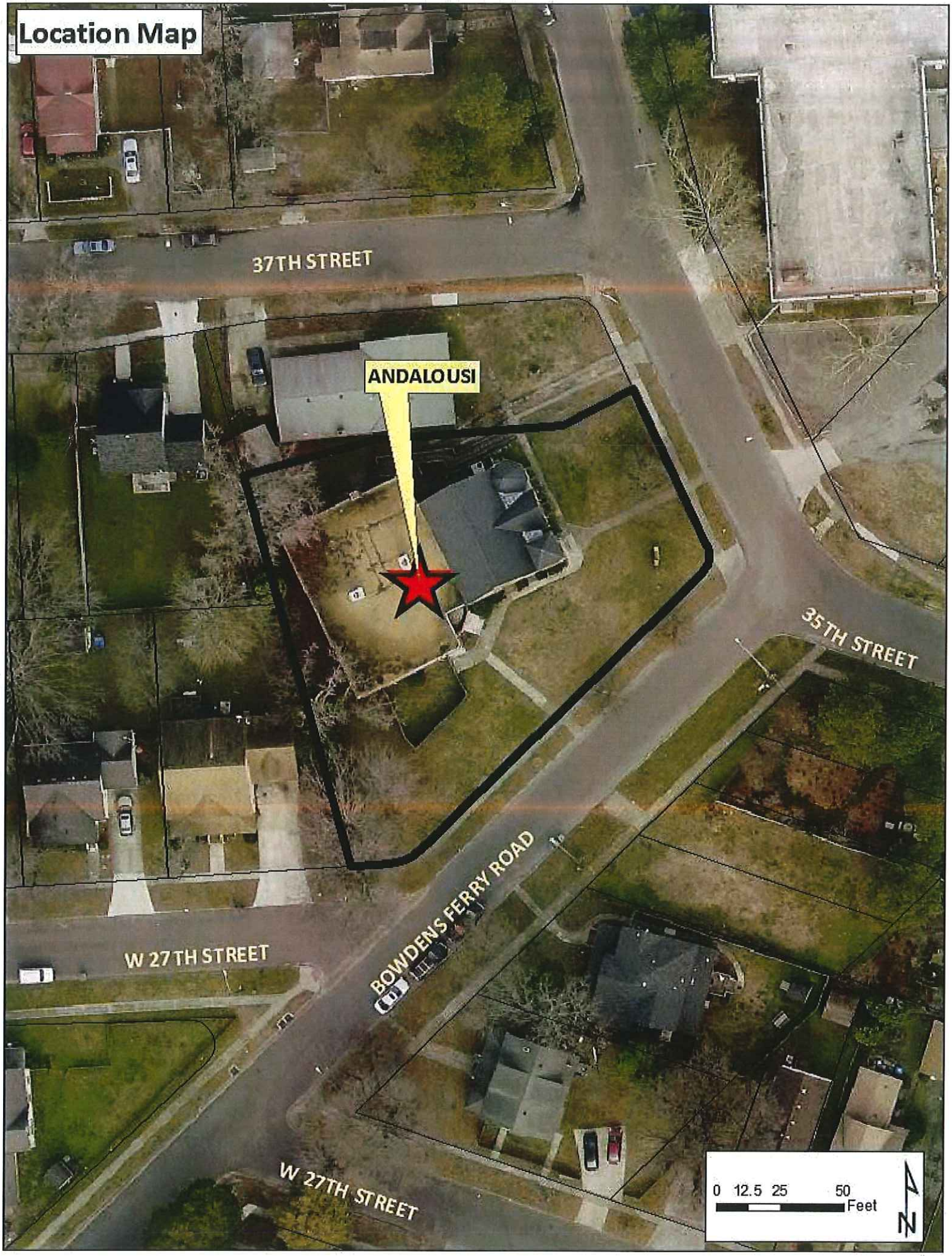


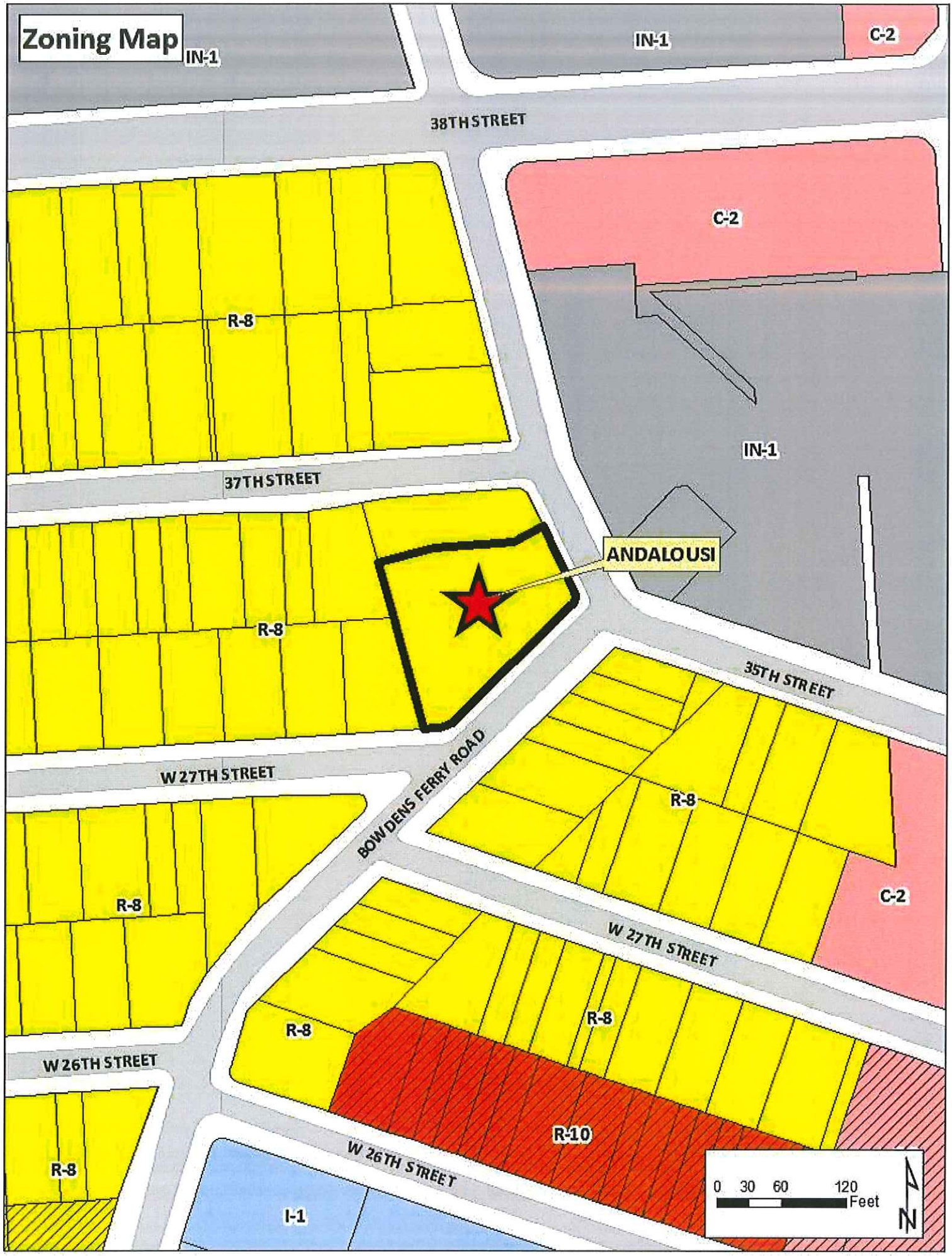
FURNITURE LAYOUT OPTION 2

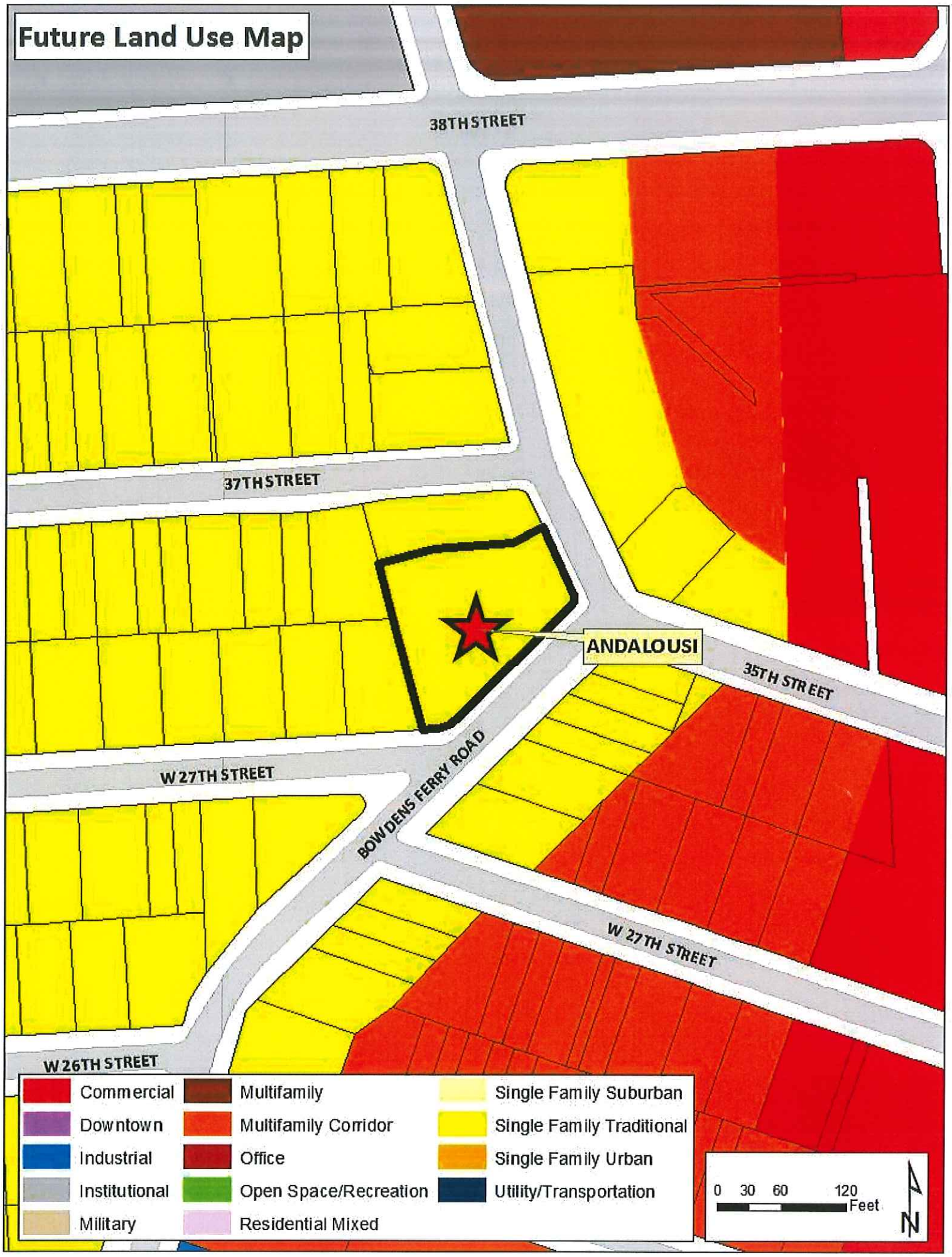
TYMOFF MOSS ARCHITECTS
JANUARY 9 2018

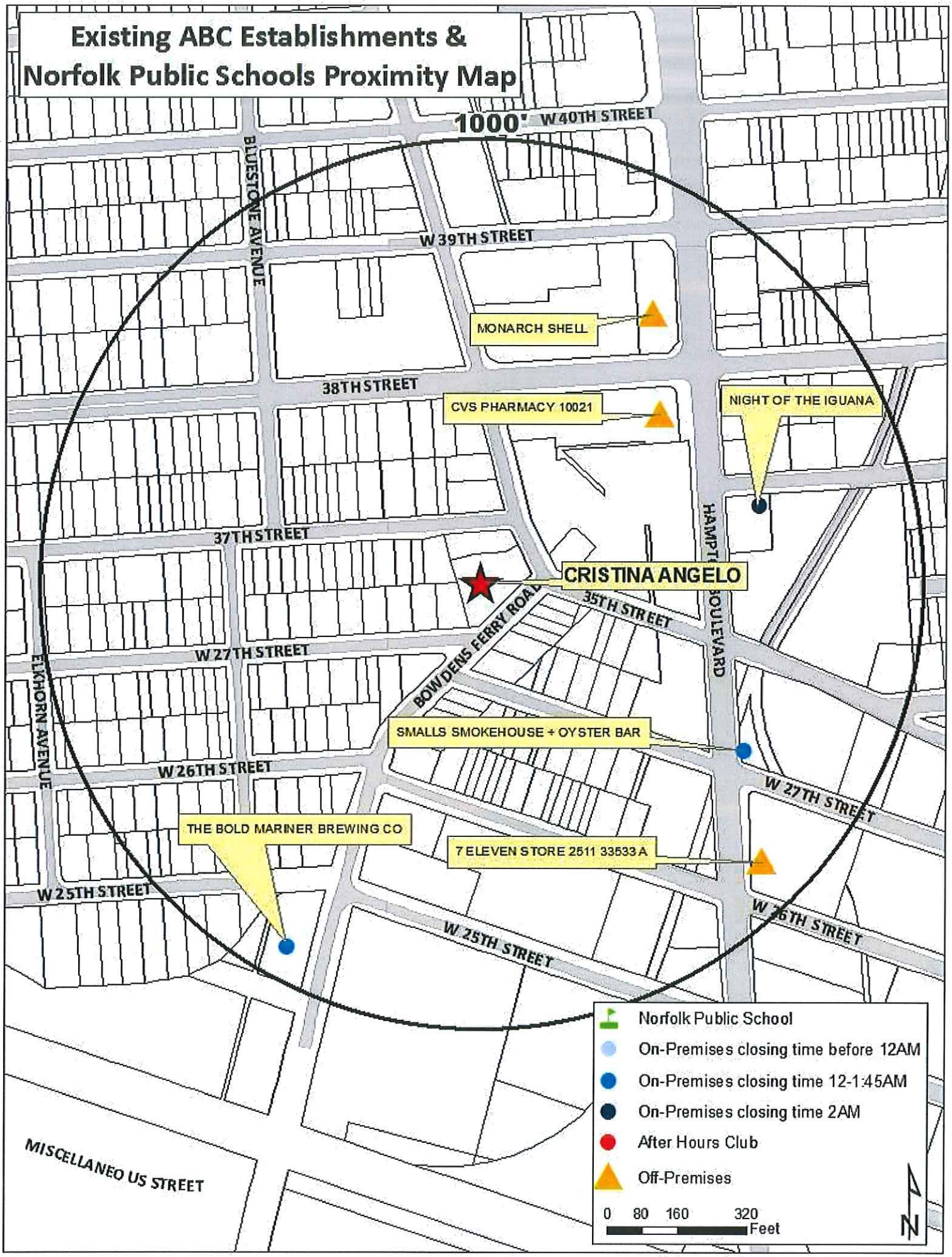
0' 8' 16'

2729 BOWDEN FERRY ROAD
5200 GROSS SQUARE FEET GROUND FLOOR
EXISTING USE GROUP A-3
PROPOSED USEGROUP A-2
MAXIMUM POSTED OCCUPANCY 240 PEOPLE
TYPE 5B CONSTRUCTION, NON-SPRINKLERED
(2) EXISTING MARKED EXITS 36" DOORS X .3= 240 PEOPLE MAXIMUM


Location Map
37TH STREET
ANDALOUSI
35TH STREET
BOWDENS FERRY ROAD
W 27TH STREET
W 27TH STREET
0 12.5 25 50
Feet
N


Zoning Map
IN-1
IN-1
C-2
38TH STREET
C-2
R-8
IN-1
37TH STREET
ANDALOUSI
R-8
35TH STREET
W 27TH STREET
BOWDENS FERRY ROAD
R-8
R-8
C-2
W 27TH STREET
R-8
R-8
W 26TH STREET
R-10
W 26TH STREET
R-8
I-1
0 30 60 120
Feet
N


Future Land Use Map
38TH STREET
37TH STREET
ANDALOUSI
35TH STREET
W 27TH STREET
BOWDENS FERRY ROAD
W 27TH STREET
W 26TH STREET
Commercial
Downtown
Industrial
Institutional
Military
Multifamily
Multifamily Corridor
Office
Open Space/Recreation
Residential Mixed
Single Family Suburban
Single Family Traditional
Single Family Urban
Utility/Transportation
0 30 60 120
Feet
N


Existing ABC Establishments &
Norfolk Public Schools Proximity Map
1000'
W 40TH STREET
BLUESTONE AVENUE
W 39TH STREET
MONARCH SHELL
38TH STREET
CVS PHARMACY 10021
NIGHT OF THE IGUANA
37TH STREET
CRISTINA ANGELO
35TH STREET
BOWDENS FERRY ROAD
W 27TH STREET
ELKHORN AVENUE
SMALLS SMOKEHOUSE + OYSTER BAR
W 26TH STREET
W 27TH STREET
THE BOLD MARINER BREWING CO
7 ELEVEN STORE 2511 33533 A
W 25TH STREET
W 25TH STREET
MISCELLANEO US STREET
Norfolk Public School
On-Premises closing time before 12AM
On-Premises closing time 12-1:45AM
On-Premises closing time 2AM
After Hours Club
Off-Premises
0 80 160 320
Feet
N

APPLICATION
CHANGE OF ZONING

Date of application: 1-07-16

Change of Zoning

From: R8 **Zoning** **To:** C1 **Zoning**

DESCRIPTION OF PROPERTY

Property location: (Street Number) 2729 (Street Name) Bowdens Ferry Road NORFOLK VA

Existing Use of Property: Church

Current Building Square Footage_____

Proposed Use Bonquet Hall

Proposed Building Square Footage_____

Trade Name of Business (If applicable) ANDALOUSI

APPLICANT
(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) BOUKHRISS (First) OMAR (MI) ____

Mailing address of applicant (Street/P.O. Box): 313 W. Bute St

(City) NORFOLK (State) VA (Zip Code) 23510

Daytime telephone number of applicant (757) 288-6982 Fax (757) 622-8122

E-mail address of applicant: Omarshouse@verizon.net

AUTHORIZED AGENT (if applicable)
(If agent is a LLC or a Corp./Inc., include name of official representative and/or all partners)

2. Name of applicant: (Last) _____ (First) _____ (MI) _____

Mailing address of applicant (Street/P.O. Box): _____

(City) _____ (State) _____ (Zip Code) _____

Daytime telephone number of applicant ( ) _____ Fax ( ) _____

E-mail address of applicant: _____

PROPERTY OWNER
(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Southern Bank and Trust Company (First) _____ (MI) _____

Mailing address of property owner (Street/P.O. box): 403 Bush Street

(City) Norfolk (State) VA (Zip Code) 23510-1200

Daytime telephone number of owner ( ) _____ email: _____

CIVIC LEAGUE INFORMATION

Civic League contact: Thomas Harris

Date(s) contacted: October 7, 2015

Ward/Super Ward information: _____

CERTIFICATION:
I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name:_____ **Sign:**_____/_____/_____
(Property Owner or Authorized Agent of Signature) (Date)

Print name: OMAR BOUKHRISS **Sign:** [signature] 11 / 7 / 16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name:_____ **Sign:**_____/_____/_____
(Authorized Agent Signature) (Date)

PROFERRED CONDITIONS

1) The Existing Building Located On the Site Shall Not be Demolished

2) No modification will be done to the Exterior of the building

3)

4)

5)

6)

Print name: OMAR BOUKHRISS **Sign:** [signature] 21 23 / 16
(Applicant) (Date)

Print name: OMAR BOUKHRISS **Sign:** [signature] 21 23 / 16
(Property Owner or Authorized Agent of Signature) (Date)

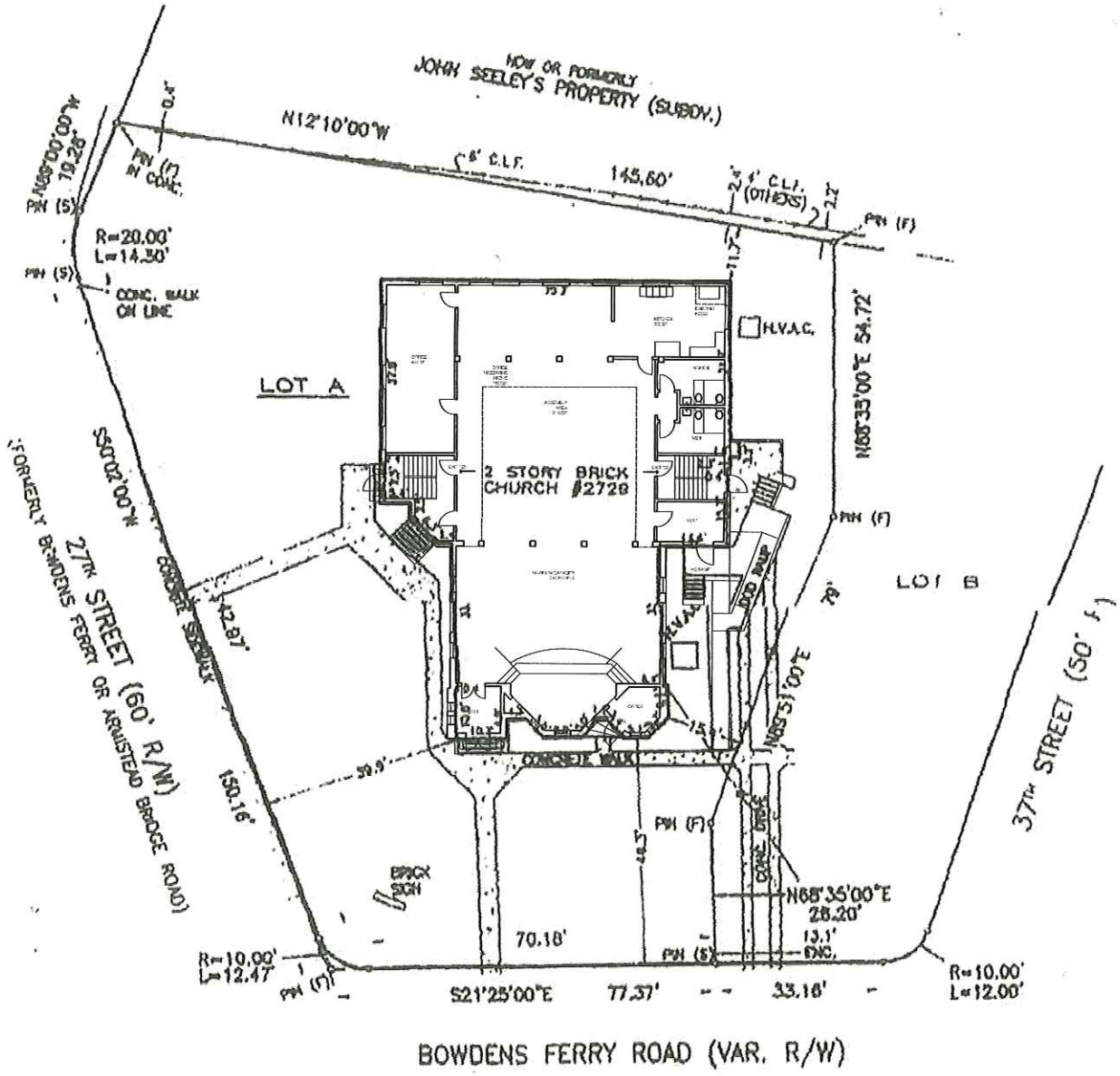
THIS IS TO CERTIFY THAT ON JULY 25, 2008, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT AND THAT THE TITLE LINES AND PHYSICAL IMPROVEMENTS ARE SHOWN ON THIS PLAT. THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN.

THE RESIDENCE SHOWN HEREON APPEARS TO BE IN FLOOD ZONE "C"
FIRM MAP CITY OF NORFOLK
MAP REVISION APRIL 17, 1984
COMMUNITY NO. 510104
PANEL NO. 00170

THIS SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.

AREA OF SURVEY = 0.4499 AC.

COMMONWEALTH OF VIRGINIA
STEPHEN I. BOOKE
Lic. No. 1333
7/25/08
LAND SURVEYOR



EXISTING FLOOR PLAN

TYMOFF MOSS ARCHITECTS
JANUARY 9 2016

0' 8' 16'

PHYSICAL SURVEY

OF

2728 BOWDENS FERRY ROAD

APPLICATION
ADULT USE SPECIAL EXCEPTION
ENTERTAINMENT ESTABLISHMENT
(Please Print)

Date 1-7-16

DESCRIPTION OF PROPERTY

Address 2729 Bowdens Ferry Road NORFOLK, VA

Existing Use of Property Church

Proposed Use Banquet Hall

Current Building Square Footage 9,720

Proposed Building Square Footage Same

Trade Name of Business (If applicable) ANDALOUSI

APPLICANT
(If applicant is a LLC or a Corp./Inc., include name of official representative and/or all partners)

1. Name of applicant: (Last) BOUKHRISS (First) OMAR (MI) ____

Mailing address of applicant (Street/P.O. Box): 313 W. Bute st

(City) NORFOLK (State) VA (Zip Code) 23510

Daytime telephone number of applicant (757) 288-6982 Fax (757) 622-8122

E-mail address of applicant: Omarshouse@verizon.net

AUTHORIZED AGENT (if applicable)
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2. Name of applicant: (Last) _____ (First) _____ (MI) _____

Mailing address of applicant (Street/P.O. Box): _____

(City) _____ (State) _____ (Zip Code) _____

Daytime telephone number of applicant ( ) _____ Fax ( ) _____

E-mail address of applicant: _____

PROPERTY OWNER
(If property owner is a LLC or a Corp./Inc., include name of official representative and/or all partners)

3. Name of property owner: (Last) Southern Bank and Trust. (First) _____ (MI) _____

Mailing address of property owner (Street/P.O. box): 503 Bush Street

(City) Norfolk (State) VA (Zip Code) 23510

Daytime telephone number of owner ( ) _____ email: _____

CIVIC LEAGUE INFORMATION

Civic League contact: Thomas Harris

Date(s) contacted: October 7, 2015

Ward/Super Ward information: _____

REQUIRED ATTACHMENTS

CERTIFICATION
I hereby submit this complete application and certify the information contained herein is true and accurate to the best of my knowledge:

Print name:_____ **Sign:**_____/_____/_____
(Property Owner or Authorized Agent of Signature) (Date)

Print name: OMAR BOUKHRISS **Sign:** Omar Boukhriss 11 / 07 / 16
(Applicant) (Date)

ONLY NEEDED IF APPLICABLE:

Print name:_____ **Sign:**_____/_____/_____
(Authorized Agent Signature) (Date)

SECURITY PLAN
of
OMAR BOUKRHISS
For
ANDALOUSI, LLC
2729 Bowden's Ferry Rd
Norfolk, VA 23508

Goals:

- To create a safe environment within and around Andalousi, LLC.
- To provide a level of control and safety for all arriving and departing guests.
- To mitigate any noise or inappropriate conduct by patrons entering or leaving facility which impairs the quiet enjoyment of immediate neighbors, particularly residents living nearby.
- To peacefully and effectively resolve all dangerous situations before any injury to person or property may occur. The staff and security team shall provide an assertive presence by displaying integrity and professionalism while executing their duties and responsibilities in an effort to maintain security, protection and safety to members of the public.
- To ensure a complete, orderly, safe and swift evacuation of the facility in case of fire, explosion or any other uncontrolled dangers within the building.
- To protect and promote the courteous, inviting and hospitable character of the neighborhood and the City of Norfolk.

The Plan:

- Off-duty police officers and members of the sheriff's department will be employed during events.
- Reputable security companies may also be called upon for staffing.
- Permanent on-site staff will attend all events and ensure the organization and control of events within and outside of the facility.
- Door personel will control activity at the main entrances at all times, monitoring entry of patrons.
- The premises will have an alarm system including monitoring of indoors and outdoors at all times accessible to the owner 24/7.
- In case of emergency situations in which the facility needs to be evacuated, all staff members including security will be responsible to ensure orderly and complete evacuation of the premises. Patrons will be escorted to a safe distance from the building. All exit signs are clearly marked.

Andalousi, LLC
2729 Bowdens Ferry Rd
Norfolk, VA 23508

Description of Facility:

Our facility will be a venue open to the public to rent for special events including but not limited to; weddings, receptions, private parties, birthdays, corporate and military events. Our full on-site catering kitchen will be available for use to execute these events.

Staffing:

The facility will employee 8-10 full time employees including kitchen staff, on and off site management, maintenance staff and security. In addition to this we will employ 20-50 part time employees to execute the events.

Pollock, Susan

From: Straley, Matthew
Sent: Wednesday, January 13, 2016 12:33 PM
To: 'lambertsptcivicleague@hotmail.com'; 'reggie.king@gmail.com'
Cc: Whibley, Terry; Williams, Angelia M.; Wilson, Denise; Pollock, Susan
Subject: new Planning Commission applications - 2729 Bowdens Ferry Road
Attachments: Andalousi_rezoning.pdf; Andalousi_entertainment.pdf

Mr. Harris and Mr. King,

Attached please find the following applications at 2729 Bowdens Ferry Road:

a. Change of zoning from R-8 (Single-Family) district to C-1 (Limited Commercial) district.
b. Special exception to operate an entertainment establishment with alcoholic beverages.

The item is tentatively scheduled for the February 25, 2016 Planning Commission public hearing.

Should you have any questions, please e-mail or call *Susan Pollock Hart at (757) 664-4765, susan.pollock@norfolk.gov*

Thank You.

Matthew Straley
GIS Technician II
Norfolk Department of City Planning
810 Union Street, Suite 508 | Norfolk, Virginia 23510
Matthew.Straley@norfolk.gov | Tel: 757-664-4769 | Fax: 757-441-1569

December 31, 2015

Lamberts Point Civic League

City of Norfolk, VA

Department of City Planning

City Hall Building

810 Union Street

Norfolk, VA 23510

Dear City Planning Board,

I am writing on behalf of and at the request of Lamberts Point Civic League. We as a civic organization, would like to voice our support to Mr. Omar Boukhiss, owner of Omar's Carriage House. Mr. Boukhiss has asked for Lamberts Point Civic League's approval to turn the former Greater House of Faith Apostolic Church located at 2729 Bowden Ferry Rd. into a Wedding Reception Hall.

We as a group feel very happy that Mr. Boukhiss chose to renovate and upgrade the vacant building in our growing community.

Hopefully the new Reception Hall will ignite the spark of innovation and growth so badly needed in the Lamberts Point community. The plans for the upgrade was brought to our civic league many months ago. As a group we heard Mr. Broukhiss give his best presentation and after so many questions and answers, all of our concerns were addressed and we as Lamberts Point Civic League gave him our blessings.

Sincerely,

Thomas Harris

Thomas E. Harris

President

Lamberts Point Civic League