



STAFF REPORT COVER SHEET

March 11, 2026

ATTACHMENT 01

Address:	133 Maple Avenue E	Case Number:	PF-1975201-SP
Meeting Date:	3/11/2026	Applicant:	Evan Pritchard, Wire Gill LLP
Board/Commission:	Planning Commission	Owners:	Speakeasy Real Estate Holdings LLC
Existing Zoning:	AC/RMU	Existing Land Use:	Mixed-Use
Brief Summary of Request:	Recommendation to Town Council on request for modifications of site plan requirements related to parking for Bear Branch Tavern, located at 133 Maple Avenue E.		
Site Improvements:	The site consists of a three-story, seven-unit plus basement office condominium constructed in 1983, as well as 103 parking spaces and patios both in the front and back of the building.		
Size of Property:	59,472 square feet/1.37 acres		
Public Notice Requirements:	<p>Each public hearing involving planning and zoning matters before the Town Council and Planning Commission requires notice, as set out in § 15.2-2204 of the Code of Virginia and §18.844 through 849 of the Town Code. The following notifications were prepared related to this application:</p> <ul style="list-style-type: none"> • A sign was posted on the property on February 24, 2026, with the Planning Commission and Town Council meeting dates. • Letters were sent on March 4, 2026, to adjacent and abutting property owners/agents/occupants and subject property owners notifying them of the Planning Commission meeting and Town Council public hearing. • An email was sent to the applicant on March 3, 2026, notifying them of the Planning Commission and Town Council meeting dates. 		
Brief Analysis			
PROPERTY HISTORY			
<p>Bear Branch Tavern opened on the ground floor of 133 Maple Avenue East, within the Vienna Professional Center, in March 2020. Under the Town’s zoning ordinance in effect at the time of approval, a restaurant with 300 seats was required to provide 75 parking spaces, based on the parking ratio of one space per four seats. At that time, the restaurant was allocated 36 parking spaces within the shared parking lot serving the building tenants.</p> <p>In September 2018, the Town Council approved a modification of site plan requirements related to Section 18-531, as PF-40-18-SM, to operate up to 300 seats served by all 103 parking spaces. The rationale for approval was based on the restaurant’s benefit to the community as well as the fact that the restaurant’s owners anticipated most of their customer volume would occur during the dinner service when the other tenants in the Vienna Professional Center, all of whom were office-based businesses, would be closed.</p> <p>The modification was approved subject to the condition that specific locations for bicycle parking and trail access were shown on their site plan submission, and the restaurant has operated with 249 seats since its opening.</p>			
COMPATIBILITY WITH THE COMPREHENSIVE PLAN			
<p>The 2015 Comprehensive Plan Future Land Use Map (page 38) designates the property as Mixed Use, which includes commercial operations such as restaurants. The existing restaurant use is therefore consistent with the planned land use designation for the site.</p>			

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Additionally, the Comprehensive Plan identifies a goal of encouraging a vibrant Central Business District (page 19). The continued operation and modest expansion of a restaurant use in this location supports that objective by contributing to the mix of dining and commercial activity along the Maple Avenue corridor.

COMPATIBILITY WITH THE ZONING ORDINANCE

The parcel is zoned Avenue Center (AC). Restaurants within the AC zone are permitted by-right.

The applicant has submitted a request for a Modification of Requirements under Section 18-531 of the Zoning Ordinance to allow an increase in seating beyond the previously approved capacity of 300 seats. The proposal would increase the total seating capacity to 337 seats, which would require 10 additional parking spaces under the Town’s parking standard of one space per four seats.

Because the site does not have sufficient area to construct additional parking spaces that meet the Town’s dimensional standards, the applicant proposes to address the additional parking demand through an on-site valet parking system that would allow vehicles to be stacked within the existing parking lot during special events. The valet option would enable the lot to accommodate up to 114 vehicles, including 11 valet-stacked vehicles, when the basement restaurant space is in use.

Attachments:	01 – Staff Report 02 – Application and Authorization Form 03 – Proposed Site Plan Approved by Fire Marshal’s Office 04 – Letter of Request for Modification of Requirement	05 – Certificate of Occupancy Issued 2/28/2020 06 – Letter from Valet Parking LLC 07 – Support Letter from Vienna Professional Center Condominium Association 08 – Relevant Regulations
Author:	Lyndsey Clouatre, Principal Planner	

I. BACKGROUND

Bear Branch Tavern occupies the entire first floor of the Vienna Professional Center, a three-story building constructed in 1983 and consisting of 19,900 square feet of net floor area across seven above ground units. The 59,472 square foot property is split zoned Avenue Center (AC) and Residential - Multi-Unit (RMU). The entire Vienna Professional Center building and most of its parking spaces are located on the portion of the property zoned AC, while the remainder of the parking is located on the portion of the property zoned RMU. The property is bounded to the north by the W&OD Trail, to the east by Vienna Elementary School, to the south by the future Vienna-Carter Library, and to the west (across Maple Avenue) by retail properties.

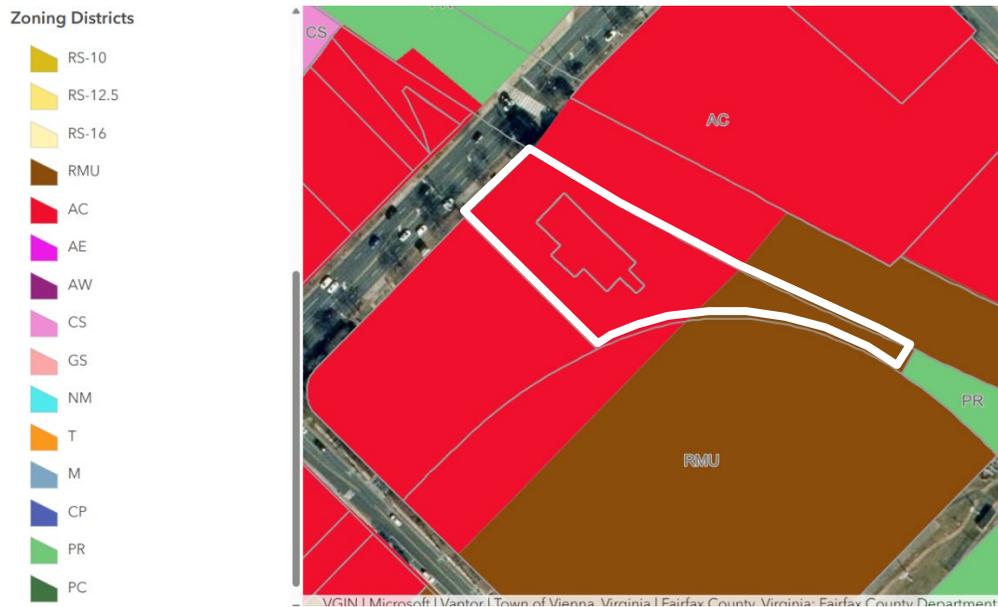


Figure 1 – Town of Vienna Zoning map with the subject property outlined in white.

As shown on the Town of Vienna Comprehensive Plan Future Land Use Map (p. 38), the subject property is designated **Mixed Use** (Figure 2). Mixed Use areas include a wide variety of commercial establishments, including restaurants, that serve the Town’s residents, employees, and visitors. The current use as a restaurant is appropriate for a location designated with a Mixed Use future land use.

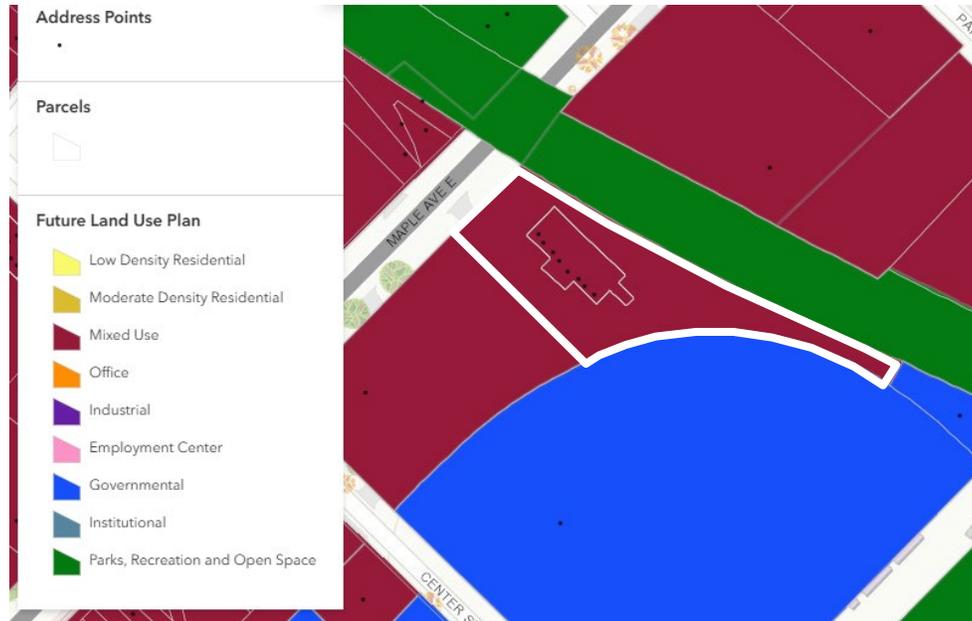


Figure 2 – Town of Vienna Future Land Use Map with the subject property outlined in white.

II. PROPOSAL

The applicant has submitted a request for a Modification of Requirements under Section 18-531 of the Zoning Ordinance related to minimum off-street parking requirements. The applicant proposes adding an 88-seat private dining/event space in the basement of the building connected to the restaurant space on the first floor. Because the restaurant currently operates with 249 seats under a prior approval allowing up to 300 seats, the proposal represents a net increase of 37 seats above the previously approved seating capacity, for a total of 337 seats.

Under the Town's parking standard of one space per four seats, the additional seating would require 10 additional parking spaces. The site currently contains 103 striped parking spaces and does not have sufficient area to construct the additional parking spaces required under the zoning ordinance while meeting the Town's dimensional standards for parking spaces and aisles established in Section 18-529.

To address this constraint, the applicant proposes to implement valet parking system on-site, managed by Valet Parking LLC, that would allow vehicles to be stacked within the existing parking lot during special events. Through this valet system, the applicant proposes that the parking lot could accommodate up to 114 vehicles. Because the Town's zoning ordinance calculates required parking based on designated parking spaces rather than operational parking management techniques such as valet stacking, this approach requires approval of a Modification of Requirements by the Town Council.

A site plan approved by the Fairfax County Office of the Fire Marshal showing how vehicles would be stacked during the times valet services would be in use is shown in Attachment 03.

III. STAFF ANALYSIS

Department of Planning and Zoning and Department of Public Works staff reviewed the application and its supporting materials. While there are no major concerns, DPW staff had several recommendations and questions for the applicant, as follows:

- Recommend that the applicant establishes a stacking plan for both placement and removing a specific vehicle that may be within the stack.
- Recommend that, due to the valet spaces being in a more isolated location within the parking lot, vehicles are not left unlocked with keys inside. Is there sufficient lighting in this portion of the parking lot?
- Recommend having a plan to address valet operations at the end of a crowded event or upon closing during a busy night to prevent, to the extent possible, a chaotic situation as customers exit the parking lot.
- There is a high likelihood of minor impacts/collisions given the vehicles would be parked so closely together. How would liability work in these instances?

Modification of Requirements

In 2018, Town Council approved a modification of parking requirements associated with the establishment of Bear Branch Tavern, allowing the restaurant to operate with 300 seats based on the shared use of the existing 103-space parking lot with office tenants in the building. The approval recognized that peak restaurant demand occurs during evening hours when office parking demand is minimal.

The applicant is now requesting to modify the previously approved shared parking approval which is a modification from Section 18-531 of the Zoning Ordinance, allowing 114 vehicles to be parked on site to accommodate 337 seats between the restaurant space on the ground floor (249 seats) and the proposed private dining/event space in the basement (88 seats), as well as the office uses.

Section 18-524 of the Town Code requires that the minimum number of off-street parking spaces be continually provided and maintained for all principal and accessory uses, and Section 18-247 states all spaces in parking lots shall be provided with bumper guards. Because valet stacking does not create additional striped parking spaces with bumper guards, approval of modifications is required. The requested modification does not reduce the required parking ratio; rather, it allows the applicant to meet the required parking demand through an alternative operational method that is not currently addressed in the zoning ordinance.

Staff discussed with the applicant the provision in Section 18-530 of the Town Code, which allows parking to be provided off-site within 400 feet of the principal structure or use, provided that parking does not conflict with the operation of the property where the spaces are located and that a recorded agreement with the property owner is executed to ensure the continued availability of those spaces. The applicant was not able to provide any off-site parking agreements.

A public parking structure is currently under construction on the adjacent Vienna-Carter Library site. The structure is expected to include approximately 125 spaces reserved for library staff and patrons and 84 spaces designated for general public use. However, these spaces cannot be counted toward meeting the parking requirements for the Bear Branch Tavern property. The parking garage is being constructed in part with funding from the Northern Virginia Transportation Authority (NVTa), which was awarded to support regional transportation objectives, including commuter parking and access to transit. As a result, a portion of the spaces must remain available for those purposes. Because the garage is intended to serve library operations, public parking, and commuter access, the spaces cannot be dedicated to the exclusive use of an adjacent private property through a recorded parking agreement as required by Section

18-530 of the Town Code. Therefore, the parking garage cannot be considered as meeting the restaurant's required off-street parking. Additionally, the garage has not yet been constructed and therefore cannot currently be the subject of a recorded parking agreement.

IV. REQUIRED COMMISSION/BOARD APPROVALS

The process for review and approval or denial of an application for a Modification of Requirements is outlined in Section 18-830 of the Town Code. Applications are first reviewed by Town staff for completeness and compliance with the Zoning Code. Following staff review, the application is transmitted to the Planning Commission for consideration at a regular meeting. The Planning Commission reviews the request, including consistency with the Comprehensive Plan and the integrity of the Town code, and forwards a recommendation to the Town Council.

The Town Council is the final decision-making authority and considers the request at a public hearing, taking into account the Planning Commission recommendation.

Section 18-830 also refers to potential review by the Board of Architectural Review (BAR) if site plan changes are proposed. Because the current request does not involve any physical changes to the building or site, referral to the BAR is not required.

Approval of the Modification of Requirements by Town Council and approval of the final site plan must occur prior to the issuance of any building permits or certificates of occupancy associated with the request.

There is no directed timeline in the Town Code for review of a Modification of Requirements application.