

TOWN OF
VIENNA
since 1890

Modification of Requirements Bear Branch Tavern 133 Maple Avenue East

Town Council Meeting
April 6, 2026

Applicant Request

Request to approve Modifications of Requirements for Bear Branch Tavern, located at 133 Maple Avenue East, to increase the maximum number of seats from 300 to 337.



Background

- 133 Maple Avenue East (Vienna Professional Center) constructed in 1983
- Seven-unit building with basement and front and rear patios
- 103 total parking spaces
- Bear Branch Tavern opened on the first floor in March 2020; is presently the only non-office tenant



Previously Approved Modification of Requirements: PF-40-18-SM

- Modification of Requirements approved in September 2018 allowing Bear Branch Tavern to operate up to 300 seats served by 103 parking spaces; currently operating 249 seats
- Zoning code required 75 spaces for 300 seats, but only 36 parking spaces were available to the restaurant due to the other uses
- Rationale for approval was based on:
 - Restaurant's benefit to the community
 - All office tenants were closed during dinner service, which is when demand for parking spaces was anticipated to be the greatest



Zoning and the Comprehensive Plan

Zoning Districts

- RS-10
- RS-12.5
- RS-16
- RMU
- AC
- AE
- AW
- CS
- GS
- NM
- T
- M
- CP
- PR
- PC

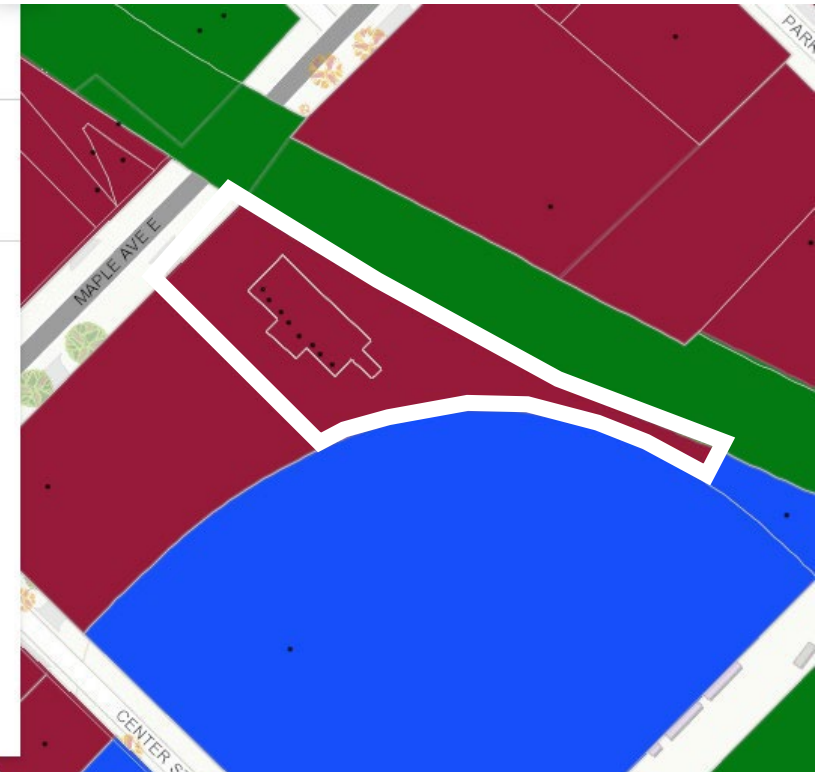


Address Points

Parcels

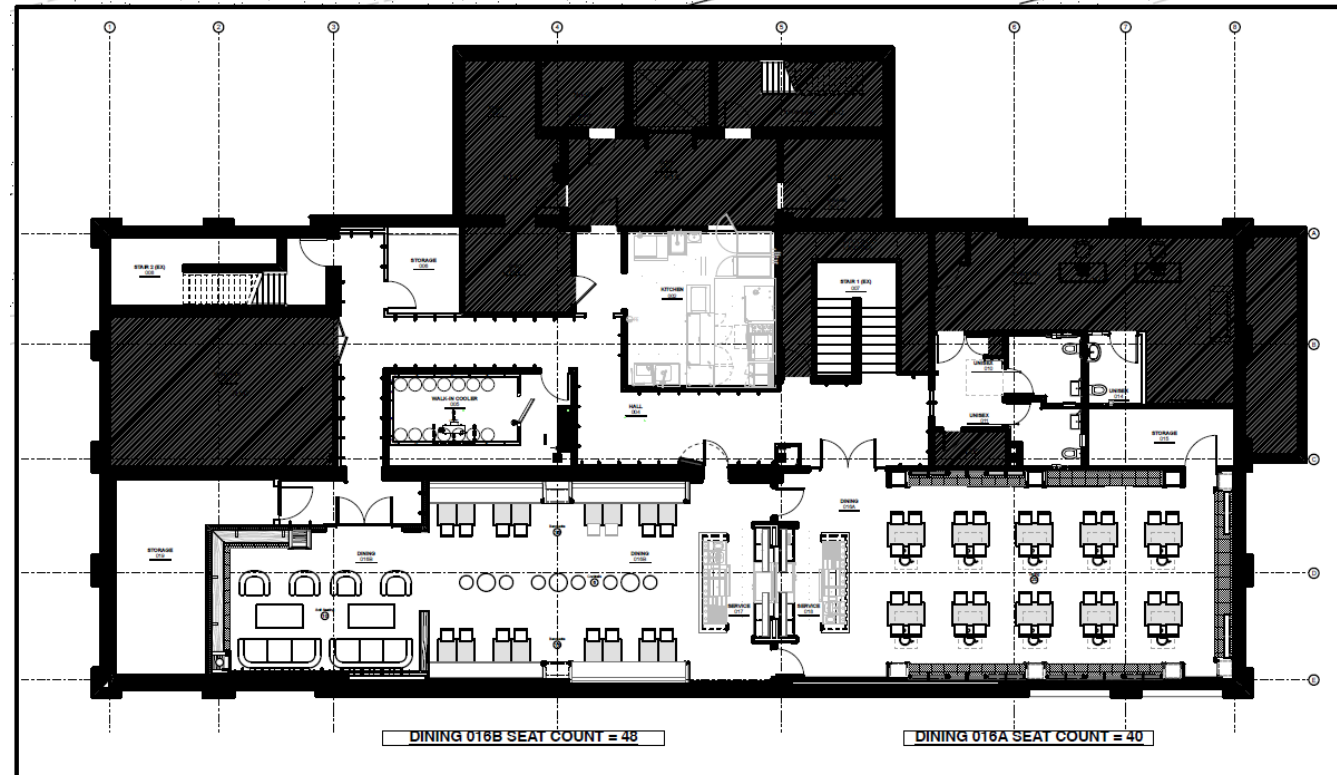
Future Land Use Plan

- Low Density Residential
- Moderate Density Residential
- Mixed Use
- Office
- Industrial
- Employment Center
- Governmental
- Institutional
- Parks, Recreation and Open Space

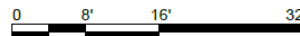


Bear Branch Tavern Private Dining/Events Space

- Proposed 88-seat private dining/event space in basement
- If approved, Bear Branch Tavern would be permitted to have 337 seats
- Net increase of 37 seats over approved 300 seats, requiring an additional 10 parking spaces
- Valet company would operate during private events, parking 11 additional cars at the rear of the parking lot — **114 total parking spaces**
- Proposal supported by Vienna Professional Center Condominium Association

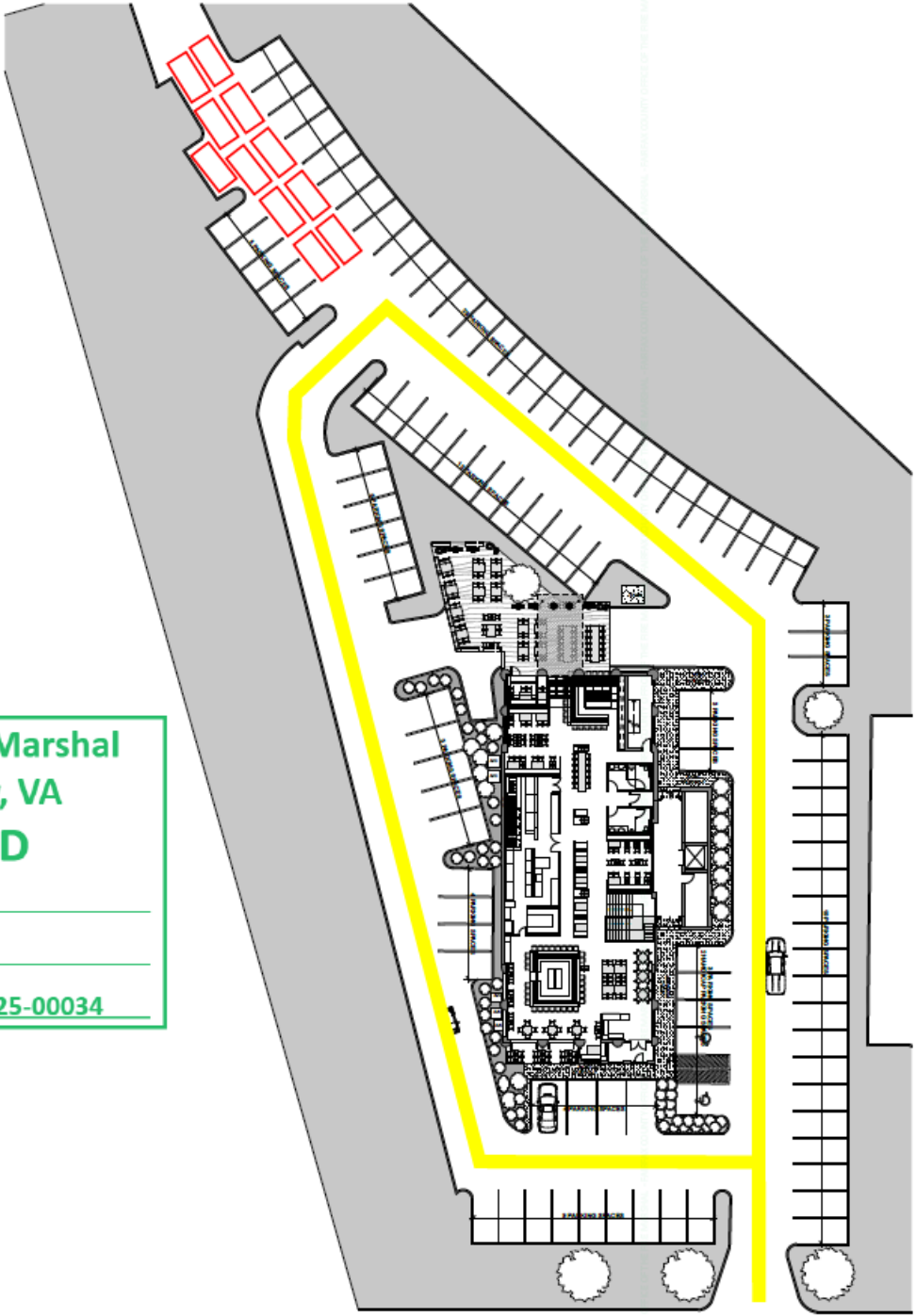




1 ADDITIONAL BASEMENT SEATING
Scale: 1/16" = 1'-0"



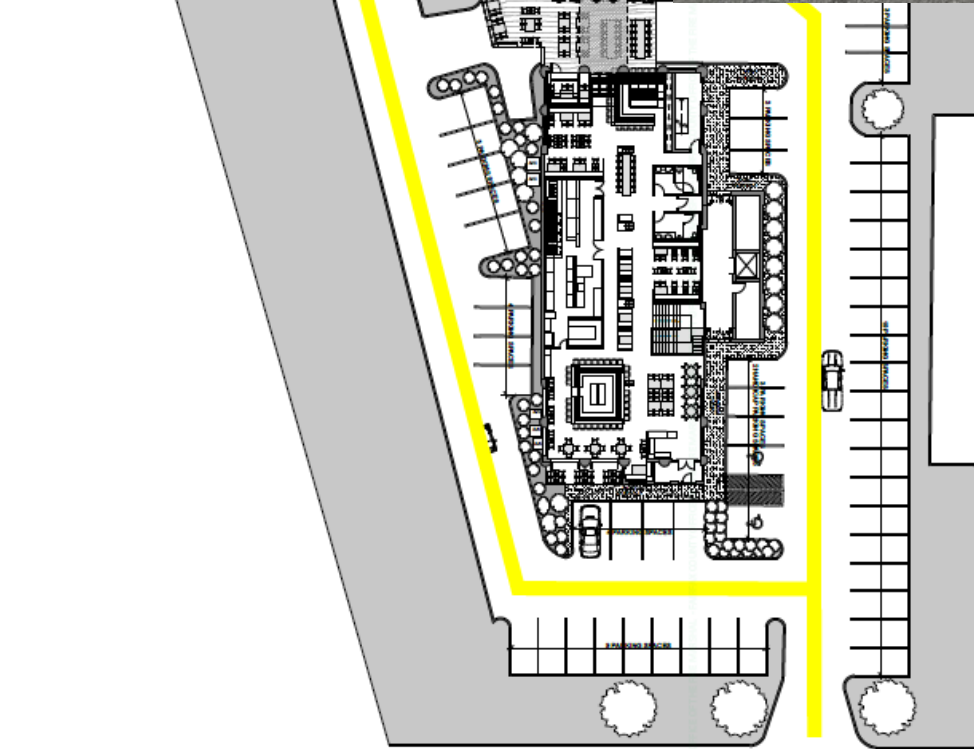
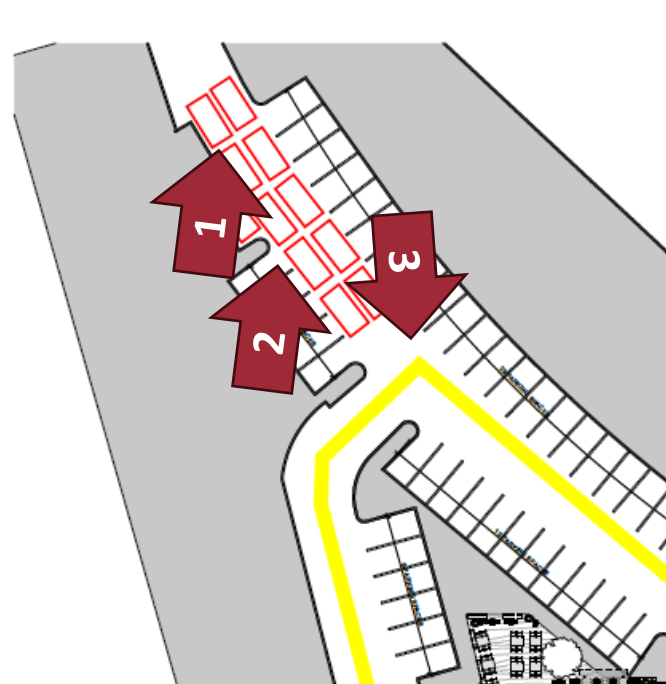
Site Plan

Office of the Fire Marshal
Fairfax County, VA
APPROVED
Date: 7/18/2025
Reviewer: Michael Paruti
Record #: FTWNFR-SITE-2025-00034



-  = FIRE DEPARTMENT ACCESS TO BE KEPT CLEAR AT ALL TIMES
-  = VALET-PARKED VEHICLE





Yellow line = FIRE DEPARTMENT ACCESS TO BE KEPT CLEAR AT ALL TIMES
Red hatched box = VALET-PARKED VEHICLE

Modification of Requirements Process

1. **Purpose.** Applications for modifications of requirements, in which the proposed development cannot be achieved within the requirements of the Zoning Code, must submit a narrative and Major Site Plan demonstrating the requested modifications to any of the following standards:

- A. Setbacks per Article 2.
- B. Lot Area per Article 2.
- C. Lot Coverage per Article 2.
- D. Number of units per Article 2.
- E. Height of an architectural feature per Article 2.
- F. Open space standards per Article 2.
- G. Screening or landscaping standards per [Articles 4B, 5A and 5B](#).
- H. [Parking standards per Articles 4B, 5A and 5B](#).

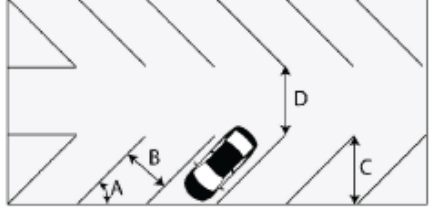
2. **Application and Review Process.**

- A. Requests must be in writing.** Requests for Modifications of Requirements shall be submitted to the Director of Planning and Zoning, accompanied by a written statement including the code sections from which relief is sought and setting forth the reasons therefor.
- B. Completeness and Compliance.** Applications for modifications of requirements are reviewed for completeness and compliance with the Code of Vienna by the Director of Planning and Zoning, the Director of Public Works, the Director of Parks and Recreation, and the Zoning Administrator.
- C. Transmission to Planning Commission.** Once staff review is complete, the application will be transmitted to the Planning Commission for review at a regular meeting. The Planning Commission shall make a recommendation on the application to the Town Council, which shall include reviewing for consistency with the Comprehensive Plan and the integrity of the Town Code.
- D. Final Decision by Town Council.** The application and Planning Commission's recommendation are then transmitted to the Town Council for review and determination at a public hearing. The Town Council's review shall include, but not necessarily be limited to, determining whether the requested modifications would, if approved, be consistent with the Comprehensive Plan and would not impair the integrity of the Town Code.
- E. Notification.** Prior to the Town Council granting or denying any such modification, notification letters by certified mail to adjoining property owners and those abutting across a public street shall be sent not less than five days prior to council's consideration of the request for modification. See also Division 5
- F. Final Approval Required before the Issuance of Other Permits.** Applications for modifications of requirement must be approved by Town Council and the final site plan must be stamped as approved prior to the issuance of building permits or a Certificate of Occupancy.
- G. Referral to Board of Architectural Review.** All site plans, except those for single-unit residential properties, may require referral to the Board of Architectural Review prior to approval. See [§ 18-821](#)



Modification of Requirements – Parking Standards

- Section 18-524: Required parking for all principal and accessory uses must be maintained at all times, consistent with all site plans and permits.
- Section 18-527: All spaces in parking lots shall be provided with bumper guards.
- Section 18-529: Conformance to minimum standard parking spaces and aisle width dimensions for off-street parking spaces.
- Continuation of Section 18-531: Minimum required off-street parking spaces for restaurants is 1 space per 4 seats.

Minimum Standard Parking Spaces and Aisle Width Dimensions				
A. Parking Angle (degrees)	B. Stall Width (in feet)	C. Stall Length (in feet)	D. Aisle Width, One-way/Two-way (in feet)	
0 (parallel)	8	22	16/22	 <p>A - Parking Angle B - Stall Width C - Stall Length D - Aisle Width</p>
45	9	19	16/20	
60	9	20	18/20	
90	9	18	23/23	

March 11 Planning Commission Meeting

- Discussion points:
 - Concern that valet parking would exacerbate problems in the small parking lot
 - Parking lot is currently in high demand during dinner service
 - 103 parking spaces for 337 seats is well under the requirement for restaurant parking
- Voted 5-1 to recommend Town Council approve a modification of requirements to accommodate an increase in restaurant seating from 300 to 337 after 5 pm Monday-Friday and all day Saturday and Sunday
 - Valet parking **was not** included in the Planning Commission's recommendation



Staff Analysis – Applicant’s Request

- No significant concerns about a maximum of 337 seats from either DPZ or DPW
- Small chance adding 88 seats could cause backups on Maple Avenue during dinner service, but the parking lot is located on the opposite side of the road than PM traffic
- Valet service may create a chaotic environment during the end of a busy dinner service



Staff Analysis – Planning Commission Recommendation

- Concurs with restricting private dining operating hours to after 5 pm Mondays-Fridays and all day Saturday and Sunday
- Eliminating valet service may cause enforcement issues with patrons parking in other private lots and with ensuring the private dining space isn't open outside of its hours of operation, but may also reduce congestion in the parking lot
 - Vienna Professional Center Condominium Association did not express concerns with congestion



Options for Town Council

- Approve the applicant's request
- Approve in accordance with the Planning Commission's recommendation
- Approve with modifications
- Deny the applicant's request
- Others as identified by Town Council



Suggested Motions

“I move to close the public hearing.”

AND

Applicant Request:

"I move to **approve** the requested Modification of Requirements for Town Code Sections 18-524, 18-527, 18-529, and 18-531 for Bear Branch Tavern, located at 133 Maple Avenue East (Tax Map Parcels 0384 54 0100 and 0100A), to permit an increase from 300 seats up to a maximum of 337 seats conditioned on providing on-site valet parking that can accommodate up to 11 vehicles in addition to the 103 striped spaces, as shown on the site plan approved by the Fairfax County Fire Marshal, when the basement private dining space is in use."

Or

Planning Commission Recommendation:

"I move to **approve** the Modification of Requirements as recommended by the Planning Commission for Bear Branch Tavern, located at 133 Maple Avenue East (Tax Map Parcels 0384 54 0100 and 0100A), to allow the previously approved parking modification to accommodate an increase in restaurant seating from 300 to 337 seats after 5 pm Monday-Friday and all day Saturday and Sunday."



Suggested Motions

“I move to close the public hearing.”

AND

Potential Alternate Motion:

"I move to **approve** the Modification of Requirements for Town Code Section(s) 18-... for Bear Branch Tavern, located at 133 Maple Avenue East (Tax Map Parcels 0384 54 0100 and 0100A), subject to the following conditions:

(e.g., eliminating valet parking requirement, restricting private dining space hours of operation, reducing maximum number of seats, etc.)”

Or

"I move to **deny** the requested Modification of Requirements for Town Code Sections 18-524, 18-527, 18-529, and 18-531 for Bear Branch Tavern, located at 133 Maple Avenue East (Tax Map Parcels 0384 54 0100 and 0100A), to permit an increase from 300 seats up to a maximum of 337 seats conditioned on providing on-site valet parking that can accommodate up to 11 vehicles in addition to the 103 striped spaces, as shown on the site plan approved by the Fairfax County Fire Marshal, when the basement private dining space is in use."

Or

Other action as deemed necessary by Council.

