



STAFF REPORT COVER SHEET

April 6, 2026

ATTACHMENT 01

Address:	133 Maple Avenue E	Case Number:	PF-1975201-SP
Meeting Date:	4/6/2026	Applicant:	Evan Pritchard, Wire Gill LLP
Board/Commission:	Town Council	Owners:	Speakeasy Real Estate Holdings LLC
Existing Zoning:	AC/RMU	Existing Land Use:	Mixed-Use
Brief Summary of Request:	Request for modifications of site plan requirements for Bear Branch Tavern, located at 133 Maple Avenue E, to increase the maximum number of seats from 300 to 337.		
Site Improvements:	The site consists of a three-story (plus basement), seven-unit commercial condominium building constructed in 1983, with patios both in the front and back of the building. There are 103 on-site parking spaces.		
Size of Property:	59,472 square feet (1.37 acres)		
Public Notice Requirements:	<p>This item requires a public hearing. 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 §18.849 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 case number PF-40-18-SM, to operate up to 300 seats served by all 103 parking spaces. The two rationales for approval were 1) the restaurant’s benefit to the community; and 2) that the restaurant’s owners anticipated that 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. 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 proposed 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 events using the private dining room. 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:	<p>01 – Staff Report</p> <p>02 – Application and Authorization Form</p> <p>03 – Proposed Site Plan Approved by Fire Marshal’s Office</p> <p>04 – Letter of Request for Modification of Requirement</p> <p>05 – Certificate of Occupancy Issued 2/28/2020</p> <p>06 – Staff Report from September 17, 2018, Town Council Meeting</p>	<p>07 – Letter from Valet Parking LLC</p> <p>08 – Support Letter from Vienna Professional Center Condominium Association</p> <p>09 – Planning Commission Chair Memo to Town Council</p> <p>10 – Relevant Regulations</p> <p>11 – Presentation</p>
Author:	Lyndsey Clouatre, Principal Planner	

I. BACKGROUND

Bear Branch Tavern occupies the entire first floor of the Vienna Professional Center, a three-story commercial building constructed in 1983 and consisting of 19,900 square feet of net floor area across seven above-ground condominium 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 by Maple Avenue and the retail properties on the other side of Maple Avenue.

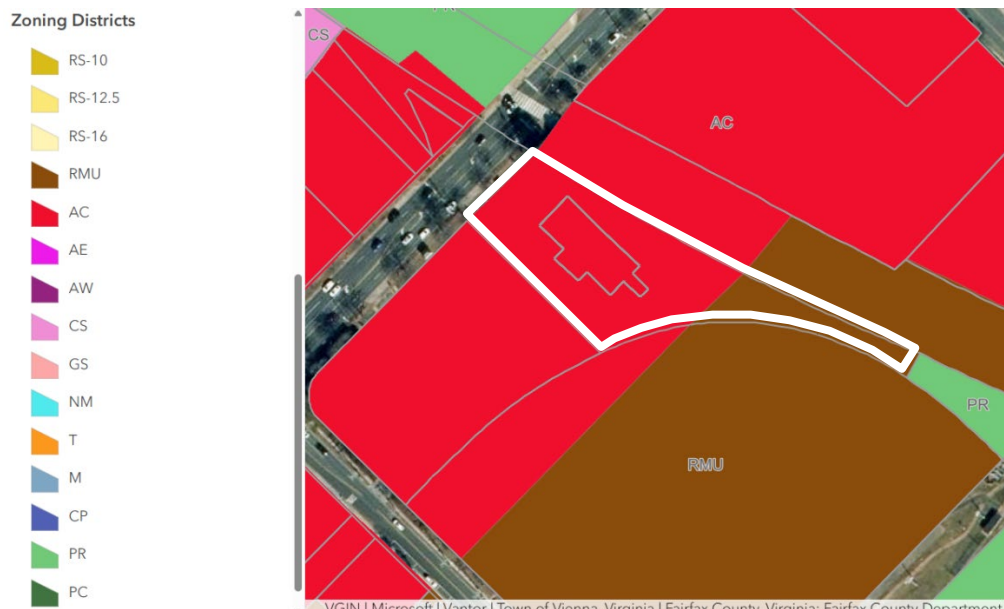


Figure 1 – Town of Vienna Zoning map with the subject property outlined in white.

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.

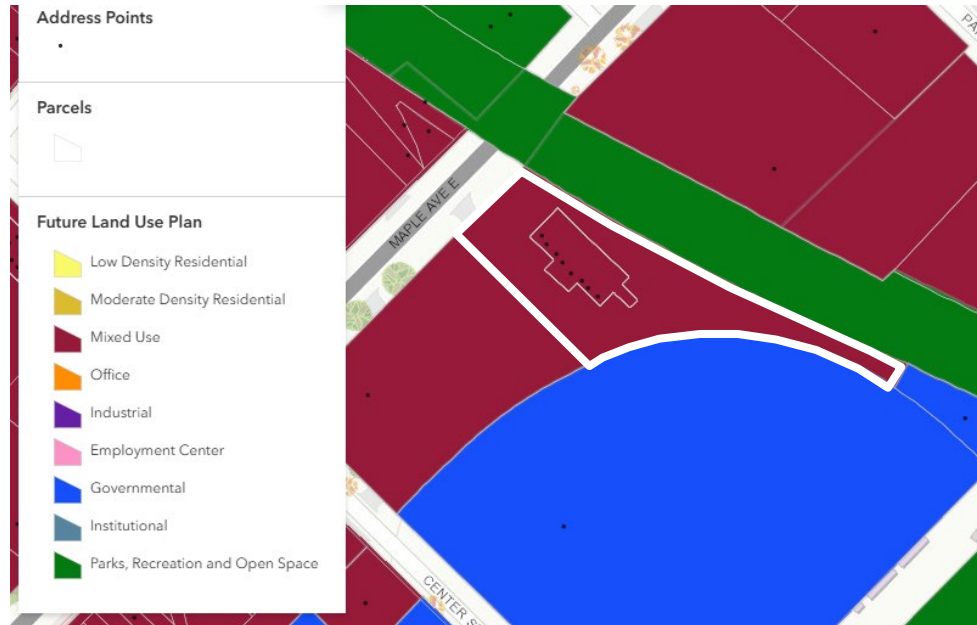


Figure 2 – Town of Vienna Future Land Use Map with the subject property outlined in white.

II. HISTORY AND PROPOSAL

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 current shared parking approval, which is a modification from Section 18-531 of the Zoning Ordinance, allowing 114 vehicles to be parked on site in order to accommodate 337 seats between the restaurant space on the ground floor (249 seats) and the proposed private dining space in the basement (88 seats), as well as the office uses. As the restaurant is approved to have up to 300 seats, the proposal represents a net increase of 37 seats. The Vienna Professional Center Condominium Association submitted a letter of support for the application, which is included as Attachment 08.

To accommodate the proposed 11 parking spaces, the applicant would implement valet parking system on-site, managed by Valet Parking LLC, that would allow vehicles to be stacked at the rear of the existing parking lot during special events. 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.

Under the Town's parking standard of one space per four seats, a net increase of 37 seats would require 10 additional parking spaces, which is not possible in the lot's current configuration or within the property's footprint. To implement valet parking, the applicant would need a modification of the requirement under Section 18-524, which requires that the minimum number of off-street parking spaces be continually provided and maintained for all principal and accessory

uses. Because valet stacking does not create additional striped parking spaces with bumper guards, approval of modifications is also necessary for Section 18-527 (requirement for bumper guards) and Section 18-529 (dimensional standards for parking spaces and aisles). The requested modifications do not reduce the required parking ratio; rather, they allow the applicant to meet the required parking demand through an alternative operational method that is not currently addressed in the zoning ordinance.

If the restaurant were the only use on that site, the seating expansion as proposed by the applicant would not require a modification of requirements. The 103 parking spaces, per the requirement of one space per four seats as set forth in Section 18-531, would serve a restaurant with up to 412 seats. However, the site also needs to accommodate parking for the office uses on the upper floors of the building, which was the reason that the restaurant needed the original modification of requirements and relied on the concept that the restaurant would be able to use all 103 parking spaces in the shared parking lot.

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 1) parking does not conflict with the operation of the property where the spaces are located and 2) that a recorded agreement with the property owner is executed to ensure the continued availability of those spaces. The applicant was not able to secure any off-site parking agreements and proceeded to contract with the valet service to provide all required parking on site.

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 Town-sponsored spaces designated for general public use. However, none of these spaces may be counted toward meeting the regulatory parking requirements for the Bear Branch Tavern property. The library spaces are clearly designated for library use. The Town-sponsored spaces are being made available to the general public should not be designated for use for any specific business as no business has the authority to ensure that the spaces are available for its use. In addition, the Town-sponsored spaces are being constructed in part with funding from the Northern Virginia Transportation Authority (NVTA), whose resources were 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, especially during the morning hours.

As a result of the site being unable to accommodate additional on-site parking spaces and the applicant not securing additional parking on nearby parcels, the only option for providing additional parking is through a creative approach to parking operations. On-site valet service is the applicant's proposed approach.

III. 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.

IV. PLANNING COMMISSION RECOMMENDATION

The Planning Commission met on March 11, 2026, to discuss the application and provide their recommendation to Town Council. During the meeting, the Planning Commission discussed several concerns regarding the application as proposed. Implementing valet parking, in particular, was an area of concern for the Commissioners. Though the applicant's intention is to add more on-site parking in an efficient manner, the consensus amongst the Commissioners was that valet parking had the potential to introduce new challenges with constricting circulation and hampering vehicles from entering and exiting an already busy parking lot, particularly as the location identified for valet parking would impact approximately 14 of the lot's 103 striped parking spaces. Commissioners also discussed the existing shared parking arrangement, noting the demand for the private dining space would likely be limited to evenings when the other current tenants at the Vienna Professional Center were closed and that, per the parking requirements set forth for restaurants in Section 18-531, the parking lot has more than enough capacity to serve 337 seats. However, despite only having 249 seats at present, the Planning Commissioners discussed how on-site parking is already heavily utilized, with all parking spaces frequently occupied during the peak of dinner service; and they expressed concerns with the lot's ability to handle additional vehicles in its current configuration.

The Planning Commission ultimately voted 5-1, with Commissioner Noble voting nay and Commissioner Miller absent, to recommend Town Council approve a modification of requirements to amend the previously approved modification of requirements to accommodate an increase in restaurant seating from 300 to 337 seats after 5 pm Monday through Friday, and all day Saturday and Sunday. By limiting the private dining space's hours of operation to evenings and weekends, the Planning Commissioners noted that the restaurant would be the only current tenant in the Vienna Professional Center open for business, effectively allowing them full use of all 103 parking spaces, which can accommodate up to 412 seats per Section 18-531. The Planning Commissioners opted not to recommend a modification that includes the proposed valet parking spots, as they were concerned that challenges presented by adding valet parking in an already constrained parking lot may have the potential to worsen current conditions.

V. STAFF ANALYSIS

Neither Planning and Zoning nor Public Works staff have significant concerns about the applicant's proposal to increase the maximum number of seats from 300 to 337. While increased seating occupancy would increase demand on the parking lot, there are more than enough parking spots

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to serve 337 seats when the other tenants at the Vienna Professional Center are closed per the requirements set forth in Town Code. Although Public Works staff believe that adding 88 more seats (above the currently deployed 249 seats) may have the potential to create queueing issues spilling onto Maple Avenue, this is not a major concern. The restaurant is located on the eastbound side of Maple Avenue, which is in the opposite direction of peak PM traffic, so any queueing on Maple Avenue is unlikely to impact the predominant flow of traffic. Public Works staff, however, expressed concerns that the valet service may negatively impact circulation within the parking lot, particularly during the end of a busy dinner service when many patrons are trying to exit the lot at the same time. Patrons finding alternative off-site parking rather than waiting for valet service, Public Works staff noted, would be more likely to alleviate constraints on the parking lot. These concerns are based on Public Works staff's current observations and opinions on the impact of the applicant's proposal rather than a detailed traffic data analysis, which is not a required element of the application.

The Planning Commission's recommendation retained the requested increase in seats to 337 but included a recommendation for the private dining space to only be available after 5 pm Mondays through Fridays and all day Saturdays and Sundays. However, the Commission recommended not requiring a valet parking service. The elimination of valet parking may mitigate Public Works staff's concerns addressed above but may have the potential to pose an enforcement concern. Patrons, unable to easily find a parking space on-site, may choose to park in another business' lot while they are dining at the restaurant. Should the Town Council choose to include the hours of operation for the private dining space recommended by the Planning Commission, it would not be apparent to Zoning Enforcement staff were the restaurant to operate the event space outside of the allowable times, thus impacting parking for the other tenants in the building.

Town Council may also choose to deny the application. Under the current modification of requirements, the applicant already has the option of increasing the number of seats by up to 51 seats, serving a total of 300 patrons. Given existing constraints on parking, the Town Council may decide that additional strain on the parking lot above the currently allowed 300 seats would be insurmountable for the parking lot, creating queueing issues and increasing the likelihood for collisions in the parking lot, as well as causing parking spillover into other private lots. Increasing the demand on parking also has the potential to create queueing issues and traffic backups on Maple Avenue, though as Public Works staff noted, the likelihood of this is believed to be small. Further, the recommendation as presented by the Planning Commission presumes that the restaurant will be the only Vienna Professional Center tenant open during evenings and weekends for the foreseeable future. In the event that another tenant opens with evening and/or weekend hours, they may find that there is insufficient parking for their own patrons.