



Charleston Board of Zoning Appeals

AGENDA

8:30 a.m., Thursday, June 25, 2020

Join via internet at: <https://us02web.zoom.us/j/89344326156?pwd=ZDdmaG5NzNSdYreDdHVfZBcCFUQT09>

Or call: 312-626-6799 or 929-436-2866 or 346-248-7799

Webinar ID: 893 4432 6156

Password: 105471

I. Items for Review

CUP-19-0199

--continued from previous hearings--

Application of Kevin Sloane requesting a conditional use permit in order to operate a bar and live music venue on the property located at **706 Lee Street**.

CUP-20-0204

Application of Keeley Steele on behalf of Starlings Coffee and Provisions for the expansion of a conditional use permit in order to serve liquor at the restaurant located at **1599-A Washington Street, East**.

CUP-20-0205

Application of Aaron Clark for a conditional use permit in order to operate a restaurant serving alcoholic beverages on the property located at **1010 Bridge Road**.

II. Approval of minutes for the May 28, 2020 hearing.



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

CUP-19-0199—Application of Kevin Sloane requesting a conditional use permit in order to operate a bar and live music venue on the property located at **706 Lee Street**.

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

Hearing Details

WHEN: 8:30 a.m.
Thursday, June 25, 2020

WHERE: Join via internet at:
<https://us02web.zoom.us/j/89344326156?pwd=ZDdmaG5NzNSdIYreDdHVFZBcCFUQT09>
Or call: 312-626-6799 or 929-436-2866 or 346-248-7799
Webinar ID: 893 4432 6156
Password: 105471

Public Participation

Anyone who wishes to comment on the case described above is encouraged to do so in one of the following ways:

1. Send a written statement to lori.brannon@cityofcharleston.org. These statements will become a part of the record and will be shared with members of the Board prior to the hearing.
2. Speak directly to the Board by joining the meeting via Zoom using the details listed above. ***Please provide your name and the phone number or e-mail address you'll be using to join the hearing to lori.brannon@cityofcharleston.org by 5 pm on Tuesday, June 23, 2020.***

As a matter of general policy these proceedings will not be transcribed by the Board. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.



PUBLIC HEARING NOTICE

.....
Notice is hereby given that the City of Charleston's Board of Zoning Appeals will hold a public hearing:

TIME: 8:30 a.m.

DATE: Thursday, January 9, 2020

PLACE: City Service Center Conference Room
Ground Floor of City Parking Garage (915 Quarrier Street)

CASE DESCRIPTION
CUP-19-0199 —Application of Kevin Sloane requesting a conditional use permit in order to operate a bar and live music venue on the property located at 706 Lee Street, East .

The file (including the application, site plan and written statements submitted by interested parties) is available for your inspection in the City Planning Department office, City Service Center, 915 Quarrier Street, Suite 1. For more information, please call (304) 348-8105 or visit the office.

Public testimony for and against will be taken at the public hearing. Persons wishing to favor or object to the case described above may do so by personal appearance or representative at the hearing, or by written statement submitted to the Planning Department prior to the public hearing date listed above. Statements may be submitted to the physical address above or emailed to lori.brannon@cityofcharleston.org.

As a matter of general policy these proceedings will not be transcribed by the Board. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.

Sincerely,

Lori Armstead Brannon
Planner

Board of Zoning Appeals

Application for Conditional Use Permit

CU # WP-19-0199

Hearing Date: 1/9/20

Applicant Information	Property Information
Name: <u>Kern Sloan</u>	Address: <u>706 Lee St.</u>
Address: <u>1527 Oak Fork Rd.</u>	Tax Map and Parcel: <u>EL9 86</u>
Phone: <u>304-610-7105</u>	Zoning District: <u>CBD</u>
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant) <u>Keith Combs</u> <u>(Berk Holdings)</u> <u>2574 15th Ave.</u> <u>Huntingford, W. Va. 25703</u>

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 615 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a site plan drawn to scale; 2) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the variance is being sought; 3) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation, which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information. Will be Live music venue
for 25 yrs old & up... start early 8pm & live music over 10p-10:30pm
at street old crowd... Blues & jazz m. security on site.
Tolerance of aggressive behavior in finger foods on site
seating 100-150

Applicable Section(s) of the Zoning Ordinance Sec 3-050 Sec 3-060(s2)

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? _____

Please describe any proposed work to be done on the property. Cleaning & painting
no redesigns,

If your request for a conditional use permit is granted, how will others in the area be affected? creation of local jobs, city - B&O taxes generated.

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? will not decrease value of others for congestion of public streets

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? YES.

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.
Kevin P. Sloan Signature 10/11/19 Date

Planning Department Use Only	
The following is a list of related cases:	
The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:	
Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	
Date	

October 29th, 2019

This letter is being submitted for the conditional use permit application; Release of information and waiver of confidentiality of records.

To whom it may concern,

My name is Kevin J. Sloan. I have formed the Sloan L.L.C. . My vision is to open a live music venue located at 706 lees Street east, Charleston W.Va. Tax map and parcel number EC9 86, and zoning district C.B.D.

This venue will be for Jazz and blues type of Music. Entertaining a more mature crowd, 25 yrs. Old and up. The name of the club will be 360. To attract an older / mature crowd our venue will open early, and music will start at 8:00 p.m. There will be a zero tolerance of rude or unruly behavior. Any person that is not in respect of other patrons or staff, will be asked to leave, and escorted off the property by security staff. The head of the security staff will be sent to law enforcement school. We will work with the city and the local police dept. to obtain ideas for keeping a safe environment. My vision is that, the city of Charleston needs a venue that can cater to an older/ mature crowd... in the downtown area. The 360 club can offer a cultural experience at early evening hours of operation.

There will be food sources available at the venue... finger foods such as Chicken or Steak kabobs. Along with other finger foods. We will also serve alcohol beverages, along with wine and beer sales.

Customers of "360 the Experience "will also be treated with a venue that has many seating options, multiple v.i.p. areas... along with common club seating... The seating, the sounds, and the spectrum of light show... will hopefully fill the senses of all patrons of "360 the Experience".

The staff of the venue wants all patrons to feel that they are in a safe and secure area... all patrons upon entry will be searched by physical and electronic means. Dress codes will be enforced at all times. This dress code will be adhered to, in order to gain access to entry of the venue.

The club "360 the experience "will target a working class of clientele, by offering monthly specials to Specific job classifications.

The venue will be used to help raise money for non- profit organizations. One idea is to fund a jazz series / concert at Davis Park. Have food donations to help fill food banks in the city. To sponsor a weekly meal for E.M.S. 1st responders at no cost for admittance.

In closing, I look forward to meeting staff / council and the city representatives to discuss the vision of "360 the Experience "thank you for your time.

Sincerely,

Kevin J. Sloan

Mens Room

Womens
room

Stage

Security

Security

19905	
-------	--

table	
-------	--

Table	
-------	--

table	
-------	--

Booth
Leahy

7/19/08

Beach

1/9/84

Book

table	
-------	--

Beeth

Security

Sunday

~~V-2P~~
ACEA

VIP
Area

front door 16

16

(west)

(East)



**STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION**

900 Pennsylvania Ave., 4th Floor
Charleston, West Virginia 25302

FREDRIC L. WOOTON
COMMISSIONER

DAVE HARDY
CABINET SECRETARY

December 23, 2019

VIA EMAIL

Lori Armstead Brannon
City of Charleston
Planning Department
915 Quarrier Street, Suite 1
Charleston, WV 25301

Re: FOIA Request

Dear Ms. Brannon:

This letter is in response to your FOIA request received by the WVABCA on December 19, 2019.

WVABCA staff have advised me that the person noted in your letter, Kevin J. Sloane, has no pending WVABCA license application and there is no record of this individual in the WVABCA system.

If this individual is applying for a Conditional Use Permit, please direct him to make an application to the WVABCA for a license.

If you need further assistance, please contact me at (304) 356-5507.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fredric L. Wooton".

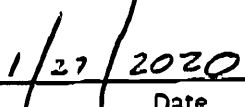
Fredric L. Wooton
Commissioner

To: The City of Charleston Representatives

I, Vicente Cruz, hereby agree that my restaurants located at 812 Kanawha Blvd, Charleston, WV and 212 Hale Street, Charleston, WV will be available as referred kitchens for The 360 Experience, located at 710 Lee Street, Charleston, WV for food ordered from my menus.



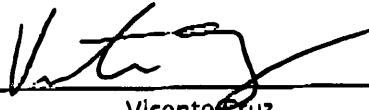
Vicente Cruz



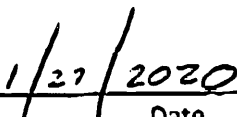
Date

To: The City of Charleston Representatives

I, Vicente Cruz, hereby agree that my restaurants located at 812 Kanawha Blvd, Charleston, WV and 212 Hale Street, Charleston, WV will be available as referred kitchens for The 360 Experience, located at 710 Lee Street, Charleston, WV for food ordered from my menus.



Vicente Cruz



Date



**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

CUP-20-0204 —Application of Keeley Steele on behalf of Starlings Coffee and Provisions for the expansion of a conditional use permit in order to serve liquor at the restaurant located at **1599-A Washington Street, East.**

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

Hearing Details

WHEN: 8:30 a.m.
Thursday, June 25, 2020

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Or call: 312-626-6799 or 929-436-2866 or 346-248-7799
Webinar ID: 893 4432 6156
Password: 105471

Public Participation

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1. Send a written statement to lori.brannon@cityofcharleston.org. These statements will become a part of the record and will be shared with members of the Board prior to the hearing.
2. Speak directly to the Board by joining the meeting via Zoom using the details listed above. ***Please provide your name and the phone number or e-mail address you'll be using to join the hearing to lori.brannon@cityofcharleston.org by 5 pm on Tuesday, June 23, 2020.***

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Board of Zoning Appeals

Application for Conditional Use Permit

CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: <u>Keeley Steele</u>	Address: <u>1599A</u> 1400 <u>WASHINGTON ST. EAST</u>
Address: <u>1600 1/2 WASH. ST EAST</u>	Tax Map and Parcel:
Phone: <u>304. 437. 3622</u>	Zoning District:
Agent Name, Address and Phone Number: (if other than applicant)	Property Owner and Mailing Address: (if other than applicant) <u>Keeley Steele</u> <u>1600 1/2 WASH. ST EAST. 2531</u>

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a site plan drawn to scale; 2) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the variance is being sought; 3) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation, which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information.

EXPANDED ALCOHOL SERVICE TO INCLUDE
LIQUOR. HOURS WILL BE EXTENDED TO
OCCASIONALLY GO TO MIDNIGHT. NORMAL
HOURS M-F 7AM-2 w/ DINNER 3-11pm

Applicable Section(s) of the Zoning Ordinance _____

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? Yes

Please describe any proposed work to be done on the property. EXPANDED OUT DOOR SEATING & COVERING OVER EXISTING PATIO

If your request for a conditional use permit is granted, how will others in the area be affected? NO ONE WILL BE IMPACTED NEGATIVELY. NEIGHBORS WILL HAVE ANOTHER OPTION FOR OUTDOOR EVENING SERVICE

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? NO. WE HAVE OFF STREET PARKING

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? yes

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.

[Signature] _____ Date 5.20.20

Planning Department Use Only
The following is a list of related cases:

The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:

Application reviewed by:

Action: ☐ Approved ☐ Rejected

If approved, were there any specific conditions or limitations imposed by the BZA?

Planning Official Signature and Title

Date





**STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION**

**900 Pennsylvania Ave., 4th Floor
Charleston, West Virginia 25302**

**FREDRIC L. WOOTON
COMMISSIONER**

**DAVE HARDY
CABINET SECRETARY**

June 10, 2020

VIA EMAIL

Lori Armstead Brannon
City of Charleston
Planning Department
915 Quarrier Street, Suite 1
Charleston, WV 25301

Re: FOIA Request

Dear Ms. Brannon:

This letter is in response to your FOIA request received by the WVABCA on June 8, 2020.

WVABCA staff have advised me of the following:

Aaron Clark is listed as a 50% owner on 1 pending license with the WVABCA. His co-owner, Paul Smith, has active licenses with the WVABCA, but no information was requested for Mr. Smith. The applicant is listed as: C & S Hospitality LLC d/b/a 1010 Bridge Restaurant.

Keeley Steele has no pending applications but is currently 100% owner on 3 active licenses with the WVABCA. The licensee's are listed as:

Bluegrass, LLC d/b/a Tricky Fish
20-A-212-011816 – 1 Violation WVABCA Docket No. 2014-0599 – Underage Sale
Bluegrass, LLC d/b/a Bluegrass Kitchen
20-A-212-10280 – No Violations History
Bluegrass, LLC d/b/a Starlings
20-A-021-015042 – No Violations History

If you need further assistance, please contact me at (304) 356-5507.

Sincerely,

Anoop Bhasin
General Counsel

EFFECTIVE DATES:

July 01, 2019 - June 30, 2020

2019 - 2020

LICENSE NUMBER

20-A-212-010280

ON PREMISES

West Virginia Alcohol Beverage Control Commissioner
Pursuant to the authority vested in the Commissioner by
CHAPTER 60, ARTICLE 7
CHAPTER 11, ARTICLE 16

a license is granted in the name and for the place of business set forth below:

LICENSE TO ENGAGE IN THE BUSINESS OF A

PRIVATE CLUB

**LICENSE TO OPERATE A PRIVATE CLUB. ALCOHOLIC LIQUOR AND NONINTOXICATING
BEER SALES PERMITTED**

Services Provided:

Growler

**BLUEGRASS, LLC
BLUEGRASS KITCHEN
1600 WASHINGTON STREET EAST
CHARLESTON, WV 25311**

Physical Address:
1600 WASHINGTON ST EAST
CHARLESTON, WV 25311

Given under my hand on
Wednesday, July 10, 2019


Commissioner

Notice: This license is issued only to the Licensee named above for use as specified, and cannot be abandoned, loaned, rented, or leased, and is not assignable or transferable.

IT MUST BE RETURNED UPON SALE OR CLOSURE OF THE BUSINESS

VALID ONLY IF IMPRESSION SEAL IS PRESENT



20A212010280

Post in a **CONSPICUOUS** place at the location for which issued.

EFFECTIVE DATES:

July 01, 2019 - June 30, 2020

2019 - 2020

LICENSE NUMBER

20-A-212-011816

ON PREMISES

West Virginia Alcohol Beverage Control Commissioner
Pursuant to the authority vested in the Commissioner by
CHAPTER 60, ARTICLE 7
CHAPTER 11, ARTICLE 16

a license is granted in the name and for the place of business set forth below:

LICENSE TO ENGAGE IN THE BUSINESS OF A

PRIVATE CLUB

**LICENSE TO OPERATE A PRIVATE CLUB. ALCOHOLIC LIQUOR AND NONINTOXICATING
BEER SALES PERMITTED**

**BLUEGRASS, LLC
TRICKY FISH
1611 WASHINGTON STREET, EAST
CHARLESTON, WV 25311**

Physical Address:
1611 WASHINGTON STREET, E
CHARLESTON, WV 25311

Given under my hand on
Wednesday, July 10, 2019


Commissioner

Notice: This license is issued only to the Licensee named above for use as specified, and cannot be abandoned, loaned, rented, or leased, and is not assignable or transferable.

IT MUST BE RETURNED UPON SALE OR CLOSURE OF THE BUSINESS

VALID ONLY IF IMPRESSION SEAL IS PRESENT



20A212011816

Post in a **CONSPICUOUS** place at the location for which issued.

EFFECTIVE DATES:

July 01, 2019 - June 30, 2020

2019 - 2020

LICENSE NUMBER

20-A-021-015042

ON PREMISES

West Virginia Alcohol Beverage Control Commissioner
Pursuant to the authority vested in the Commissioner by
CHAPTER 60, ARTICLE 8
CHAPTER 11, ARTICLE 16

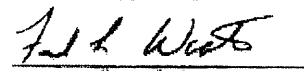
a license is granted in the name and for the place of business set forth below:

**LICENSE TO ENGAGE IN THE BUSINESS OF A
PRIVATE WINE RESTAURANT
LICENSE TO OPERATE A PRIVATE WINE RESTAURANT. NONINTOXICATING BEER SALES
PERMITTED.**

**BLUEGRASS, LLC
STARLINGS
1600 WASHINGTON ST EAST
CHARLESTON, WV 25311**

Physical Address:
1599A WASHINGTON ST EAST
CHARLESTON, WV 25311

Given under my hand on
Wednesday, July 10, 2019


Commissioner

Notice: This license is issued only to the Licensee named above for use as specified, and cannot be abandoned, loaned, rented, or leased, and is not assignable or transferable.

IT MUST BE RETURNED UPON SALE OR CLOSURE OF THE BUSINESS

VALID ONLY IF IMPRESSION SEAL IS PRESENT



20A021015042

Post in a **CONSPICUOUS** place at the location for which issued.



STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION

900 Pennsylvania Ave., 4th Floor
Charleston, West Virginia 25302

EARL RAY TOMBLIN
GOVERNOR

RONALD M. MOATS
COMMISSIONER

ROBERT S. KISS
CABINET SECRETARY

March 31, 2014

BLUEGRASS, LLC
D/B/A/TRICKY FISH
1611 WASHINGTON STREET, E
CHARLESTON, WV 25311

LICENSE NO: 20-A-212-011816

DOCKET NO: 20140599

Dear Licensee:

A complaint has been initiated by the West Virginia ABC Commission to the Alcohol Beverage Control Commissioner that you, said licensee, did allegedly violate the following WV Code and/or Department of Revenue Rules and Regulations:

On or about: 03/21/2014

60-7-12(a)(3): It shall be unlawful for any licensee, or agent, employee or member thereof, on such licensee's premises to sell, give away, or permit the sale of, gift to, or the procurement of any nonintoxicating beer, wine or alcoholic liquors for or to, or permit the consumption of nonintoxicating beer, wine or alcoholic liquors on the licensee's premises, by any person less than twenty-one years of age.

175-2-5.1.1.c: Sell, give away or permit the sale of, gift to, consumption of or the procurement of any alcoholic liquors or nonintoxicating beer, for any person under the age of twenty-one (21) years, any mental incompetent, or person who is visibly physically incapacitated due to the consumption of alcoholic liquor or nonintoxicating beer, or the use of any controlled substance as specified in W.Va. Code 60A-1-1 et seq.

60-7-12(a)(11): It is unlawful for any licensee, or agent employee or member thereof, on such licensee's premises to violate any reasonable rule of the commissioner.

A citation was issued to one or more of your employees at the above listed establishment by a Law Enforcement Officer. This letter will act as a **WARNING** regarding the above stated violation(s). Sometime in the near future the Alcohol Beverage

304) 356-5500

"AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER"

FAX (304) 558-0081

<http://www.abca.wv.gov>

TRICKY FISH

PAGE 2

Control Administration may perform a compliance check to see if you are conforming to the WV Code and/or Department of Revenue Rules and Regulations. Future violations could result in sanctions being placed against your license.

All seized funds will be forfeited to the State of West Virginia and all seized evidence will be destroyed in accordance with applicable law.

If you have any questions concerning this letter, please contact Linda Jones at 356-5500 or 1-800-642-8208.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald M. Moats", with a stylized flourish at the end.

Ronald M. Moats
Commissioner

RMM/dp

West Virginia Alcohol Beverage Control Administration Administrative Citation

Incident Date: 03/21/2014 19:45 **Report Date:** 03/26/2014 19:45
Reporting Agent or Inspector: Heather Moore (75) **Assisting Agent(s) or Inspector(s):** Harold Miles

License #: 20-A-212-011816 **County:** Kanawha
Entity: BLUEGRASS, LLC
DBA: TRICKY FISH
Physical Address: 1611 WASHINGTON STREET, E CHARLESTON, WV 25311
Mailing Address: 1611 WASHINGTON STREET, EAST CHARLESTON, WV 25311
Business Phone: (304) 344-3474 **Manager's Phone:**

Administrative Citation: 10790 **Uniform Citation:** 100-1824510
Law Enforcement Agency: WVSP
Alleged Violation Code(s) Committed; Counts and Legislative Rule(s):
U-001 60-7-12(a)(3) Sell, Give, Permit consumption
U-103 175-2-5.1.1.c Sell, Give, Permit
60-7-12(a)(11) Violate Rule/regulation

Narrative:

While conducting compliance checks in Kanawha co on 3-21-14, 1st Sgt Finley and I entered the above location with an underage operative at approx.. 745pm. We entered thru the back entrance where the bar is located and the underage and I approached the bar. A black female, Robin, took our drink orders. The underage ordered a Bud Light bottle and I ordered one Bud Light and one Coors Light beer. Robin did check the underage's valid ID and went to get the beer. Robin handed the underage the Bud Light beer and the underage paid Robin \$2.49 for the beer. I paid for mine & 1st Sgt Finley's beer and we sat at a nearby table. I text Agent Miles the information on the sale. At approx. 8:02pm we exited the establishment and returned to the vehicle where Agent Miles was waiting with Cpl Richardson. Agent Miles and Cpl Richardson returned to the establishment to notify the owner and Robin of the sale. Agent Miles spoke to the owner and Cpl Richardson issues Robin a citation.

Evidence/Exhibits From Establishment:

Copy of Compliance Check Form
Copy of Citation # 100-1824510
Copy of Underage's ID
Picture of Underage taken on 3-21-14
Underage's statement

Statements Obtained:

Underage operative

To Be Subpoenaed:

Name: Heather Moore
Address: WVABCA N/A
Phone: 3043565500 **DOB:** N/A **Sex:** N/A **Race:** N/A
Height: N/A **Weight:** N/A **Hair:** N/A **Eyes:** N/A

Can Testify Concerning:

witnessing buy

Name: 1st Sgt Finley
Address: WVSP - So Charleston N/A
Phone: N/A **DOB:** N/A **Sex:** N/A **Race:** N/A
Height: N/A **Weight:** N/A **Hair:** N/A **Eyes:** N/A

Can Testify Concerning:

Witnessing buy

Name:

Address: c/o WVABCA N/A

Phone: N/A

DOB:

Sex: N/A

Race: N/A

Height: N/A

Weight: N/A

Hair: N/A

Eyes: N/A

Can Testify Concerning:

making underage buy

Name: HARold Miles

Address: WVABCA N/A

Phone: N/A

DOB: N/A

Sex: N/A

Race: N/A

Height: N/A

Weight: N/A

Hair: N/A

Eyes: N/A

Can Testify Concerning:

Notifying owner & bartender

Name: Cpl Richardson

Address: WVSP - So Charleston N/A

Phone: N/A

DOB: N/A

Sex: N/A

Race: N/A

Height: N/A

Weight: N/A

Hair: N/A

Eyes: N/A

Can Testify Concerning:

Issuing citation

Submitted on Wednesday, March 26, 2014 7:45:14 PM

A handwritten signature in black ink, appearing to read 'Heather Moore', with a stylized flourish at the end.

Heather Moore (75)

WEST VIRGINIA ALCOHOL BEVERAGE CONTROL

UNDERAGE DRINKING COMPLIANCE CHECK

Date: 3-21-14 License #: 20-A-212-011816

Entity: BLUEGRASS LLC

Name of licensee (DBA): TRICKY FISH

Address: 1611 WASHINGTON STREET, E

City: CHARLESTON Zip: 25311

Business Phone #: 3043443474 County: Kanawha

Entering Time: 7:45 p Exiting Time: 8:02

Was sale completed? Yes ☒ No ☐

Was underage operative/buyer asked for identification? Yes ☒ No ☐

Evidence: Brand: Bud light Size: 12oz Can/Bottle/Glass: bottle

Cost of evidence: 2.49 Other expenses: 4.93

Name of seller: Robin Name tag: Yes ☐ No ☐

Sex: ☐ Male ☒ Female Race: ☐ White ☒ Black ☐ Native American Other: _____

Height: ☒ Short ☐ Tall Approximate height: _____

Build: ☐ Slim ☐ Medium ☒ Heavy Approximate age: _____

Hair: ☒ Short ☐ Medium ☐ Long Color of hair: _____

Distinguishing characteristics: _____ Tattoo(s): _____ Glasses _____

Facial hair _____ Other: _____

Comments: blue shirt

I walked in through the back entrance and asked for a budlight and she asked to see ID. I showed her my ID and she gave it back and said \$2.49. I paid and she gave me the budlight and later brought back my change

Underage operative/buyer

[Signature]
Witness



[Signature]
Name (ABCA agent or inspector)

Witness

The number appeared by mistake. I am sorry for the work done and sorry.

On Feb, The 21 Day Of March 2012 At 2012 Hour 11:00
 Between James and James Amount 1000 Year 2012 Time 11:00

Subject: History Religion B

Address: _____

City: State: Zip Code:

☒ (8) ...	(9) ...	(10) ...	(11) ...	(12) ...
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[illegible]

100-443887-100

140 5' 102" in 3w E

61-100000-1	10/2/51	10/2/51	10/2/51	(10/2/51)	10/2/51
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Original Photo Number Name Year (Yr) Vehicle Identification Number (VIN)

Address	City	State	Zip
10000	10000	10000	10000

Owner / Lessee Name: S. W. V. Inc.

City: _____ State: _____ Zip Code: _____

Fatality	Complete Only for Commercial Motor Vehicles
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CHV Type: 11, 12, 13	Veh. Assigned to City 16 - Sacramento	Unit Num	Officer
----------------------	---------------------------------------	----------	---------

DATE: _____

Is or Near: Kenilworth Clark,

	(sumit	stuckup
Highway 739	Route	34125-008
		(over)

NAME	DATE	TIME	PLACE	REMARKS
...	...	...	...	...

NAME: Washington A. [unclear]

Special Reference: 1. Enclosed.
 2. In the above listed cases the City of New York, New York, District of Columbia, and the States of New York, New Jersey, and Pennsylvania, are the following:

Charge #1: (Solvent Only) / Isolation per Charge: Charge #2: (Solvent Only) / Isolation per

Approved: *[Signature]* Special Agent in Charge

20. Information of _____ is V _____ in relation to _____

Page 1 of 100

Approved: _____
Special Agent in Charge

CP RE Ketchikan
CP MI MI

VIOLATOR RESPONSIBILITY

I understand that I have to appear, On or Before, 07-27-19
 on or before 07-27-19 Page 35 of 36

Case Name and Address: 1000 N. 1st St. Chicago Court Phone: 312 337 0

1. Efforts to Control the Army-Labor Union within the Army
Identified Failure or Approx Will Result in the Suppression of

FOR COURT USE ONLY

7. *How do you think the world will be in 20 years?*

(Continued)

101 Police Constable	102 Police Constable	103 Police Constable	104 Police Constable
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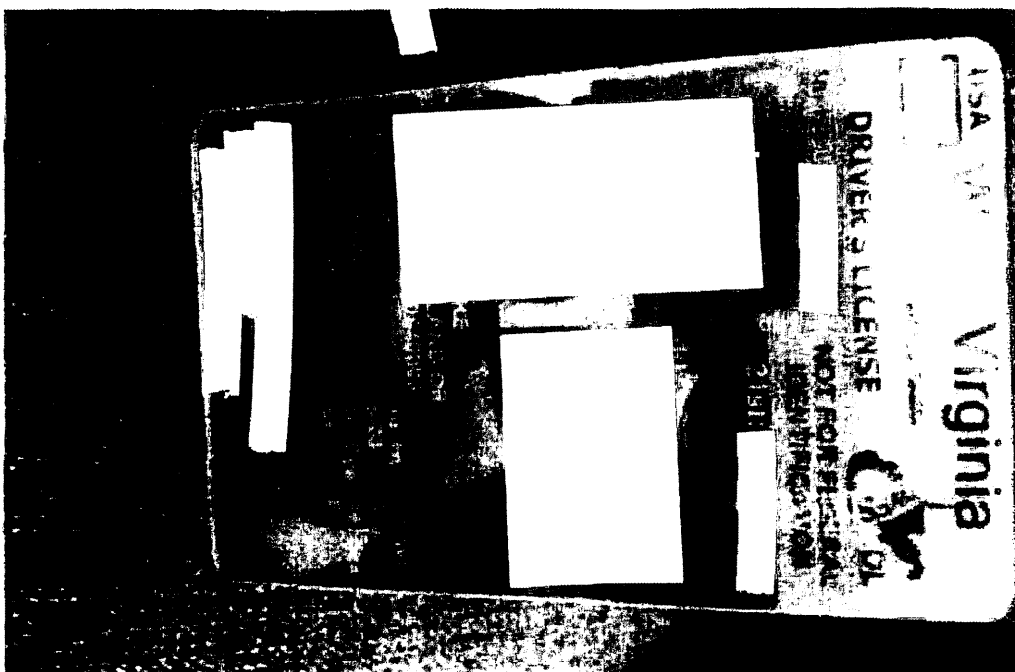
15. Estimated Date	16. Date	17. Estimated Date	18. Date
19. Time in Advance	20. Time in Advance	21. Time in Advance	22. Time in Advance

42. <u>Not a Prisoner</u>	43. <u>Not a Prisoner</u>	44. <u>Not a Prisoner</u>	45. <u>Not a Prisoner</u>
46. <u>Appointed by Higher Court</u>	47. <u>Appointed</u>	48. <u>Appointed by Higher Court</u>	49. <u>Not a Prisoner</u>

This document is classified as sensitive.

FOR DATA USE ONLY

COMPLAINT - AFFIDAVIT





**Board of Zoning Appeals
PUBLIC HEARING NOTICE**

Until further notice, BZA hearings will be accessible via Zoom.

Case Description

CUP-20-0205—Application of Aaron Clark for a conditional use permit in order to operate a restaurant serving alcoholic beverages on the property located at **1010 Bridge Road**.

The file (including the application, site plan and other supporting documentation) is available for your inspection online at <https://charlestonwv.civicclerk.com/>. If you have questions, email lori.brannon@cityofcharleston.org or call 304-348-8105.

Hearing Details

WHEN: 8:30 a.m.
Thursday, June 25, 2020

WHERE: Join via internet at:
<https://us02web.zoom.us/j/89344326156?pwd=ZDdmaG5NzNSdlYreDdHVFZBcCFUQT09>
Or call: 312-626-6799 or 929-436-2866 or 346-248-7799
Webinar ID: 893 4432 6156
Password: 105471

Public Participation

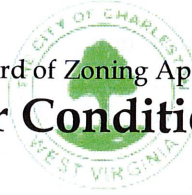
Anyone who wishes to comment on the case described above is encouraged to do so in one of the following ways:

1. Send a written statement to lori.brannon@cityofcharleston.org. These statements will become a part of the record and will be shared with members of the Board prior to the hearing.
2. Speak directly to the Board by joining the meeting via Zoom using the details listed above. ***Please provide your name and the phone number or e-mail address you'll be using to join the hearing to lori.brannon@cityofcharleston.org by 5 pm on Tuesday, June 23, 2020.***

As a matter of general policy these proceedings will not be transcribed by the Board. Anyone wishing a legal transcript must provide a court reporter at his/her own expense.

Board of Zoning Appeals

Application for Conditional Use Permit



CU # _____

Hearing Date: _____

Applicant Information	Property Information
Name: C&S HOSPITALITY LLC	Address: 1010 BRIDGE ROAD CHARLESTON WV 25314
Address: P.O. Box 1574 Clendenin WV 25045	Tax Map and Parcel:
Phone: 304 982-3016	Zoning District: C-4
Agent Name, Address and Phone Number: (if other than applicant) AARON CLARK 221 KOONTZ AVENUE Clendenin WV 25045	Property Owner and Mailing Address: (if other than applicant) DAVID STALNAKER 5315 Ashbrook Drive CROSS LANES WV 25313

IMPORTANT: This application must be typed or legibly printed and filed with the Planning Department in person or by mail to 915 Quarrier Street, Suite 1 Charleston, WV 25301. The following items must accompany this application: 1) a site plan drawn to scale; 2) a list of the owners, with their mailing addresses, of the properties within a 250 foot radius of the property for which the variance is being sought; 3) \$125.00 filing fee in the form of a check or money order made payable to the City of Charleston. You are also encouraged to submit any additional information, including photographs, elevations, testimonials or other documentation, which may support your application. You or your representative must be present at the scheduled public hearing in order to present your request and answer questions. THE PLANNING DEPARTMENT WILL NOT ACCEPT ANY INCOMPLETE APPLICATIONS.

Please describe the proposed use. Include information such as the activities to be conducted on the site, hours these activities will be conducted, and any other data pertinent to the proposed use. If the proposed use is a business, please attach a list of the officers and their contact information. Proposed use of space is to operate a full service restaurant that serves lunch and dinner from 11-11 Monday thru SATURDAY

Applicable Section(s) of the Zoning Ordinance 3.050 LAND USE TABLE

Does the proposed use comply with the conditions set forth in the Zoning Ordinance? YES

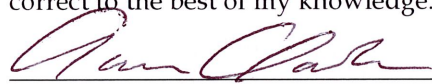
Please describe any proposed work to be done on the property. This location was previously a full service restaurant. We will be cleaning and painting. No major renovations are needed.

If your request for a conditional use permit is granted, how will others in the area be affected? Hopefully others in the area will be positively impacted by having another quality restaurant on Bridge Road.

Will your request devalue the property of others in the vicinity by altering land use characteristics or diminishing the marketable value of adjacent land and structures or increasing congestion on public streets? I don't believe any property will devalue. By keeping our establishment clean and its surrounding area we hope to increase others value.

Is your request consistent with the purposes and intent of the Zoning Ordinance of the City of Charleston? Yes

I hereby affirm that all of the statements and information contained in or filed with this application are true and correct to the best of my knowledge.


Signature

5/19/20
Date

Planning Department Use Only	
The following is a list of related cases:	
The following is a list of zoning ordinance violations, building code violations and enforcement actions relating to the subject property:	
Application reviewed by:	
Action: ☐ Approved ☐ Rejected	
If approved, were there any specific conditions or limitations imposed by the BZA?	
Planning Official Signature and Title	
Date	

Ms. Brannon,

Just wanted to send you a little background and what our motivation and vision is for 1010 Bridge. Marie and I have been in Charleston in the restaurant business for over 25 years in a multitude of positions and when the opportunity came up for us to open a place of our own we just could not resist. The chance to give back to the community that has supported us while hoping to create new dining memories is our prominent thought.

My experiences over the years have led me to immensely enjoy creating great guest experiences. The personal connections and bonds that are formed are irreplaceable. It's those opportunities to reach people over a dinner table that can never be underestimated. Marie and I share a lot of the same experiences and I believe that makes us both very grateful for this opportunity. Through Marie's work at J.Q. Dickinson Salt-Works, as the event coordinator, she's worked very closely with Chef Paul Smith. We could not be happier with our partnership with Chef Paul on menu design and creation and generally being an indispensable resource we can lean on. Marie will continue in her cherished role as Event Coordinator at JQD and also be an ever steady influence for the restaurant and all who decide to spend part of their work careers with us.

The menu will be Appalachian with a low country influence. With our strong ties to the area we will be utilizing local farmers and businesses whenever possible including Buzz Foods, Basecamp printing, Hernshaw Farms and as many other local farmers as we can. Our commitment to the community will be evident from day one. Our wine and beer list will be crafted to highlight and complement the cuisine with an emphasis on specialty craft cocktails.

Our goal is to put together the best team of people we can and be able to be great ambassadors for our city and state. Our daily commitment to service and professionalism will always be on display.

Thanks again and hope this gives you a little background on what we're planning at 1010 Bridge

Aaron Clark





**STATE OF WEST VIRGINIA
DEPARTMENT OF REVENUE
ALCOHOL BEVERAGE CONTROL ADMINISTRATION**

900 Pennsylvania Ave., 4th Floor
Charleston, West Virginia 25302

FREDRIC L. WOOTON
COMMISSIONER

DAVE HARDY
CABINET SECRETARY

June 10, 2020

VIA EMAIL

Lori Armstead Brannon
City of Charleston
Planning Department
915 Quarrier Street, Suite 1
Charleston, WV 25301

Re: FOIA Request

Dear Ms. Brannon:

This letter is in response to your FOIA request received by the WVABCA on June 8, 2020.

WVABCA staff have advised me of the following:

Aaron Clark is listed as a 50% owner on 1 pending license with the WVABCA. His co-owner, Paul Smith, has active licenses with the WVABCA, but no information was requested for Mr. Smith. The applicant is listed as: C & S Hospitality LLC d/b/a 1010 Bridge Restaurant.

Keeley Steele has no pending applications but is currently 100% owner on 3 active licenses with the WVABCA. The licensee's are listed as:

Bluegrass, LLC d/b/a Tricky Fish
20-A-212-011816 – 1 Violation WVABCA Docket No. 2014-0599 – Underage Sale
Bluegrass, LLC d/b/a Bluegrass Kitchen
20-A-212-10280 – No Violations History
Bluegrass, LLC d/b/a Starlings
20-A-021-015042 – No Violations History

If you need further assistance, please contact me at (304) 356-5507.

Sincerely,

Anoop Bhasin
General Counsel

