



MORGANTOWN BOARD OF ZONING APPEALS

July 21, 2010
6:30 PM
City Council Chambers

Board Members:

Bernie Bossio, Chair
Leanne Cardoso, Vice-Chair
Jim Shaffer
George Papandreas
Tom Shamberger

STAFF REPORT

CASE NO: CU10-08 / Watts - Petroplus / 40 Donley Street

REQUEST and LOCATION:

Request by Daniel Watts, on behalf of Parry G. Petroplus, for conditional use approval for a "Restaurant, Private Club" use in the B-4 District for property located at 40 Donley Street.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map #28, Parcels #18 & 134; a B-4, General Business District

SURROUNDING ZONING:

B-4, General Business District

BACKGROUND and ANALYSIS:

Daniel Watts, on behalf of Parry G. Petroplus, seeks conditional use approval to open a "Restaurant, Private Club" use called *The Wharf* in the building that was formerly occupied by the *Boathouse Bistro* located. The petitioner has submitted the following exhibits, which are attached hereto:

- Proposed Menu
- The Warf Business Concept
- Resumes – General Manager and Foot and Beverage Director
- Floor Plan

Boathouse Bistro, LLC obtained conditional use approval from the BZA to open a "Restaurant, Private Club" use on May 16, 2007 at the subject site. According to the City's Finance Department, the Boathouse Bistro received a City License on June 29, 2007 and closed on December 31, 2008.

The "Restaurant, Private Wine" and "Tavern" uses are permitted by-right in the B-4 District. *The Wharf* seeks to sell liquor in addition to beer and wine, which changes the use classification to "Restaurant, Private Club."

The proposed *The Wharf* establishment will contain approximately 3,000 square feet with seating for up to one hundred thirty (130) people indoors and forty (40) outdoors on a seasonal basis. The proposed hours of operation are 11:30 AM to 1:00 AM daily. Although parking is not required in the B-4 District, there appears to be ample parking available within existing public and private parking facilities situated nearby.

Addendum A of this report illustrates the location of the subject site. Addendum B of this report contains related excerpts from the Planning & Zoning Code [Article 1331.06 (27)].

Planning Department

Christopher Fletcher, AICP
Planning Director
389 Spruce Street
Morgantown, WV 26505
304.284.7431



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STAFF RECOMMENDATION:

The Board of Zoning Appeals must first determine whether or not it will waive the one-year "bona fide restaurant" requirement [Article 1331.06 (27)(c)] prior to the petitioner obtaining a liquor license from the West Virginia Alcohol Beverage Control Commission. The petitioner's request for a said waiver appears to be generally consistent with recent waivers granted by the Board.

Should the Board waive said requirement, than it must determine whether the proposed request meets the standard criteria for a conditional use by reaching a positive determination for *each* of the "Findings of Fact" submitted by the applicant. Addendum C of this report provides Staff recommended following revisions to the petitioner's findings of fact (deleted matter struck through; new matter underlined).

Should the Board waive the one-year "bona fide restaurant" requirement and grant approval of the subject conditional use petition, Staff recommends that the following conditions be included:

1. That the petitioner shall maintain compliance with all supplemental regulations set forth in Article 1331.06 (27) of the Planning and Zoning Code. That the establishment shall not serve liquor, including wine, later than 1:00 a.m., except on New Year's Eve;
2. That the applicant must obtain permitting as a "restaurant" from the Monongalia County Health Department under the *Monongalia County Clean Indoor Air Regulations*;
3. That any regulated signage shall be reviewed and approved by the Downtown Design Review Committee and the Planning Director prior to building permit issuance for same; and,
4. That the conditional use approval granted herein may not be transferred.

Attachments: Application and exhibits noted above

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STAFF REPORT ADDENDUM A
CU10-08 / Watts - Petroplus / 40 Donley Street



STAFF REPORT ADDENDUM B
CU10-08 / Watts - Petroplus / 40 Donley Street

Article 1331.06 (27) of the Planning and Zoning Code, Supplemental Regulation Pertaining to Permitted Land Use Table provides the following applicable performance standards:

- (a) Such private club shall have as its principal purpose the business of serving meals on its premises to its patrons and to members of such club and their quests. For the purposes of this section, the term "meal" shall be consistent with that of the State of West Virginia as defined in its Legislative Rules and Regulations pertaining to Private Club License and shall not include packaged potato chips and similar products; packaged crackers; packaged nuts; packages desserts (fruit pies, cakes, cookies, etc.); and bar sausages and similar products.
- (b) Such private club with a bar shall post a sign not smaller than three (3) square feet in a prominent location near the bar that states the following: "It is a violation of City Ordinance to serve wine or liquor beverages after 1:00 a.m." (Amended by Ord. 06-14, Passed 06-06-2006.)
- (c) No such applicant may be licensed as a private club under this conditional use that has not been in operation for at least one year as a bona fide restaurant before making application for a license under this conditional use. However when an applicant owns another bona fide restaurant the same as the one being proposed, the Board of Zoning Appeals may consider the proposed restaurant application on the basis of the existing restaurant which has been in operation for at least one year. In the B-4 district the Board of Zoning Appeals may waive the requirement, to be in business for one year as a bona fide restaurant, when the applicant's written description of the business operations, plus floor plans, demonstrate clearly that the establishment will meet the criteria in this subsection of the ordinance.
- (d) NOT APPLICABLE
- (e) Food and non-alcoholic beverages shall comprise a minimum of 60 percent of total gross sales of all food and drink items in each calendar month.
- (f) Such private club shall provide a seating capacity for at least fifty (50) persons, at a table or counter maintained for the principal purpose of serving meals. Seats at a bar, which is primarily for the serving of alcoholic beverages, shall not be counted as meeting the minimum seating capacity of the establishment. Liquor or wine may be served either at seats intended primarily for dining, or at any bar area within the restaurant, with or without an accompanying meal.
- (g) Liquor or wine shall not be served later than 1:00 a.m., except on New Year's Eve.
- (h) The private club shall, at the time of each sale or at the time of payment, record the amount of revenue derived from the sale of liquor and wine beverages separately from the amount of revenue derived from the sale of food and non alcoholic beverages.
- (i) During each calendar month, the private club shall maintain and preserve accurate and adequate records including those required by paragraphs (e) and (h) above, to prove compliance to the City's Finance Director, and shall make all such records available for review and audit promptly upon request by the Finance Director. The records for each month shall be preserved for not less than twenty-four (24) months next following.
- (j) Quarterly, the private club shall send to the City Finance Director summaries showing the amount of revenue derived from liquor and wine beverages versus the amount derived from the sale of food and non-alcoholic beverages.
- (k) NOT APPLICABLE

STAFF REPORT ADDENDUM C

CU10-08 / Watts - Petroplus / 40 Donley Street

Staff recommended revisions to petitioner's Findings of Fact (deleted matter struck through; new matter underlined)

Finding of Fact #1 – Congestion in the streets is not increased, in that:

~~We~~ The proposed *The Wharf* establishment appears to ~~will be~~ targeting lunch and dinner patrons within walking distance and those individuals using the rail-trail and the river and employees and clients of neighboring professional service establishments. There appears to be ~~are more than enough~~ adequate parking spots located at the City garage and the Garages located at the WVU building and the Morgantown event center.

Finding of Fact #2 – Safety from fire, panic, and other danger is not jeopardized, in that:

The restaurant will be located in the new facility owned by the City which meets the latest fire codes and multiple opportunities for safe egress in the event of an emergency.

Finding of Fact #3 – Provision of adequate light and air is not disturbed, in that:

~~There is more than adequate separation from other buildings to address light and air concerns including the fact that the building is a single story at the trail grade.~~ There are no alterations proposed to the existing building that would increase building footprint or scale.

Finding of Fact #4 – Overcrowding of land does not result, in that:

This is non-residential low density use. There are no alterations proposed to the existing building that would increase building footprint or scale.

Finding of Fact #5 – Undue congestion of population is not created, in that:

~~We~~ The proposed *The Wharf* establishment appears to ~~are providing~~ reestablish a similar dining option that once existed in the same location ~~and are not creating an environment that will promote vagrancy within the area specified.~~ The petitioners do not wish to alter the existing building which was once occupied by the *Boathouse Bistro Restaurant* nor provide residential occupancy.

Finding of Fact #6 – Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

~~This is a neighborhood, commercial use which can seamlessly tap into existing infrastructure and not create strains on the above mentioned public infrastructure just as previous tenant.~~ The proposed *The Wharf* establishment should neither increase nor decrease demand for public infrastructure and services that served the previously approved *Boathouse Bistro* "Restaurant, Private Club" conditional use.

Finding of Fact #7 – Value of buildings will be conserved, in that:

This proposed use will further establish new businesses in the transitional area. ~~We feel this operation will~~ and should enhance the overall real estate within the Wharf District.

Finding of Fact #8 – The most appropriate use of land is encouraged, in that:

This restaurant ~~will~~ should provide an additional alternative for dining in the Wharf District and will market itself to the trail users as well as the other businesses that are within the Wharf District. The building was occupied by a restaurant that received approval in May 2007 for a conditional use “Restaurant, Private Club” establishment that has since gone out of business. The presence of another restaurant should contribute to the quality and character of the dining and social experience within the Wharf District.



City of Morgantown, West Virginia

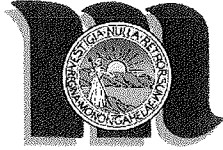
APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CU10-08
RECEIVED:	
COMPLETE:	

(PLEASE TYPE OR PRINT IN BLACK INK)

I. APPLICANT						
Name:	PARRY G. PETROPLUS	Phone:	304-284-5000			
Mailing Address:	TWO WATERFRONT PLACE SUITE 1201	Mobile:	304-677-7866			
	Street: MORGANTOWN WV 26501	Email:	PARRY@PETROPLUS.COM			
	City State Zip					
II. AGENT / CONTACT INFORMATION						
Name:	DANIEL H. WATTS	Phone:	304-581-2806			
Mailing Address:	TWO WATERFRONT PLACE	Mobile:	304-677-7866			
	Street: MORGANTOWN WV 26501	Email:	DAN.WATTS@WATERFRONTPLACEHOTEL.COM			
	City State Zip					
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact					
III. PROPERTY						
Owner:		Phone:	304-284-5000			
Mailing Address:	40 DONLEY STREET	Mobile:				
	Street: MORGANTOWN WV 26501	Email:				
	City State Zip					
IV. SITE						
Street Address (if assigned):	40 DONLEY STREET	Tax Map #:	28	Parcel #:	18+134	
Zoning:	B-4 GENERAL BUSINESS DISTRICT					
Lot Dimensions:	Width:	Ft.	Depth:	Ft.	Square Footage:	ft. ²
Shape of Lot:	<input type="checkbox"/> Corner <input type="checkbox"/> Interior <input type="checkbox"/> Through <input type="checkbox"/> Flag <input type="checkbox"/> Irregular <input type="checkbox"/> Non-conforming					
Existing Use of Structure or Land:	RESTAURANT WHICH CLOSED IN 2009					
Proposed Use of Structure of Land:	RESTAURANT SERVING LUNCH + DINNER Private Club / Iz					

PAID 75.00
 Finance Office
 Morgantown, WV 26505
 (304) 284-7408
 ck 3724



City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	<u>CM10-08</u>
RECEIVED:	_____
COMPLETE:	_____

V. STRUCTURE

Proposed Setbacks: Front: _____ ft. Rear: _____ ft. Side A: _____ ft. Side B: _____ ft.

Proposed Height of Structure: _____ No. of Proposed Off-Street Parking Spaces: _____

No. of Dwelling Units (if applicable): N/A No. of Bedrooms: N/A No. of Employees: 25-30

Square Footage of all Proposed Structures (please explain): _____

VI. SITE PLAN

A Site Plan (8 copies), drawn to scale, that includes the following elements must accompany the application if not provided above in Sections IV and V:

- (a) The actual dimensions, size, square footage, and shape of the lot to be built upon as shown on an actual survey by a registered design professional licensed by the State of West Virginia.
- (b) The exact sizes and locations on the lot of existing structures, if any;
- (c) The location, square footage, and dimensions of the proposed structure or alteration;
- (d) The location of the lot with respect to adjacent rights-of-way;
- (e) The existing and proposed uses of the structure and land;
- (f) The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate;
- (g) The location and dimensions of off-street parking and means of ingress and egress for such space;
- (h) Height of structure;
- (i) Setbacks;
- (j) Buffer yard and screening, if applicable;
- (k) Location of garbage collection area and screening;
- (l) Location of existing and/or proposed signs, if applicable;
- (m) Roadway typical detail for internal roadways, if applicable;
- (n) Location and size of stormwater management facilities; and,
- (o) Utility lines and easements, if applicable.



City of Morgantown, West Virginia

APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	C110-08
RECEIVED:	_____
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VII. SUPPLEMENTAL PLANS AND EXHIBITS

Applicants **MUST** also submit the following plans and exhibits, unless waived by the Planning Director:

- (a) Drainage plan and drainage calculations that bear the name, address, signature and seal of a registered professional engineer licensed by the State of West Virginia, with floodplain zones clearly denoted, a typical of all swales, and a design of the drop inlets.
- (b) If applicable, design of stormwater management facilities and drainage calculations that bear the name, address, and seal of a registered professional engineer licensed by the State of West Virginia that meet the requirements of the City Zoning Ordinance, the City Stormwater Management Ordinance, and all other applicable local, state and federal regulations.
- (c) Parking and Landscaping Plan
- (d) Sign Plan
- (e) Approved WV Division of Highways Access Permit, if applicable
- (f) Sediment and erosion control plan as approved by the West Virginia Department of Environment Protection and the City of Morgantown
- (g) Approved State of West Virginia NPDES General Permit for Storm Water Associated with Industrial (Construction) Activity, if applicable
- (h) A traffic impact study, if required by the City Engineer
- (i) The Planning Director may require the applicant to submit additional information concerning the lot or neighboring lots to determine conformance with, and provide for the enforcement of, the City Zoning Ordinance.
- (j) The Planning Director may require the applicant to submit, in the case of accessory structures or minor additions, dimensions shown on plans relating to the size of the lot and the location of the structure(s) thereon be based on an actual survey prepared a registered design professional licensed by the State of West Virginia.

Applicants submitting a conditional use application in accordance with Article 313.05 "Building Height and Use" within the B-4 General Business District **MUST** also submit the following analyses:

- (a) An air flow analysis conducted by a licensed architect or profession engineer, describing the estimated impact of the proposed building on existing patterns of air flow in the general vicinity; and how those impacts may affect existing properties with a 300 foot radius of the site.
- (b) An analysis of the impacts of the proposed building on sunlight distribution in the general vicinity, with special emphasis on predicting light blockage and shadow casting onto all properties with a 300 foot radius of the site. Such analysis shall be conducted by a licensed architect or professional engineer.
- (c) An analysis of the potential of "stepping back" upper floors as a technique to avoid negative impacts with respect to light and airflow, and to minimize the canyon effect of non-recess tall buildings. Such analysis shall be conducted by a licensed architect or professional engineer.
- (d) An infrastructure and traffic analysis predicting the impacts of the building on water, sewer, drainage, electrical and gas infrastructure, on transportation levels of service (including transit) for impacted streets, and on fire suppression capabilities of the city. Such analysis shall be conducted by a licensed architect or professional engineer.



OFFICE USE	
CASE NO.	0110-08
RECEIVED:	
COMPLETE:	

APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

VIII. FINDINGS OF FACT

The Board of Zoning Appeals may grant the request only if each of the Conditional Use Findings of Fact Criteria is determined to be in the positive. Applicants must give their own responses to the criteria statements provided below.

This Conditional Use is within the fitting character of the surrounding area and is consistent with the spirit, purpose, and intent of the Zoning Ordinance, because,

1. Congestion in the streets is not increased, in that: WE WILL BE TARGETING LUNCH AND DINNER PATRONS WITHIN WALKING DISTANCE AND THOSE INDIVIDUALS USING THE RAIL TRAIL. THERE ARE MORE THAN ENOUGH PARKING SPOTS LOCATED AT THE CITY GARAGE AND THE GARAGES LOCATED AT THE WVO BUILDING AND MORGANTOWN
2. Safety from fire, panic, and other danger is not jeopardized, in that: THE RESTAURANT WILL BE LOCATED IN A NEW FACILITY OWNED BY THE CITY WHICH MEETS THE LATEST FIRE CODES AND MULTIPLE OPPORTUNITIES FOR SAFE EGRESS IN THE EVENT OF AN EMERGENCY. FUELT CENTER.
3. Provision of adequate light and air is not disturbed, in that: THERE IS MORE THAN ADEQUATE SEPERATION FROM OTHER BUILDINGS TO ADDRESS LIGHT AND AIR CONCERNS INCLUDING THE FACT THAT THE BUILDING IS A SINGLE STORY AT THE TRAIL GRADE.
4. Overcrowding of land does not result, in that: THIS IS NON-RESIDENTIAL LOW DENSITY USE
5. Undue congestion of population is not created, in that: WE ARE PROVIDING A DINING OPTION THAT ONCE EXISTED IN THE SAME LOCATION AND ARE NOT CREATING AN ENVIRONMENT THAT WILL PROMOTE VAGRANCY WITHIN THE AREA SPECIFIED.



OFFICE USE	
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RECEIVED:	
COMPLETE:	

APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

VIII. FINDINGS OF FACT (cont.)

6. Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that: *THIS IS A NEIGHBORHOOD-COMMERCIAL USE WHICH CAN SEAMLESSLY TAP INTO EXISTING INFRASTRUCTURE AND NOT CREATE STRAINS ON THE ABOVE MENTIONED PUBLIC INFRASTRUCTURE JUST AS PREVIOUS TENNANT.*

7. Value of buildings will be conserved, in that: *THIS PROPOSED USE WILL FURTHER ESTABLISH NEW BUSINESSES IN A TRANSITIONAL AREA. WE FEEL THIS OPERATION WILL ENHANCE THE OVERALL REAL ESTATE WITHIN THE WHARF DISTRICT.*

8. The most appropriate use of land is encouraged, in that: *THIS RESTAURANT WILL PROVIDE AN ADDITIONAL ALTERNATIVE FOR DINING IN THE WHARF DISTRICT AND WILL MARKET ITSELF TO THE TRAIL USERS AS WELL AS THE BUSINESSES WITHIN THE WHARF DISTRICT.*

IX. ATTEST

I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of this jurisdiction. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.

<i>DANIEL H. WATTS</i>	<i>[Signature]</i>	<i>6-2-10</i>
Type/Print Name of Applicant/Agent	Signature of Applicant/Agent	Date

- Conditional Use Petition Fee of \$75 must accompany application *OK 3726*

The Wharf

Business Concept

The Wharf concept is built upon the old wharf districts throughout the eastern seaboard and waterways that were famous for having fish markets situated within old warehouses once originally used as icehouses that provided ice for businesses and households to chill beverages and food. Our theme will be based on the premise of “down and dirty” dining in the sense that our décor and menu will be very simple, fun and inexpensive. The name is playing upon the current location in the wharf district of Morgantown which has been growing in popularity in recent years with the continual growth of new businesses and restaurants within the district. The Wharf menu concept is designed to attract a demographic made up of all ages to include college students, professionals and business associates looking for a great place to relax and take in the sights and sounds of the river while enjoying live entertainment on the deck or grabbing a fresh cod sandwich and “Wharf Puppies” or our soon to be famous peel and eat steamed shrimp while enjoying a cold frosty mug of their favorite brew from our extensive offerings on tap. The idea is to keep this a very casual eatery where our guests will be comfortable in jeans or in a suit. The wait staff will wear khaki shorts and a logo’d t-shirt or polo from the restaurant. The table tops will be covered with a checkered tablecloth with simple wooden chairs as found in most seafood houses along the coast. Décor common in these type of eateries will be hanging from the grids in the ceiling and along the walls to create a fun atmosphere for our patrons. The inside dining area will have Jimmy Buffet style music playing over the sound system while the televisions will provide sporting events and/or news channels for viewing. The outside patio will have seating for outside dining as well as an area designated for entertainment. In addition to the above mentioned, we will have a retail area in the front of the restaurant offering our logo’d wear like t-shirts, hats, beer mugs, bar towels, etc.. The operation will operate daily from 11:30am – 1:00am. Menu options will be written on a large black chalkboard along with daily specials.

Seating

We opened up the dining area by removing the divider wall that was in place to accommodate more flexible seating for our patrons. We have seating for up to 130 people within the inside of the dining area and seating for up to 40 people on the outside patio facing the river in season.

Our Logo

Our logo is very simple and is the same as the logo on our menu which is included in this information. This will also be the logo used on our marketing materials and outdoor signage.

Menu concepts and pricing

Pricing for the restaurant will be kept on the low to moderate side with appetizers, soups & salads, sandwiches and platters priced from \$3 - \$12. I have included a copy of our menu for your review. All items are simple, pub style appetizers, salads, sandwiches and platters that we feel will appeal to the local clientele

Retail Opportunities

The front entrance of the building is ideal for creating our "Wharf Retail Market" area for retail sales which I see as a very good opportunity to pick up substantial retail sales. A key to the success of the operation, in addition to the great atmosphere, great food and great prices, will be the sales of items with our logo. T-shirts, hats, beer mugs, shot glasses and bar towels are just a few of the items we can market and sell in the retail space which will ultimately help create awareness throughout the community as customers begin wearing the apparel and also the ability to sell some of our signature items like our own "Wharf Puppy Mix" and other private label items along those lines which should create an opportunity for additional revenues. This area would be handled by the individuals that will be seating guests and working the register.

The people behind the operation

With the individuals involved in this operation, we have a combined 70 plus years in the restaurant business ranging from operations producing just over \$4,000,000 in annual sales down to operations producing \$400,000 a year and everything from very high end fine dining to very casual takeout establishments. We are extremely confident in our ability to provide a great product while providing strong profitability in addition to creating a very good reputation in the Morgantown area as a local favorite for all age groups. Utilizing the current culinary talent from the hotel to initially set up the kitchen for the type of operation we are planning will be a huge benefit to the operation and shouldn't require a great deal of time away from the hotel operation to complete. Staff will be comprised of some kitchen personnel with the level of experience to handle the preparation of fresh, made to order entrees and sandwiches in a fast paced environment while front of the house staff will be energetic and very customer service oriented with great smiles. Our goal is to not only provide the very best in fresh fish and seafood in a casual environment but to do so while providing the very best customer service possible which will help build up a loyal clientele for the operation. As mentioned above, the front of the house staff will wear t-shirts or polo shirts with our logo on them and khaki shorts or cargo shorts (very casual) to promote a casual theme. This operation could benefit by the current hospitality program being developed and implemented at the university. We could get good candidates thru this program to work in our operation just as the hotel has benefited from. I have included resumes on myself and on my director of food & beverage for the hotel and Morgantown Event Center, Marc Arteritano, who will be assisting me on the oversight for this operation.

Marketing and promotions

The marketing of The Wharf will be done thru weekly newspaper ads and restaurant specific periodicals as well as thru the hotel in-house collateral which will help support this establishment as a secondary eatery for the hotel for those guests looking for an alternative to the Regatta Bar & Grille.

Additionally, we will build a database of email addresses from our customers thru a promotional giveaway scheme which offers the chance to win a free t-shirt or hat, etc. thru a daily or weekly drawing in return for providing us with an email address. This will give us the ability to send future email blasts to our customers promoting special occasions and events at the restaurant. We will develop weekly themed nights such as t-shirt night or hat night which offers every customer that eats dinner with us a free hat or shirt. This will have some initial cost to it but will help develop a loyal customer base quickly as most college students and young professionals enjoy those types of giveaway schemes in this type of environment. The operation will also get heavily involved in the local community arts and craft shows thru doing a food booth at different events to spread the word and promote The Wharf.

Initial investment

The current location has several tables and booths as well as chairs and tables for inside and out that could be utilized however the booth seating would need to be replaced by simple wooden chairs for ease and comfort as the current booths are too small for the tables. The tables can be utilized as they are now. There would be a need to purchase approximately 40-60 of these chairs. In addition, there would be a small expense to remove the current wall divider in the dining area which would open up the dining room to create a view of the river from either side of the restaurant. There would need to be several more taps installed for the tap beer which would require additional cooling equipment and compressors, etc.. Décor would need to be purchased for the operation to create the atmosphere mentioned above. There is existing kitchen equipment in place that will work for the operation without the need to go out and purchase additional equipment assuming everything in place is operational. There appears to be adequate coolers and freezers in place. There is a private room currently called the Petroplus Room that we would like to open up and make a part of the existing dining area. This would create some expense for the removal of one wall. We see this area as possibly being utilized for future coach's shows that are now being held in the Regatta Bar & Grille at the hotel. Other than a start up inventory and initial training of staff and menu development, I don't foresee a tremendous amount of investment needed to start this operation and we should be able to do so in a very short period of time.

Local Reputation & Relationships

Certainly the reputation and relationships of the property owner of both this establishment and the hotel goes without saying in this community. The reputation for a quality product and service has been established and is well known throughout the area and state wide which would be a tremendous benefit for this operation. The culinary team at the hotel has also developed their own local following and reputation as leaders in the restaurant business in Morgantown which will also work to our advantage. The fact that the operators are a "known entity" in this market will provide a huge benefit for us as we start up the operation vs. someone new and unknown coming to the area and not knowing the demographic and market. We know who we want as our customers and have developed solid marketing strategies within the hotel operation that we will implement in this operation to aggressively go after these customers and develop a regular crowd in a short period of time.

The Wharf

40 Donley Street
Morgantown, WV 26501

Nibblers

"Mountaineer Oysters" ~ 7

A blend of Crab and Crawfish, Deep Fried and served with Smokey Mayo or Chesapeake Butter

Beer bath Peel & Eat Shrimp ~ 7

Steamed in our Brew Co. Ale and served warm with spicy cocktail sauce (1lb.)

Wharf Wings

1 dz ~ 6

2 dz ~ 10

Mild, Hot or Dangerous!

For Wimps..... Honey BBQ, Garlic or Teriyaki

Wharf Puppies ~ 5

A basket of our homemade pup's and Tangy Onion Sauce

Smothered Homemade Fries ~ 5

Smothered in Cheddar Cheese, Bacon and Green Onions

Rail Trail Nachos ~ 7

Fresh Fried Chips topped with Seasoned Beef, Cheddar Cheese Sauce, Tomatoes, Green Onions, Black Olives, Jalapenos, Salsa and Sour Cream

Soup & Salad

Fish Market Stew ~ 3

Fresh fish, shrimp & crawfish simmered with hearty vegetables in a creamy stew

Snakebite Chili ~ 3

A smol' n twist to traditional chili. We suggest a frosty mug of your favorite beverage!

Jerk Chicken Salad ~ 7

Slices of Jerk Chicken, Lettuce, Tomato, Grilled Pineapple, Cucumber and Cheddar Cheese

Fisherman's Salad ~ 8

Shrimp, Crawfish and Crab in our Special Dressing, Lettuce, Tomato & Green Onion

The Wharf Salad ~ 7

Shaved Beef, Grilled Onions & Peppers, Provolone on Iceberg Lettuce. Served with Spicy Mustard Dressing or Cool Ranch Dressing

Fresh Baked Pepperoni Rolls

Basket of 4 ~ 5

Baked Fresh Daily

Sandwiches, Burgers & Dogs

Served with Homemade Fries, Wharf Puppies & Creamy Coleslaw

Wharf Special ~ 10

The Wharf Sandwich, Homemade Fries, Creamy Cole Slaw, Wharf Puppies and an Ice Cold Beverage served in a Wharf frosty mug

The Wharf ~ 9

Giant Beer Battered Cod, Cheese, Lettuce and our signature tartar sauce

Smoked Pulled Pork ~ 7

Pulled Pork Smoked over mesquite

Grilled Chicken & Smoked Mozzarella ~ 7

Lettuce, Tomato, Red Onion & Catalina Dressing

Gold & Blue Burger ~ 7

Topped with crispy fried onions and deep fried pickles

Make it "BUTT KICK'N" w/ Jalapeño Horseradish Mayo, fried egg & cheese ~ add \$2

River Dogs ~ 7

2 ~ dogs with chili, slaw & mustard

Grilled Steak and Cheese ~ 7

Grilled Shaved Beef with Grilled Peppers & Onions and Provolone Cheese

Wharf Platters

Served with Homemade Fries, Wharf Puppies & Creamy Coleslaw

Fishermax's Platter ~ 11

Fried Clam Strips, Oysters & Shrimp

Broiled Tilapia ~ 9

Broiled with Fresh Lemon Butter

Fish & Chips ~ 7

Giant Beer Battered Cod Filet Fried Golden Brown

Backyard BBQ Ribs ~ 10

Tender Pork Ribs Barbequed in Homemade BBQ Sauce (1/2 Rack)

Backyard BBQ Chicken ~ 9

2 Boneless Chicken Breasts Barbequed in Homemade BBQ Sauce

Grilled Shrimp Kabobs ~ 9

Two Kabobs Loaded with Shrimp & Vegetables

DANIEL H. WATTS

255 West Philadelphia Ave
Bridgeport, WV 26330

304-677-7866
dgnwatts@aol.com

Executive Hospitality Management Professional

Results-driven hospitality professional with a progressive management career in the hospitality industry. Skilled at developing and executing initiatives that drive customer growth, achieve sales objectives, and enhance bottom-line profits. Highly effective communicator and team leader with proven ability to build long-term relationships with internal and external customers by establishing a high level of confidence and trust. Visionary leader with a keen understanding of business priorities and demonstrated expertise in rapidly advancing business goals to revenue-producing activities.

CORE LEADERSHIP QUALIFICATIONS

- Pre-Opening Experience
- Revenue Management
- Financial Analysis
- Forecasting
- Profitability
- Marketing Strategies
- Budgeting
- Team Building
- Excellent Communication Skills
- Sales Driven
- IT Experience
- Strong Food & Beverage background

PROFESSIONAL EXPERIENCE

Marshall Hotels & Resorts at **The Waterfront Place Hotel & Morgantown Event Center**
Morgantown, WV Feb2008 - present

General Manager

Responsible for oversight and management of upscale condo hotel with 205 guest rooms and 25 private resident condos including 10,000 sq.ft. of meeting space as well as newly constructed event center with 40,000 sq.ft. of meeting space to include grand exhibit hall of 23,000 sq.ft.. Scope of responsibilities includes complete oversight of operation, sales & marketing, and fiscal operations for property generating \$11 million in gross revenues with \$6 million in room revenue and \$5 million in food & beverage revenue. Responsible for providing strong leadership throughout the property by directing department heads in all areas of operations and customer service. Provide daily communication with ownership on all asset related issues while overseeing the physical asset management and upkeep, budgeting, cost analysis, payroll and staffing guide control and compliance, sales initiatives and booking policies, yield management and revenue generation, motivating and retaining of staff, communication with management company and ownership and all other duties required for the day to day management and success of the property. Responsible for ensuring the highest quality of service and guest satisfaction through successfully instilling the highest level of guest interaction possible with all associates. Currently hold a seat on the Greater Morgantown CVB to help in the promotion and marketability of all tourism activity within the jurisdiction of the local CVB. Serve on the board of the Master Association which handles all property related issues and budgetary needs. Ensure condo association bylaws and requirements are in place and facilitated properly. Worked with hotel ownership and design team for newly constructed 40,000 sq.ft. Morgantown Event Center which opened in April of 2010.

Continued...

CAREER EXPERIENCE CONTINUED

- Oversee executive committee for the property comprised of Director of Facilities, Director of Sales & Marketing, Director of Food & Beverage, Director of Finance, Rooms Division Manager.
- Worked with design group to budget and implement complete hotel room renovations.
- Successfully managed property to achieve highest level of revenues in property's five year history in 2008. Additionally, property achieved largest percentage of Gross Profit and Net Operating Profit in property's five year history. Net Operating Profit increased over previous year by \$900,000.
- Property achieved highest level of customer service scores in 2008 and continues to achieve highest customer service scores within the management company portfolio.
- Increased customer service in all areas of operations thru monthly training along with continual mentoring of department heads and managers.
- Increased Group Sales over previous year thru increased sales presence in markets throughout West Virginia, Pennsylvania and other surrounding states. Increased the sales team's presence at all regional trade shows affiliated with hotel group sales.
- Provided direction for construction design team working on newly constructed Morgantown Event Center relating to operational design requirements.
- Developed usage agreement and selling structure for new event center which was presented to West Virginia University for the potential use of the facility by the different schools within the University for continuing education and training seminars.

Benchmark Hospitality International at **Stonewall Resort**, Roanoke, WV 2006 – Feb 2008
Director of Operations/Key Executive Team Member/Corporate Rooms Staff Support

Direct oversight for all areas of operations at a property generating \$14.5 million in top line revenues. Areas of operational responsibilities throughout the property included: Food & Beverage departments, Spa operations, Front Office operations including Reservations, Revenue Management, Housekeeping and Guest Services and Engineering. Provided strong profitability in all areas through hands on interaction with department heads and managers while instilling strong guest service awareness throughout the property in all departments. Controlled expenses in all areas of operations without jeopardizing the integrity of the project. Protect the integrity of the staff through constant communication and re-enforcement of staff positioning and practices and motivation.

- Responsible for directing property during period of achieving the highest level and percentage of guest comment scores within the management company for five consecutive months.
- Created Stonewall Resort Gift Shop in July of 2006 to assist in generating ancillary revenues for the property. Retail merchandise and sundries revenues grew by \$34,000 during first three months of operation.
- Worked directly with DOSM on all marketing campaigns and strategies for the property. Assisted in e-card promotion creativity to target leisure and group segments. Provided strong leadership for sales department on setting sales goals and initiatives.

- Restructured management in restaurants to provide stronger customer service and supervision in all areas. Guest Comments are consistently higher than they have ever been in this department of operation.
- Worked as a member of Corporate Rooms Staff Support for Benchmark Hospitality International responsible for conducting Rooms Audits at several properties for the company. Worked as interim General Manager for Berry Hill Plantation Resort.
- Led the staff in providing four diamond service levels to help achieve and maintain AAA Four Diamond Service Award for five consecutive years.
- Worked as Interim Hotel Director of Operations at French Lick Resort & Casino.

Benchmark Hospitality International at **Stonewall Resort**, Roanoke, WV

2004 – 2006

Director of Rooms /Key Executive Team Member

Direct operational and financial management functions including development of financial & operational forecasts and budgets. Oversee rooms division management team along with spa management team, develop and implement strategies in Revenue Management, develop marketing strategies for Transient Sales and Revenues, Develop highly skilled management team to achieve established objectives. Interact with fellow property directors and ownership representative concerning financial forecasts and reports.

- Assisted DOSM by increasing overall Rooms Departmental Profit annually during first 3 years of operations.
- Restructured Spa division and increased revenues by 28%. Increased bottom line departmental profit by \$60K over budget and \$100K over 2004 bottom line departmental profit.
- Provide strong leadership in Rooms Division through setting examples and motivation.
- Assisted DOSM by implementing e-marketing campaign to optimize revenues in Transient Sales.
- Restructured Housekeeping department to provide strong leadership and instill integrity in this area of operations. Department has become an example of teamwork and dedication during this process and continues to prove itself in these areas.

Benchmark Hospitality International at **Stonewall Resort**, Roanoke, WV

Sept 2002 -2004

Front Office Manager/ Revenue Manager

Prepared operational reports, developed budget and effectively managed department consisting of 25 staff members. Increased overall room revenues and ADR's annually in accordance with business plan. Conducted weekly Yield Meetings with management team. Carried out internal audits to ensure regulatory compliance and operational efficiency/accuracy. Built and led teams in carrying out special projects. Increased guest service levels throughout all areas of Front Office through setting examples and coaching.

- Increased Transient Room Revenues annually as well as increased Departmental Profit %.
- Growth of key departmental staff through training and coaching
- Achieved corporate goals for guest satisfaction scores of 95% or more.
- Created very strong customer service levels across the board in Rooms Division.
- Implemented and conducted weekly Revenue and Yield meetings.

CAREER EXPERIENCE CONTINUED

Benchmark Hospitality International at **Virginia Crossings Hotel & Conference Center**
Richmond, VA April 2002 – August 2002

Food & Beverage Manager

Assisted the Director of Food & Beverage in daily operations of all outlets to include the dining room which was designed to serve group attendees on CMP's as well as Corporate/Leisure guests of the hotel. Also provided supervision for the bar and lounge as well as in room dining. Worked at this property briefly prior to relocating to West Virginia to open up Stonewall Resort which is also a Benchmark Hospitality International property.

MERIWETHER – GODSEY, INC. Lynchburg, VA Sept 1999- April 2002

Restaurant Manager/Director of Beverage

Assisted in daily operations of 4 diamond fine dining establishment along with acting as wine consultant for local high profile cliental. Managed monthly wine inventories of \$50,000+. Created and orchestrated quarterly wine dinners for high profile cliental. Conducted one on one consultations with wine enthusiasts to generate additional wine sales and overall revenues.

Key Achievements:

- Assisted management team in achieving over \$2 million in overall annual revenues.
- Grew total wine sales revenue year over year by 20%.
- Developed and maintained award winning wine list.
- Achieved Wine Spectator Award of Excellence.

CROWN STERLING, Lynchburg., VA 1994– Sept 1999

General Manager/Public Relations Manager

Successfully operated Central Virginia's premier English style steak house, a 40 year old 4 star fine dining establishment catering to very high profile cliental. Responsible for ensuring profitability and generating revenues through upholding high standards of service and quality. Controlling operational costs. Managing staff of 40 including entire original staff of professional waiters that were in place from the opening of operations.

Key Achievement:

- Responsible for annual revenues of \$1.2 million
- Achieved year over year growth in revenues and profit through strong leadership and accountability.
- Built relationships throughout the local business community through being a member of various local organizations such as Chamber of Commerce and Region 3000.
- Coordinated private functions for large corporate accounts throughout the region.
- Developed strong training procedures for front of house service personnel.

CROWN STERLING, Lynchburg., VA Mar 1984– 1994

Assistant Food & Beverage Director

Responsible for daily operations of 4 diamond fine dining establishment catering to very high profile cliental. Assisted General Manager in supervision of culinary team and front of the house management team. Responsible for ensuring profitability and generating revenues through upholding high standards of service and quality. Controlling operational costs. Full training and retention of staff.

EDUCATION/PROFESSIONAL

CENTRAL VIRGINIA COMMUNITY COLLEGE – Lynchburg, Virginia 1980-1982
BROOKDALE COMMUNITY COLLEGE~ Lincroft, New Jersey 1983
DALE CARNEGIE TRAINING “How to Win Friends & Influence People” ~ 1986

PROFESSIONAL ACHIEVMENTS & AWARDS

Inducted into Benchmark Hospitality International “Best of the Best” ~ September 2005
Awarded Stonewall Resort Manager of the Year ~ December 2004
Awarded Stonewall Resort Manager of the Quarter ~ December 2002

COMMUNITY INVOLVMENT

Board of the Greater Morgantown CVB 2008-present
Board of the Morgantown Chamber of Commerce 2008-present
Board of the United Way for Lewis County, West Virginia 2004-2008

REFERENCES UPON REQUEST

Marc Arteritano

9 Old Farm Rd.
Pittsburgh PA 15106
Phone: (916) 806-6601
(412) 279-2165

Education: Pennsylvania State University
B. S. Accounting B.S. Marketing
Aramark & Hilton Management Courses

EXPERIENCE:

3-2007 to Hilton Pittsburgh

Director Food & Beverage

Direct Staff – Executive Chef, Assistant Catering Manager, Beverage Manager, Assistant Food & Beverage Manager, Outlet Manager, Assistant Outlet Supervisor, Purchasing Manager, Receiving Supervisor, Banquet Manager.

- 712 Rooms, 46,000 plus square feet of Meeting Space/Event Space.
- 4 Bars, 4 Restaurants, Night Club, Executive Club, Room Service, Outside Catering
- Level one budgetary responsibility.
- Responsible for Operational and Financial Audits
- Responsible for all departmental reporting, controls and projections.
- Responsible for all Capital procurement budgets, bidding processes and approvals.
- Regularly meet with union representatives regarding all directly related contractual issues and departmental issues.
- Completely revising the purchasing/inventory system
- Create all manager and supervisor work schedules.
- Approve all hourly work staff schedules.
- Responsible for all performance reviews of managers and supervisors along with all necessary Action Plans.
- Creating/implementing all FOH & BOH training manuals including a hospitality incentive program.
- Revised all Alcoholic beverage levels in accordance with Hilton standards.
- Completely revised all Banquet, Catering, Restaurants, Bars, Executive Lounge and Staff Cafeteria menus.
- Conduct biweekly F&B departmental meeting with the various managers.
- Conduct weekly BEO meetings.
- Supervise, direct and train all level managers/staff (approximately 400) for the all the above facilities/departments.
- TIPS Training Programs
- Responsible for all marketing, promotions and entertainment within the hotel.
- Created and implemented all HACCP Programs in accordance with Hilton/EcoSure's standards.

2/98 - 3-2007 Aramark

Regional General Manager 2005 -2007

General Manager 1998 - 2005

Direct Staff –General Managers, Assistant Managers, Catering Managers, Banquet Managers, Restaurant Managers, Concession Manager, Office Managers

- Level one budgetary responsibility for multiple facilities.
- Responsible for facility maintenance/operational issues.
- Responsible for all Capital budgets,
- Responsible for the purchasing of all capital items.
- Responsible for Operational and Financial Audits
- Supervise, direct and train all level managers/staff (approximately 900) for the all the above facilities/departments.
- In charge of all sponsorship sales, new business sales, outside event sales Direct sales associates.
- Developed and implemented promotional campaigns promoting various initiatives. Co-op vendor programs.
- Created and implemented High School and College Intern programs to build our Human Resource base.

- Developed and trained all management in Hospitality Service and Incentive Program, "Focus on the STARS".
- Implemented new operational systems and controls that drastically reduced product costs.
 - Food and Beverage Inventory Procedures
 - Menu creation, recipe research and development
 - Service Training for Managers/Supervisors/Staff
 - Marketing Programs for all Initiatives
 - Employee hiring programs/campaigns
 - Developed all NPO training programs
 - Food and Beverage Accounting Procedures
 - HACCP Programs
 - TIPS Training Programs
- 1. Created and Research all recipes and menus used throughout all facilities. This includes researching all the products used in all new menu items.
- 2. Direct and supervise, site excavation, and facility build out of all the related F&B areas at both facilities.
- 3. Develop and implement grass roots programs with Elementary and High Schools helping to build good will throughout the community.
- 4. Create and implement all kitchen operational procedures.
 - a. Warehousing of food to kitchen storage areas
 - b. Opening and closing procedures
 - c. Bidding of vendor products
 - d. Menu development and controls
 - e. Training procedures
- 5. Developed and implemented grass roots programs to establish strong community relations.
 - a. Elementary school programs promoting children's activities, career days, field trips, culinary and management internships.
 - b. Career Day Programs for local High School and Community Colleges.
- 6. Instituted accounting procedures to help;
 - a. Reconciliation of revenue center daily sales
 - b. Daily spread sheet reports for managerial information
 - c. Audit trail controls for better support and pertinent managerial information.
 - d. Better appropriation procedures of compounded revenues to their proper centers

7/94 - 2/98

GAMING WORLD INTERNATIONAL

Regional Director of Food & Beverage - General Manager

Direct Staff -4 Executive Chef, 4 Food & Beverage Manager, 2 Director of Sales, 3 Director of Catering, 3 Banquet Managers, 6 Restaurant Managers, 3 Retail Shop Manager, Boat Sales Manager, 3 Office Managers, Swim Club Manager, Tennis Club Manager.

- Developed and implemented all budgets and budgetary procedures for the following areas of operations, which included 3 facilities with revenues of \$42Million.
 - 3 Banquet Facilities**
 - 3 Formal Dining Restaurants**
 - 2 Sports Bars and Restaurants**
 - 3 Night Clubs**
 - 450-slip marina**
 - 6 Retail merchandise shops,**
 - Sea Ray and Gibson Boat sales and service**
 - Tennis Club and Volleyball Courts**
 - Swim Club**
 - 3 Catering Operations**
 - 5 Game Rooms, Vending Rooms**
 - Restructured all operational systems (Select and compile all capital items for procurement.)
 - Responsible for all facility operational issues.
 - Created and trained "Hospitality Service" program.
 - Created and trained all manager/staff programs (1100).
 - Created and researched all recipes and menus used throughout the entire facility. This include researching all products used in all new menu items.
 - Created all special events and promotional programs along with the marketing approach and the advertising vehicles to be used.

- a. Consistently worked with sales representative on all marketing issues.
- b. Wrote and designed all marketing advertising copy for media
- Direct and supervised, site excavation, and facility build out of a full-service restaurant concept, outside entertainment decks, recreational areas Sports Bar, Banquet Room expansion, Swim Club expansion and merchandising outlets.
- Develop and implemented grass roots programs to establish a continuing formidable customer base of revenues, i.e..
- Created and implemented all kitchen operational procedures.
- Reorganized and developed new accounting procedures, i.e..
- Reorganized the Operations Department

5/90 - 7/94

HOLLY HILL GOLF CLUB and CONDIMINIUMS

Executive Director - General Manager

Direct Staff - Executive Chef, Food & Beverage Manager, Director of Sales & Catering, Banquet Manager, Restaurant Manager, Greens Superintendent, Pro Shop Manager, Golf Pro, Pool Manager, Condo Manager, , Office Manager, Revenues \$9 Million

5/88 - 6/90

DEBARTOLO CORPORATION

Assistant General Manager - Director of Food and Beverage

Direct Staff - Executive Chef, Director of Sales, Banquet Manager, 2 Restaurant Managers, Food & Beverage Manager, Office Manager, Revenues \$10 Million
(For 2 hotels & free standing restaurant)

1/83 -6/88

MARCOS ENTERPRISES (DBA "Marco's and "The Comedy Club," Casual Dining Restaurants & Comedy Clubs/Night Clubs this included 8 locations)

Director of Operations

5/80 - 4/83

J.K. LASSER CERTIFIED PUBLIC ACCOUNTANTS

Senior Accountant

