



MORGANTOWN BOARD OF ZONING APPEALS

July 17, 2013
6:30 PM
City Council Chambers

Board Members:

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

STAFF REPORT

CASE NO: CU13-12 / Tru Art Restaurant Group, LLC / 40 Donley Street

REQUEST and LOCATION:

Request by Mark Tasker for conditional use approval of a "Restaurant, Private Club" use located at 40 Donley Street.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 28, Parcel 134; B-4, Service Business District

SURROUNDING ZONING:

B-4, Service Business District

BACKGROUND and ANALYSIS:

The petitioner seeks to establish a "Restaurant, Private Club" use that will include a license with the West Virginia Alcohol Beverage Control Administration to sell beer, wine, and liquor. Table 1331.05.01 "Permitted Land Uses" provides that the development of "Restaurant, Private Club" uses in the B-4 District requires conditional use approval by the Board of Zoning Appeals. Addendum A of this report illustrates the location of the subject site.

According to the petitioner's application and exhibits, the proposed restaurant will be called "Table 9" and will feature contemporary new American cuisine that will consist of fine dining dishes served in large or small portions. The bar will feature a wide range of liquors, beers and wines. The petitioner seeks to open the subject restaurant in August 2013. Anticipated operating days are Sunday through Thursday from 11:00 AM to 10:00 PM and Friday and Saturday from 11:00 AM to 12:00 AM. A detailed description of the establishment's business plan and contemplated menu are included in the petitioner's exhibits.

"Table 9" will be located at 40 Donley Street and was once occupied by the *Boathouse Bistro* and *The Wharf Restaurant*, both of which obtained conditional use approval by the Board for a "Restaurant, Private Club" under Case No. CU07-07 on 16-May-2007 and Case No. CU10-08 on 21-Jul-2010 respectively.

The structure is approximately 3,650 square feet. The establishment's layout consists of approximately 2,550 square feet in eating and bar area, 800 square feet in kitchen area, 300 square feet for restrooms, and 135 square feet for office space. A floor plan is included in the petitioner's exhibits.

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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"Table 9" has been designed and will be managed by the owner, Mark Tasker of Tru Art Restaurant Group, LLC. Mr. Tasker has been a chef for over ten (10) years and is presently employed with "Charlie's Grille" as a manager and head bartender in Westover, WV. Resumes for Mark Tasker, James Durst, and Kathleen Lewis are included in the petitioner's exhibits.

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 Administration.

Should the Board decide to waive said one-year "bona fide restaurant" requirement, 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 petitioner.

Addendum B of this report provides Staff recommended 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 to Tru Art Restaurant Group, LLC (d/b/a "Table 9"), Staff recommends that the following conditions be included:

1. That the petitioner must maintain compliance with all supplemental regulations set forth in Article 1331.06 (27) of the Planning and Zoning Code.
2. That the petitioner must obtain permitting as a "restaurant" from the Monongalia County Health Department under the *Monongalia County Clean Indoor Air Regulations*.
3. That the "Restaurant, Private Club" use shall be limited to the interior design and identified areas of the subject building as illustrated on the drawings submitted with the application and reviewed and approved by the Board of Zoning Appeals. Any expansion of the conditional use or significant deviation from said facility layout design or proposed dining experience must first be approved by the Board of Zoning Appeals.
4. To ensure that the petitioner's business description and plans are executed as described and considered in granting the one-year "bona fide restaurant" waiver, the subject "Restaurant, Private Club" use must:
 - a. Be open to the general public a minimum of 11:00 AM to 1:00 PM Monday through Friday for the purpose of serving lunch as generally described in the menu submitted with the petitioner's conditional use application.

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- b. That the petitioner shall voluntarily submit all necessary financial information to the City for the subject establishment following its first twelve (12) months of operation as a "Restaurant, Private Club" use to ensure compliance with Article 1331.06(27)(e) provisions, which requires the sale of food and non-alcoholic beverages to comprise a minimum of 60 percent of total gross sales of all food and drink items in each calendar month.
5. That any exterior building modifications (i.e. façade, awning, etc.) shall be reviewed and approved by the Downtown Design Review Committee and the Planning Division prior to building permit issuance for same.
6. That any regulated signage shall be reviewed and approved by the Downtown Design Review Committee and the Planning Division prior to building permit issuance for same.
7. That the beneficiary of this conditional use approval is Tru Art Restaurant Group, LLC, which may not be transferred without prior approval of the Board of Zoning Appeals.

Attachments: Application and submitted exhibits.

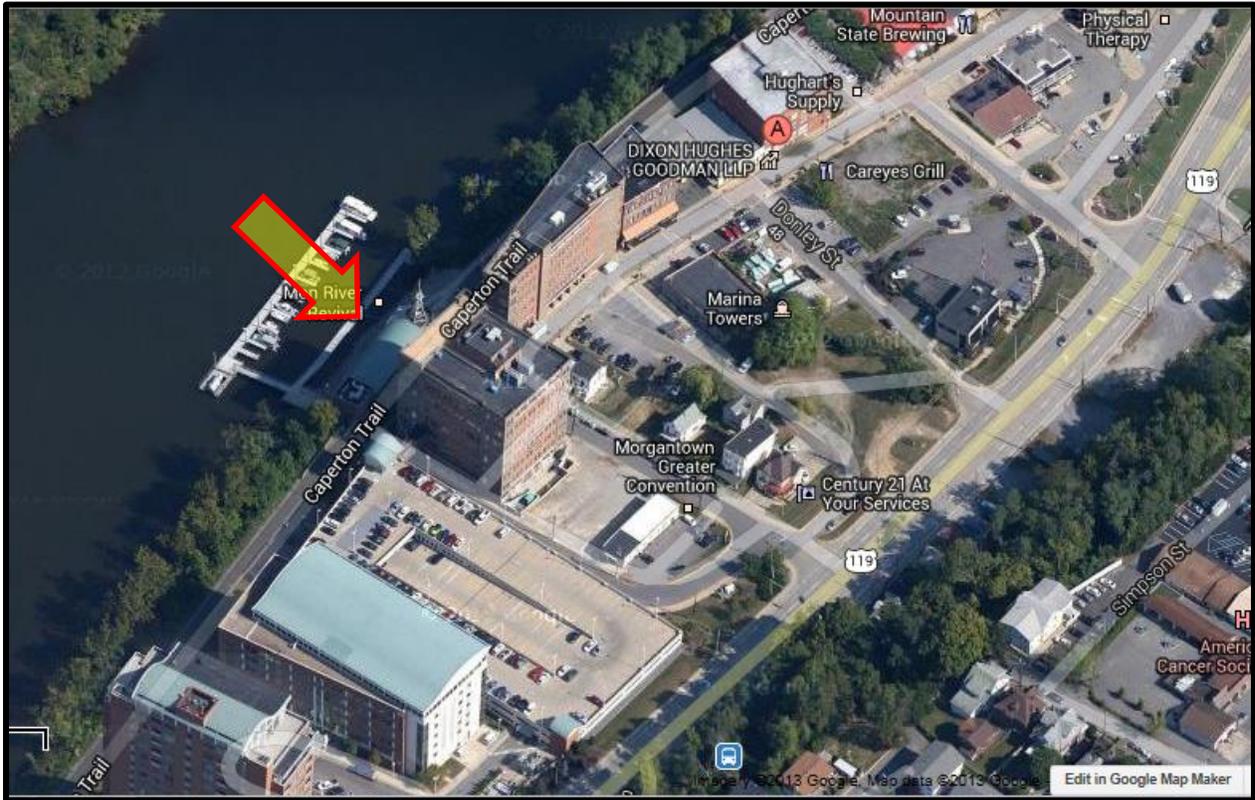
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STAFF REPORT ADDENDUM A
CU13-12 / Tru Art Restaurant Group, LLC / 40 Donley Street



STAFF REPORT ADDENDUM B

CU 13-12 / Tru Art Restaurant Group, LLC / 40 Donley Street

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

Finding of Fact No. 1 – Congestion in the streets is not increased, in that:

~~Table 9's~~ The subject conditional "Restaurant, Private Club" establishment employees and guests will have a public and private parking garage to park within easy walking distance and in therefore ~~there will be no parking in the street~~ not contribute to parking congestion along neighboring public street.

Finding of Fact No. 2 – Safety from fire, panic, and other danger is not jeopardized, in that:

~~Table 9~~ The establishment and building will be required to meet all related life safety and fire code provisions. ~~The restaurant will have clearly marked exits and staff will be educated on proper procedures in the event of fire.~~

Finding of Fact No. 3 – Provision of adequate light and air is not disturbed, in that:

~~Table 9 will be in a~~ The subject structure that already exists and should therefor not affect present light distribution and air flow patterns ~~so lighting and air will not be affected.~~

Finding of Fact No. 4 – Overcrowding of land does not result, in that:

~~Table 9 will be in a structure that has already been built.~~ No expansion of the existing building is proposed that would increase its building footprint or building height.

Finding of Fact No. 5 – Undue congestion of population is not created, in that:

~~Table 9 is a dining establishment that will not seat more than 75 persons who will be confined to the dining areas of the restaurant.~~ Maximum occupancy will be regulated by related building and fire code provisions.

Finding of Fact No. 6 – Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

~~Table 9~~ The subject conditional "Restaurant, Private Club" establishment will be located in a space that has already been used and occupied as a restaurant and has appears to have been built to meet these standards.

Finding of Fact No. 7 – Value of buildings will be conserved, in that:

~~Table 9~~ The subject conditional "Restaurant, Private Club" establishment will be located in an existing previous structure constructed through a riverfront revitalization public-private partnership intended to contribute specifically to the eatery and hospitality offerings within the Wharf District. therefore there will not be any construction that may damage any surrounding buildings. ~~The restaurant is geared toward business professionals seeking an upscale dining experience.~~

Finding of Fact No. 8 – The most appropriate use of land is encouraged, in that:

The space is an ideal setting for a restaurant because of the buildings award winning design and beautiful setting overlooking the Monongahela River.



City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CW13-12
RECEIVED:	6/13/13
COMPLETE:	

(PLEASE TYPE OR PRINT IN BLACK INK)

I. APPLICANT			
Name:	Tru Art Restaurant Group LLC	Phone:	
Mailing Address:	25 Hannah Ln	Mobile:	301 501 2022
	Morgantown WV 26505	Email:	taskermark@hotmail.com
	City State Zip		
II. AGENT / CONTACT INFORMATION			
Name:		Phone:	
Mailing Address:	Street	Mobile:	
	City State Zip	Email:	
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	Platinum Properties	Phone:	
Mailing Address:	40 Donley St	Mobile:	
	Morgantown WV 26501	Email:	
	City State Zip		
IV. SITE			
Street Address (if assigned):		Tax Map #:	Parcel #:
Zoning:			
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:	Former Restaurant		
Proposed Use of Structure of Land:	Tru Art Restaurant Group LLC plans to use this structure for a restaurant called Table 9.		

Finance Office Morgantown, WV 26505 (304) 284-7489



APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	0113-12
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): _____ No. of Bedrooms: _____ No. of Employees: _____

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.



**APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE**

OFFICE USE

CASE NO. CU13-12
RECEIVED: _____
COMPLETE: _____

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.



**APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE**

OFFICE USE

CASE NO.

CU13-12

RECEIVED:

COMPLETE:

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:** Table 9's employees and guests will have a parking garage to park in therefore there will be no parking in the street.

2. **Safety from fire, panic, and other danger is not jeopardized, in that:** Table 9 will meet all safety and fire codes. The restaurant will have clearly marked exits & staff will be educated on proper procedures in the event of fire.

3. **Provision of adequate light and air is not disturbed, in that:** Table 9 will be in a structure that already exists so lighting & air will not be affected.

4. **Overcrowding of land does not result, in that:** Table 9 will be in a structure that has already been built.

5. **Undue congestion of population is not created, in that:** Table 9 is a dining establishment that will not seat more than 75 persons who will be confined to the dining areas of the restaurant.



APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CW13-12
RECEIVED:	
COMPLETE:	

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:
 Table 9 will be located in a space that has already been a restaurant and has been built to meet these standards.
- 7. Value of buildings will be conserved, in that: Table 9 will be located in a previous structure therefore there will not be any construction that may damage any surrounding buildings. The restaurant is geared toward business professionals seeking an upscale dining experience.
- 8. The most appropriate use of land is encouraged, in that: The space is an ideal setting for a restaurant because of the buildings award-winning design & beautiful setting overlooking the Monongahela River.

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.

Mark Tasker _____ 6-12-13
 Type/Print Name of Applicant/Agent Signature of Applicant/Agent Date

• Conditional Use Petition Fee of \$75 must accompany application

CU13-12

Tru Art Restaurant Group, LLC
Table9
301-501-2022
dinetable9.com
taskermark@hotmail.com

MARK TASKER

PERSONAL SUMMARY

A bright, talented and self-motivated Chef with a successful track record of impressing customers with delicious meals and creative decorative food displays. Able to expertly instruct cooks and other kitchen workers in the preparation, cooking, garnishing, and presentation of food to the highest standards. Experienced in the planning, directing, and supervising of food preparation and cooking activities in a busy environment.

SKILLS, ABILITIES AND DUTIES

-Responsible for the operational management of the kitchen. -Making sure that all health and safety requirements are met. -In charge of the cooking, preparation and serving of meals and refreshments. -Keeping the kitchen organized, ensuring utensils are placed in the correct place. -Ensuring the kitchen is a safe environment to work in. -Advising new cooking techniques and equipment to kitchen staff. -Carry out the preparatory work for creating dishes. -Cooking, breakfast, lunch and evening meals. -Checking food items on delivery and tidy them into cold storage. -Prepare and present dishes so they are ready for guests at the right time. -Ensure all the food produced is of the very highest standard and delicious. -Serving classic Italian, French and modern American cuisine. -Responsible for food stock control, ordering high quality vegetables and meat. -Preparing food for both public visitors and private event guests i.e. weddings etc. -Introducing & developing new dishes & measuring consistency and performance. -Meal preparation and menu planning. -Ensuring the kitchen is maintained and cleaned to the highest level.

EXPERIENCE

SOUS CHEF, WILLO THE WISP

2010-2013

Where I worked with writing dinner menus, banquet menus for up to 300 guests, food cost, and very involved weekly specials showcasing local and seasonal food. Interacted with diners and built very good customer relations to increase the volume of the restaurant.

ELEVEN MADISON PARK

2012

In 2012 I staged at Eleven Madison Park in New York City. It is ranked best restaurant in the United States and fifth best in the world. I was trained in three Michelin star cuisine and how to lead a kitchen with 30+ employees.

CHEF, SANTA FE GRILLE

2008-2010

I worked there to teach myself how to run a high volume restaurants that does up to \$20,000 dollars a day in sales. I expedited all food from the kitchen and ran the six man line, also managing the two prep cooks, and four dishwashers

FURTHER
EXPERIENCE

2005-2008

2005 I moved to San Diego and went to the art institute to further my culinary knowledge. I also worked at JRDN where I cooked for a few famous guests including Rachel Ray and Tommy Lee. Then I helped open the sister restaurant named Cendio. There I was a chef for the next two year. Then companies merged and I want to help open up Vigilucci's fine dining Italian restaurant.

2003-2005

In 2003 I went to work at dc's steakhouse at the wisp. Where I helped revamp the atmosphere and menus to become more upscale and vibrant.

2000-2003

I started my career as a dishwasher at Silver Tree restaurant in 2000 just for a summer job. Within 6 months I was the sous chef of the kitchen and in charge of all my former piers. I learned how to take inventor, ordering, menu design, and leadership there.

EDUCATION

Graduate of Southern Garrett High School general studies and art studies. Attended the Art Institute of San Diego for advanced culinary classes and modern techniques.

BUSINESS
MANAGER

Kelly Storck will be the business manager for Table 9. Kelly has 20+ years' experience in human resources and financial management with a particular focus on the hospitality industry. Owner and partner of Greenscapes and DLC Design. She also is the business manager in other projects such as Brenda's Pizzeria, Traders Coffee House, and the newly opened Aces Run Restaurant.

MANAGERS

JAMIE DURST

Jamie Durst is the general manager of Table9. He was the manager of UNOs at Deep Creek Lake which has over four million dollars revenue a year. He has ran UNOs for the past 6 years and has been in management positions for other restaurants for the past ten years.

KATE LEWIS

Kate Lewis is the front of the house and bar manager. She is a trained mixologist and has been in bar management for the past 6 years. She has a vase knowledge of craft beers, wine, and liquor.

CWB-12

James L. Durst
23359 George Washington Highway, Aurora, WV 26705
(301) 501-0584
Jamie.durst@gmail.com

RESTAURANT MANAGER

Specializing in High Volume, Casual Themed Restaurants
Dynamic, Results-Oriented, and Team-Spirited

Overview More than fifteen years of professional cooking and restaurant management experience. Exemplify leadership qualities and professionalism, backed by a consistent, verifiable record of achievement.

Consistently maintained multi-million dollar restaurant establishments including: *UNO Chicago Grill* (Deep Creek Lake, MD), *Eggspectation* (Chantilly, VA), and *Red Hot & Blue BBQ* (Leesburg, VA).

- Areas of Expertise**
- Master Chef designation
 - Executive/Sous-Chef experience with million-dollar, upscale establishments
 - Trained by Ivo Haemels, Houman Pournasseh, François Ajenstat, and Sidney Higa
 - Training and development specialist; teaching instructor
 - Successful catering experience (1,200+ people)
 - Maximizing kitchen productivity and staff performance

Professional Experience	<i>UNO Chicago Grill, Deep Creek Lake, MD</i> Bar Manager <ul style="list-style-type: none">• Manage daily operation of a \$4 million restaurant.• Hire, train, and develop FOH and BOH staff of 100+ employees.• Develop bar menu, assure quality control, manage inventory, and minimize waste.	<i>2007-Present</i>
	<i>Eggspectation, Chantilly, VA</i> Beverage Manager <ul style="list-style-type: none">• Supervised all FOH operations, with a focus on all aspects of beverage.• Performed all purchasing functions for the bar in this \$2 million dollar French-Canadian Bistro.• Create beverage menus and initiate programs to increase beverage sales and staff productivity.• Key member of management staff that opened this restaurant for business.	<i>2006</i>
	<i>Red Hot & Blue BBQ, Leesburg, VA</i> Assistant Manager <ul style="list-style-type: none">• Managed 50 people and oversaw production of high-volume establishment for this \$3 million casual restaurant specializing in Southern Hospitality and Memphis-style Pit Barbeque.	<i>2004-2006</i>
Education & Qualifications	Southern Garrett High School, Oakland, MD Honors Graduate, Class of 1999 ServeSafe National Food Safety Certification with 100% on Exam TIPS Certified in Maryland Seven consecutive years of positive sales growth at UNO Chicago Grill	

References Furnished Upon Request

CMB-12

Kathleen Lewis

304.216.9523

lewiskatelewis@gmail.com

345 Riverview Avenue, Morgantown, WV

OBJECTIVE

To obtain and secure a management position which utilizes my passion, artistry, knowledge and dedication to the art of mixology and the mechanics of the dining experience.

QUALIFICATIONS

- Over 13 years of experience in the bar and restaurant field with the excellent understanding of guest service operations and food and beverage operations
- Supervised restaurant employees, setting clear expectations and training staff to ensure peak job performance from staff
- Created innovative cocktail menus to improve restaurant revenue while invigorating guest's palates
- Comprehension and edification of wine, spirits and beer
- Liaison between front of the house and back of the house while upholding owners standards
- Reducing the expenditure of the establishment while maintaining customer satisfaction
- Maintaining and recording inventories of bar par levels
- Surpassed sanitation and food quality standards, resulting in a perfect safety record
- Strong leadership skills
- Knowledge of client relationship management
- Exceptional communication skills
- Excellent ability to create repeat customers
- Create and maintain relationship with purveyors
- Cash and credit deposits and transactions

PROFFESIONAL EXPERIENCE

Manager | Head Bartender

Charlie's Grille | Westover, WV

2012 – Present

Manager | Head Bartender

Four Seasons | Oakland, MD

2011-2012

Manager | Head Bartender

Tantra Lounge | Savannah, GA

2008-2010

Gallery Director

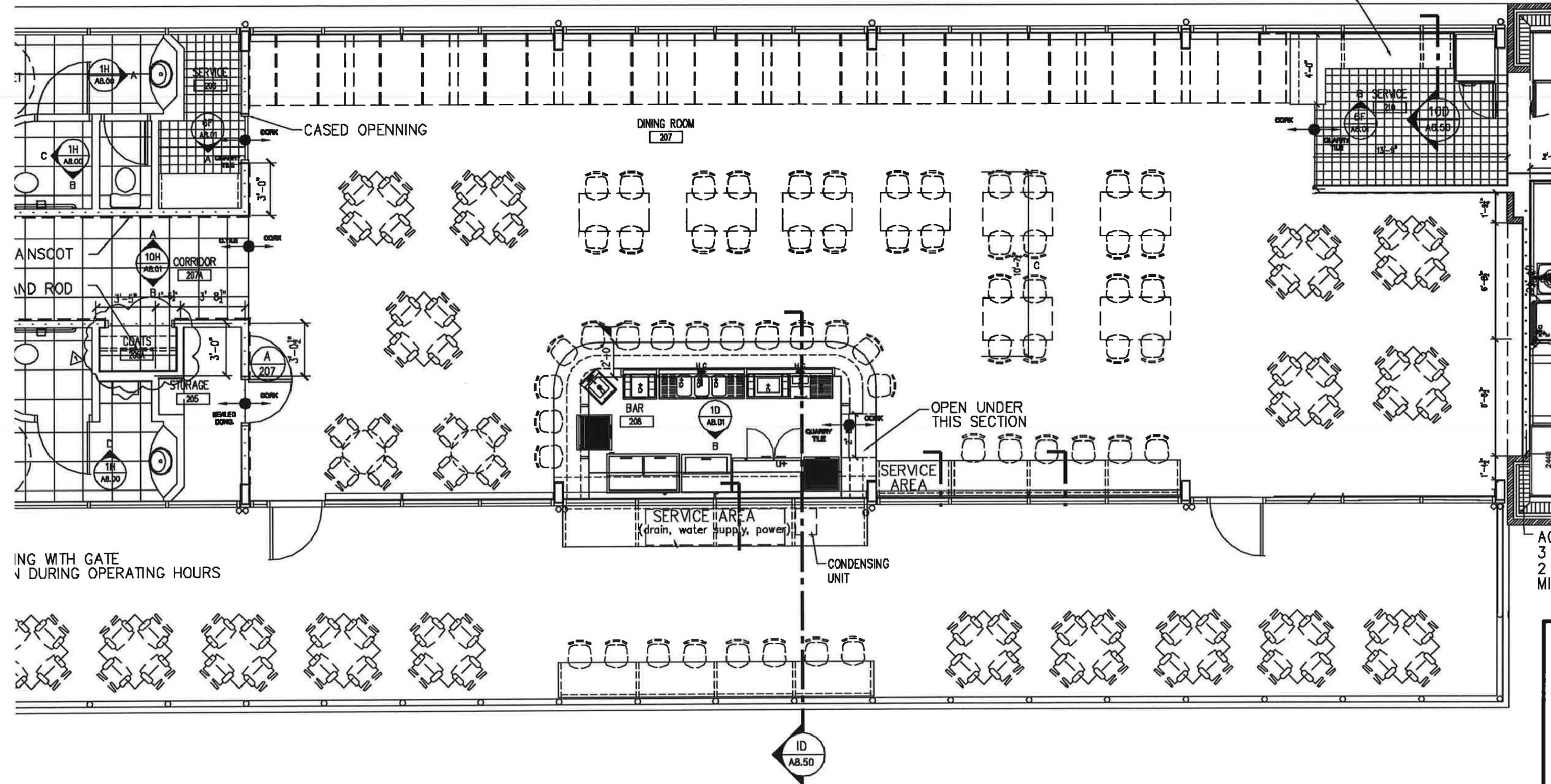
Desotorow Gallery | Savannah, GA

2008-2010

References available upon request

NOTE:
BOOTHS, TABLES, CHAIRS, BARSTOOLS FURNISHED BY OWNER

POWER, CAT 5, WATER LINE, ETC.



ING WITH GATE
DURING OPERATING HOURS

AC
3
2
MI

Business Plan

EXECUTIVE SUMMARY

Table 9 Kitchen & Bar is a new concept restaurant to be located in Morgantown, West Virginia. Table 9 will feature new American cuisine focusing on a laid-back yet high-style approach in a comfortable and welcoming atmosphere. Table 9 will offer Owner & Chef Mark Tasker's signature style of contemporary food and drink as well as friendly service that draws an eclectic mix of locals and visitors. We will combine a creative, contemporary menu, atmosphere, ambiance, and an engaged, professional staff to create a sense of 'place'.

We believe that the success of Table 9 is tied to location, the new concept menu we will offer, and the strength of the professional community in the area. To that end, we are focusing our opening objectives on the following:

- Locating Table 9 in an area heavily populated with professionals. Our ideal location would be in a mixed-use facility with professional offices and high end retail. We have currently identified a location that provides visibility, mixed-use offerings, and ample parking.
- Our menu offerings will present small plates, with large plate options, and new American cuisine focusing on seasonal and local product. We will offer an innovative, contemporary cocktail program and a diverse wine list to support our cuisine. Our concept also will promote "pairing and sharing" for larger groups and private parties.
- Morgantown is a market heavily populated with professionals and entrepreneurs. Our focus on a warm, comfortable atmosphere with sophisticated menus will provide the perfect spot for professionals looking for a place to take clients, a place to relax after work, or a place for special occasions family, friends, and colleagues.

Chef Mark Tasker will bring to life a new restaurant devoted to serving excellent food in comfortable surroundings with a commitment to true hospitality. We will be open Sunday thru Thursday at 11am – 10pm, Friday and Saturday 11am – 12am. Table 9 will expertly walk the line between familiar and cutting edge, using innovative American-inspired cuisine and a relaxed atmosphere to set the tone. Whatever the occasion, Table 9 will always fit the mood.

MARKET ANALYSIS

Market Analysis Summary

Located on a crossroads of Interstate 79 and Interstate 68, Morgantown is within a 500 mile radius of half of the nation's population. This area is one of the major population and economic growth areas in the country, and consistently ranks among Forbes Magazine's annual "America's Best Small Cities for Business and Careers" list. Placed along the banks of the Monongahela River, Morgantown is the largest city in North-Central West Virginia, and the base of the Morgantown metropolitan area.

Known for its excellent medical and educational institution, West Virginia University, mountain landscapes, eclectic neighborhoods and continual business growth, Morgantown is frequently ranked as one of the top cities and metropolitan areas in the country in terms of both quality of life and business climate by national publications and periodicals such as Forbes, Inc. and Kiplinger's.

Competitive Comparison

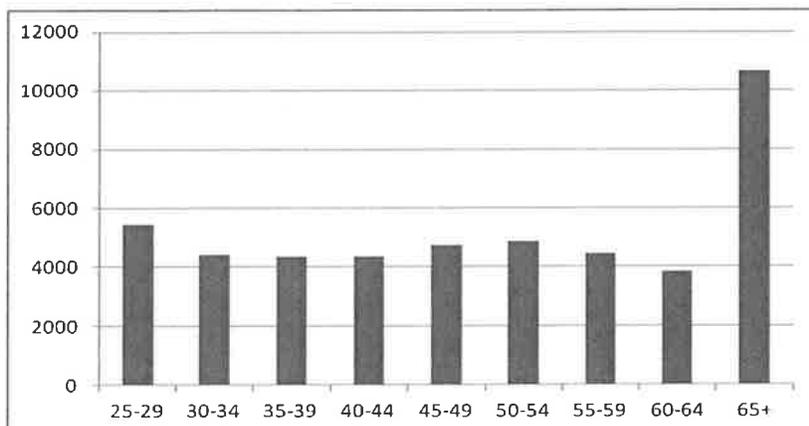
While there are several restaurants within the Wharf District, competition is limited with regards to menu and atmosphere. The Regatta Bar & Grille, located in the Waterfront Hotel offers a traditional and somewhat standard American fare of seafood, steak and salads, as well as a lunch buffet and weekend seafood buffet. Mountain State Brewing Company, located in the Marina Towers, offers lunch & dinner as is known for their wood burning pizza ovens. Oliverio's is a popular Italian restaurant serving all-you-can-eat breadsticks and salad. TABLE 9's menu of unique fresh & fast sandwiches for lunch and seasonal ingredient-driven fine dining food in small and large portions, served along with wine, beer or cocktail pairings, will change the restaurant landscape of the Wharf District, as well as Morgantown. This is a "foodie's" paradise.

Market Segmentation

The Wharf District in Morgantown has become one of the best portals to the Caperton Trail. What was once an old warehouse district, is now a revitalized growing commercial and residential center. Located next to the Monongahela River and the Caperton Trail, the Wharf District area is growing rapidly. Public and private investments have combined to include street and trail improvements, restaurants, retail, professional services offices, and high-end loft apartments.

The Marina Towers, with only three spaces available, is a mixed-use building housing businesses, restaurants and services. Currently, 700 people work in the three buildings. West Virginia University, Dixon Hughes Goodman CPA, Jackson Kelly PLLC, and Mundell Financial Group are just a few of the professional businesses that occupy the business campus.

More than 59,000 adults live within a five-mile of the future location of TABLE 9. Of that, 45,000 are 25-plus, with a medium age of 35. 31.25% of the household incomes are over \$60,000, with 11.16% in the \$75,000- \$100,000 range. An additional 43,418 people make up the total daytime work population. Restaurant sales were in excess of \$71,892 in 2011.



Market Segmentation by Age within Five-Mile Radius

TABLE 9's target market includes:

- Professionals & Business Travelers
- Couples & Singles 25+
- Income levels of \$60,000+
- "Foodies"

Because of its proximity to The Waterfront Hotel, over 700 professional workers within their complex, and West Virginia University Hospital, TABLE 9 will enjoy reaching their goal of the restaurant choice for local and visiting professional, high-end singles and couples and special occasions.

Target Market Strategy

TABLE 9's warm atmosphere, innovative approach to food and knowledgeable and engaging staff, is targeted specifically to the 25+ market that appreciates creativity and knows value. The fresh, seasonal menu, with its large and small plates and wine, beer or cocktail pairings, will be praised by foodies. TABLE 9 will be the restaurant that will fast become a regular eating establishment for the professionals working and living in the area. In addition, because of the size of Morgantown and the lack of sophisticated dining, TABLE 9's market will reach far beyond The Wharf District, quickly establishing itself as one of the top dining experiences in Morgantown and surrounding suburbs.

The target customer base, with higher requirements than other segments, have more disposable income or expense accounts and have the desire to be "in-the-know." Once they earn your respect, they expect the mixologist to know them on a first-name basis, even knowing their libation. The hostess will know their favorite table, and the wait staff will know to have sparkling water served. They are willing to pay \$75 for dinner and have the disposable income to treat themselves weekly if they chose to do so. They expect exceptional service and food.

TABLE 9's contemporary American cuisine, casual, yet stylish atmosphere is the perfect pairing for their target audience.

Market Trends

The growth of Morgantown, and specifically The Wharf District, is significant and will continue to expand. Restaurants and retail have only started to penetrate the area. Most restaurants offer traditional menus that don't change. TABLE 9 will rely on an innovative approach to food, changing the menu seasonally, in an upscale and casual atmosphere. The open kitchen will add to the guest's experience.

Opening Strategy & Tactics

Knowing that a restaurant's "Grand Opening" is the best time to get press & create "buzz", Table 9 we will implement the following:

- A “quiet” opening for family and friends to refine production and service points prior to opening.
- Join local organizations such as the Chamber of Commerce.
- Inform the public using both traditional and new media.
- Apply a targeted marketing plan to our key demographics.
- Develop an opening week calendar with events such a fundraising night - in partnership with a organization such as a local food bank or culinary training program for at risk youth - a VIP night, and a press night.

MANAGEMENT

Mark Tasker is the founding member and Executive Chef for Table 9. Chef Mark Tasker has been a chef for over 10 years. He started his culinary career at Silver Tree Restaurant and DC’s Restaurant in Deep Creek Lake. Mark then moved to California where he furthered his culinary knowledge at the Art Institute of San Diego. While taking classes, Mark helped open Cendio and was a chef at Vigilucci’s Ristorante and JRDN.

Mark returned home and has served as Sous Chef at Will-O the Wisp for 2 years. It has been Mark’s idea to create specials for the restaurant and has been responsible for creating something new every weekend for diners to enjoy.

Chef Mark’s style of cooking is considered Contemporary New American where he mixes global flavors in a non-traditional, whimsical approach. Mark believes food is a form of art that everyone can enjoy and wants to share his creations at his restaurant Table 9 in Morgantown, WV.

Jamie Durst will be the general manager and manage all the front of house operations. Jamie has experience in high volume restaurants with extensive background in guest service and front of house management. He was the manager of UNOs at Deep Creek Lake which has over four million dollars revenue a year. He has ran UNOs for the past 6 years and has been in management positions for other restaurants for the past ten years

Kate Lewis will manage the bar. Kate is a certified Mixologist who has eleven years’ experience in the hospitality industry. She has served at sports bars, golf clubs, music venues, hotels and fine dining restaurants in cities such as Cleveland, Ohio and Savannah, Georgia. While attending graduate school at Savannah College of Art and Design, she co-founded a non-profit gallery. During this time she managed over fifteen volunteers and oversaw all administrative, curatorial and events concerning the gallery. Kate specializes in creating unique cocktails and especially enjoys updating classic cocktails by giving them a fresh twist. She excels at creating a connection with guests and in turn developing regular customers.

Kelly Storck will be the business manager for Table 9. Kelly has 20+ years experience in human resources and financial management with a particular focus on the hospitality industry.

LEGAL ENTITY & OWNERSHIP

Table 9 is currently registered with the Secretary of State (West Virginia) as a limited liability company under the name Tru Art Restaurant Group LLC. We plan on operating as "Table 9 Kitchen & Bar". Tru Art is wholly owned by Mark Tasker, a successful chef with 10+ year's restaurant experience, and his wife Laura Tasker.

FACILITIES & LOCATION

Table 9 is located in Morgantown, West Virginia. We will be occupying roughly 3,650 square feet of commercial space. Restaurant & Bar: 2,550 square feet. Kitchen: 800 square feet. Restrooms: 300 square feet. Downstairs office: 135 square feet.

PRODUCT DESCRIPTION

TABLE 9's menu will consist of seasonally fresh, sustainable food, prepared daily under the direction of Executive Chef, Mark Tasker. The lunch menu will feature imaginative sandwiches, fast and fresh for the workday crowds. The contemporary new American cuisine will consist of fine dining dishes that are still accessible to any palate. Served in large or small portions, the sizes are prepared to encourage guests to share their plates so they can enjoy multiple courses. Every item will be paired with a glass of wine, handcrafted beer or specialty drink. The bar will feature a wide range of beer & wine, as well as any cocktail imaginable by a staff of well-seasoned mixologists.

Below is a sample of our menu offerings:

Spring Menu

FOIE GRAS rhubarb strawberries granola

ROASTED MUSHROOMS, arugula, pork belly, poached egg

TEMPURA LOBSTER, somen noodles, avocado, carrots, ponzu

TUNA TARTARE, pickled cucumber, fried green tomato, scallions, ginger

ROASTED BEETS, goat cheese, pecans, arugula, white balsamic

SEARED SCALLOPS, parsley root, brussels sprouts and leeks, balsamic gastrique, sprouts*

CURRY SHRIMP, salted yogurt, pickled cucumber, horseradish, grilled watermelon, mâché*

CRISPY CHICKEN, gorgonzola cheese, bacon, white balsamic, greens*

GRILLED ASPARAGUS CAESAR, fried quail, char grilled tomato*

DUCK CONFIT, celery root and pot mash, mushrooms, pea shoots, balsamic*

BEEF FILET, roasted oyster and chanterelle mushrooms, sautéed spinach, rosemary demi*

LAMB, salted yogurt, white eggplant, zucchini, rosemary*

DRY AGED RIB EYE, wax beans, pearl onions, demi*

**offered as small plate or full portion*

Spring Cocktails

PIMM'S CUP

Pimm's No. 1 Cup, Fresh Lemonade, garnished with lemon and cucumber slice

RHUBARB FIZZ

Saint Germain, Fresh Lemon, Rhubarb Simple Syrup, topped with Club Soda

BERRY IRISHMAN

Jameson Irish Whiskey, Sloe Gin, Blueberry Coolis

CUCUMBER COLLINS

Hendrick's Gin, Fresh Cucumber, Fresh Lime, Simple Syrup, topped with Club Soda

VANILLA MOSCOW MULE

Stoli Vanilla Vodka, Fresh Lime, Ginger Beer

LOVE AT FIRST STING

Herradura Silver Tequila, Solerno Blood Orange, Jalapeno Simple Syrup, Fresh Blood Orange and Lime Juice, salt rim

GREEN TEA MOJITO

Bacardi Light Rum, Mint Leaves, Fresh Limes, Simple Syrup, Green Tea, splash of Club Soda

Lunch Menu

SANDWICHES

CUBAN SANDWICH, pork, ham, pickles, Swiss, whole mustard aioli

PULLED PORK, Provolone, avocado, cole slaw

FRIED GREEN TOMATO, avocado, mozzarella, pesto aioli

BLACKED FISH, fried onions, chipotle aioli

GRILLED CHICKEN, pepper jack cheese, roasted red peppers, chipotle aioli

LOBSTER ROLL, scallions, celery, tarragon aioli

SKIRT STEAK, Swiss, peppers onions wild mushrooms, herb aioli

SALADS

ROMAINE and kale Caesar (with chicken)

MESCALINE leaves, Gorgonzola, black beans, onions, cumin dressing.

FLATBREADS

WILD MUSHROOM, spin, feta, flatbread.

CRAB, avocado, basil, mozzarella flatbread

4 CHEESE, tomato, arugula flatbread

PEPPERONI and sausage flatbread

SIDES

TRUFFLE FRIES

GARLIC AND HERB FRIES

OPERATIONS

Our team will focus on marketing, leading classes and continuing education. All staff members will hold a certification. We will constantly improve our teaching methods through continual participation in certification courses in all aspects of fitness training and nutrition.

GOALS

Our primary goal is to create a restaurant that has regular customers that keep coming back because of the appeal of an ever changing menu with fresh local ingredients. We aim to do charity events for the community and organizations that help with world hunger.

We wish to run under a 32% food cost and under 30% labor. Our restaurant will only serve fresh and sustainable products. The goal is to have \$1,200,000 to 1,800,000 revenue each year. Table 9 will generate enough revenue to pay off the line of credit in the first three years of operation.

In year five my team and I will open a wine bar and bistro. Serving French American cuisine.

FINANCIAL PLAN

Table 9 will seat 65 for table and bar service and we are estimating a check average for \$35 per person during the first year of operation for lunch and dinner operations. We are anticipating \$575,000 in revenues for year one with projected growth of 12% in year two and 14% in year 3. Repeat business is a critical part of the business model and our offerings and marketing programs will be designed to support the development of loyal customers who return time and again.

FUNDS REQUIRED

Table 9 is seeking initial funding in the amount of \$150,000 to be used to secure and build out a space, purchase equipment and for 90 days of operating expenses. A detailed design and equipment purchase plan is included in Appendix B.

USE OF FUNDS

The funds will be used to lease & build out of commercial space and buy necessary equipment. Initial marketing expenses and point of sale systems software will also be purchased with these funds. A portion of the funds will be used for operating expenses until cash flow projections are realized.

INCOME STATEMENT PROJECTIONS

Table 9 has a target opening of August 25, 2013. First year revenues are projected to be \$575,000. Revenues will grow to \$644,000 in year 5. During the same period, net profit will grow from \$43,000 to \$57,000.

Details are provided in the attached pro forma.

BALANCE SHEET

The business will maintain primary assets of equipment and cash. The business will work hard to reduce liabilities with the goal of paying off all liabilities by the end of our third year.

ASSUMPTIONS

These projections are based on the assumption that restaurant trends will continue and competition will remain relatively the same.

Kitchen equipment list

- 3'x2' flat top for cooking fish and for the grill operator to sauté on.
- 3'x2' lava rock gas grill
- 6 burner gas stove for sautéing with an above broiler for flashing and broiling
- 2 compartment convection oven for fast roasting
- 2 compartment fryer for all fried foods and some garnishes
- 4 compartment steam well to keep hot food to temp
- 2 60" prep coolers for storing all food for the line
- Three compartment sink
- Ice cream freezer
- Ice machine
- Two door Stand up freezer
- Three door Stand up cooler
- Slicer