DATE: March 8, 2004

TO: Barbara Ross, Deputy Director  
Department of Planning and Zoning

FROM: Valerie Peterson, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2003-0110  
Administrative Review for Change of Ownership  
Site Use: Restaurant  
Applicant: Remy Corporation  
Location: 428 Hume Ave A  
Zone: CSL/Commercial Service Low

On September 16, 1995, City Council granted Special Use Permit #95-0075 to Agha Raza Ali for the operation of a delivery service restaurant, including an off-street parking reduction, located at 428-A Hume Avenue. Since that time, Special Use Permits #98-0084 and #2001-0067 were administratively approved for changes of ownership. The current request, Special Use Permit #2003-0110, is to change the ownership of the existing delivery service restaurant to Remy Corporation.

On February 23, 2004, staff visited the subject property and observed that there was no city trash can outside the store as required in condition #11 of the special use permit. The applicant responded quickly and arranged to have a city trash can installed as required. Staff has not received any complaints from residents or adjacent businesses that would require staff to docket the special use permit for public hearing.

Staff recommends that the special use permit for change in ownership be granted.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: March 8, 2004  
Action: Approved  
Staff: Valerie Peterson, Urban Planner.  
Attachments: Application for SUP #2003-0110
CONDITIONS OF SPECIAL USE PERMIT

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest.  (P&Z) (SUP 95-0075)

2. No on-site consumption of food or beverages shall be permitted, and no seats or tables shall be provided for patrons.  (P&Z) (SUP 95-0075)

3. No outside dining facilities shall be located on the premises.  (P&Z) (SUP 95-0075)

4. The hours of operation shall be limited to 11:00 A.M. to 1:00 A.M., Sunday through Thursday, 11:00 A.M. to 2:30 A.M., Friday and Saturday.  (P&Z) (SUP 95-0075)

5. No live entertainment shall be provided at the restaurant.  (P&Z) (SUP 95-0075)

6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP 95-0075)

7. No alcoholic beverages shall be sold. (P&Z) (SUP 95-0075)

8. No food, beverages, or other material shall be stored outside.  (P&Z) (SUP 95-0075)

9. Trash and garbage shall be stored inside or in a dumpster. (P&Z) (SUP 95-0075)

10. Trash and garbage shall be collected every day that service is available.  (P&Z) (SUP 95-0075)

11. One City trash container shall be furnished to the City of Alexandria for installation by the City on the adjacent public right-of-way.  (P&Z) (SUP 95-0075)

12. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public.  (P&Z) (SUP 95-0075)

13. Food deliveries shall be from the designated loading zone only; delivery trucks shall not double park along Hume Avenue.  (P&Z) (SUP 95-0075)
14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys or storm sewers. (T&ES) (SUP 95-0075)

15. The applicant shall provide three parking spaces within 300 feet of the restaurant between 11:00 A.M. and 5:00 P.M. After 5:00 P.M., the applicant shall provide a minimum of five parking spaces within 300 feet of the restaurant. (P&Z) (SUP 95-0075)

16. The applicant shall provide direct access to the rear parking lot by opening the sealed doorway located on the rear wall of the restaurant. (P&Z) (SUP 95-0075)

17. The oversized wall sign located on the rear of the building shall be removed by the landlord prior to the applicant obtaining a certificate of occupancy for the restaurant. (P&Z) (SUP 95-0075)

18. The Director of Planning and Zoning shall review the permit after it has been operational for one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions; (b) he has received a request from any person to docket the permit for review; or (c) he has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP 95-0075)

19. No amplified sound shall be audible at the property line. (P&Z) (SUP#2001-0067)

20. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP#2001-0067)

21. The applicant shall control cooking odors and smoke from the property to prevent them from becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP#2001-0067)

22. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (Police) (SUP#2001-0067)
CITY DEPARTMENT COMMENTS

Legend: C - code requirement     R - recommendation     S - suggestion     F - finding

Transportation & Environmental Services:

F-1 No comments.

Code Enforcement:

F-1 No comments.

Health Department:

C-1 An Alexandria Health Department Permit is required for all regulated facilities.

C-2 Permits are non-transferable.

C-3 This facility must meet current Alexandria City Code requirements for food establishments. Contact Environmental Health at 703-838-4400 Ext. 255 to arrange for a "change of ownership" inspection.

C-4 If changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a $135.00 fee for review of plans for food facilities.
C-5 Permits must be obtained prior to operation.

C-6 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.

C-7 Certified Food Managers must be on duty during all hours of operation.

C-8 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.

C-9 This facility is currently operating under Remy Corp., James McButhia, president.

C-10 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.

R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.

R-1 The applicant is not seeking an ABC permit. The police department concurs with
this.
STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2003-0110.

____________________________________  __________________
Applicant - Signature                  Date

____________________________________
Applicant - Printed
attachment: Conditions of current Special Use Permit #______.