



The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 99-0154

Date approved: 2 / 1 / 2000  
month day year

Name of applicant on most recent special use permit Five Guys Inc.

Use Restaurant.

2. Describe below the nature of the existing operation in detail so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

No difference. Restaurant that serves Hamburger + fries etc,  
the numbers of Patrons Five Guys was serving About 200 Customers  
a day, they have about 6 employees, the parking is in the  
CLARKMONT Shopping Center which have a lot of parking  
in the front and on both sides of the Building.

3. Describe any proposed changes to the business from what was represented to the Planning Commission and City Council during the special use permit approval process, including any proposed changes in the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, any noise emitted by the use, etc. (Attach additional sheets if necessary)

No Difference. still ~~my~~ Restaurant, Gyro + Shawarma + Flafel  
number of employees will be 4 because we just starting,  
number of patrons To same because it is a NEW Bussiness will  
be about 75 To 100 Customers a day, NO NOISE, we have enough  
parking in Front of the Building and on the two sides, ~~the~~ it  
is located in the Shopping Center of CLAREMONT shopping center.

4. Is the use currently open for business?  Yes  No

If the use is closed, provide the date closed. 12 / 1 / 2013  
month day year

5. Describe any proposed changes to the conditions of the special use permit:

No difference

6. Are the hours of operation proposed to change?  Yes  No

If yes, list the current hours and proposed hours:

Current Hours:

No change 11am To 10:00pm

Proposed Hours:

No change 11am To 10 pm.

7. Will the number of employees remain the same?  Yes  No

If no, list the current number of employees and the proposed number.

Current Number of Employees:

Proposed Number of Employees:

8. Will there be any renovations or new equipment for the business?  Yes  No  
If yes, describe the type of renovations and/or list any new equipment proposed.

2 Fryer 1 Grill 2 Gyro Machine 1 stove 1 oven.

9. Are you proposing changes in the sales or service of alcoholic beverages?  Yes  No

If yes, describe proposed changes:

10. Is off-street parking provided for your employees?  Yes  No  
If yes, how many spaces, and where are they located?  
3 employees have public transportation, one will be parking in our lot.

11. Is off-street parking provided for your customers?  Yes  No  
If yes, how many spaces, and where are they located?  
in our parking lot at the shopping center.

12. Is there a proposed increase in the number of seats or patrons served?  Yes  No  
If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)  
Current: 40 Proposed: 40

13. Are physical changes to the structure or interior space requested?  Yes  No  
If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business?  Yes  No  
If yes, describe the existing amount of building area and the proposed amount of building area.  
Current: \_\_\_\_\_ Proposed: \_\_\_\_\_

15. The applicant is the (check one)  Property owner  Lessee  
 other, please describe: \_\_\_\_\_

16. The applicant is the (check one)  Current business owner  Prospective business owner  
 other, please describe: \_\_\_\_\_

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

**Please provide ownership information here:**

Kholid eltayeb 4020 Southern AVE SE WASH, D.C 20020, 519.  
HAMAD YOUSIF Mohamed, 42566 MAGELLAN SQ Ashburn VA 20148  
property owner is G. Ty san Hopkins Associates LLC, 49%  
27973 Holly Rd Easton, MD 21601.



CITY OF ALEXANDRIA, VIRGINIA  
DEPARTMENT OF PLANNING AND ZONING

RECEIPT

Applicant's Name Khalid Eltayeb Telephone Number 202 787 9462  
Mailing Address 4626 King St Alexandria, VA ~~22304~~ 22302  
Property Location 4626 King St Alexandria, VA ~~22304~~ 22302

Account Numbers:

- 105777-9133 (DSUP/DSP/TMP SUP)
- 105804-9133 (BZA/Zoning/SUP)
- 105809-9133 (BAR/Hist. Pres.)

Application Type:

- Special Use Permits
- TMP SUP
- Prelim DSUP/DSP
- Final DSUP/DSP
- Rezoning
- Subdivisions
- Board of Zoning Appeals
- Board of Architectural Review
- Zoning Compliance Letter
- \_\_\_\_\_

Amount Paid

250.00

Code Enforcement Fees	
<input type="checkbox"/> 380584-9024 (DSP)	\$ 200.00
<input type="checkbox"/> 380584-9025 (SUP)	\$ 75.00
<input type="checkbox"/> 380584-9026 (DSUP)	\$ 75.00

105804-9135

- Vacations
- Encroachments

105108-2501-001008

Political Sign Bond

303390-9056

Historic Preservation Fines

105108-9131

- Tax Maps
- Copying Charges
- Documents
- GIS DVD

TOTAL 250.00

FOR INTERNAL USE ONLY

Date Received 3/11/14 Staff Name (Print) Ann Horowitz  
 Cash  Check Check Number 1091 Check Date 3/11/14  
 Credit: M/C, Visa Payer Khalid Eltayeb  
 (Please circle)

Docket Item # 7  
SPECIAL USE PERMIT #99-0154

Planning Commission Meeting  
February 1, 2000

**ISSUE:** Consideration of a special use permit review for a restaurant.

**APPLICANT:** Five Guys Inc.  
by Jerry Murrell

**LOCATION:** 4626 King Street  
Claremont Shopping Center

**ZONE:** OCM-100/Office Commercial Medium

---

**CITY COUNCIL ACTION, FEBRUARY 12, 2000:** City Council approved the recommendation of the Planning Commission.

**PLANNING COMMISSION ACTION, FEBRUARY 1, 2000:** By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

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 #98-0153)
2. Seating shall be provided for no more than 40 patrons. (P&Z) (SUP #98-0153)
3. Outside dining facilities shall be prohibited. (P&Z) (SUP #98-0153)
4. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #98-0153)
5. The hours of operation shall be limited to 11:00 a.m. to 10:00 p.m. daily. (P&Z) (SUP #98-0153)
6. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #98-0153)
7. Alcoholic beverages are not permitted. (P&Z) (SUP #98-0153)
8. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #98-0153)
9. 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 #98-0153)
10. 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 #98-0153)
11. The applicant shall install at least one trash container within the restaurant for customers' use. (P&Z) (SUP #98-0153)
12. Condition deleted. (P&Z)
13. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be

washed into the streets, alleys or storm sewers. (T&ES) (SUP #98-0153)

14. No amplified sound shall be audible at the property line. (P&Z) (SUP #98-0153)
15. 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 Health Department. (Health) (SUP #98-0153)
16. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey for the business and a robbery awareness program for all employees. (Police) (SUP #98-0153)
17. The Director of Planning and Zoning shall review the special use permit one year after approval 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) the director has received a request from any person to docket the permit for review, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

---

Staff Note: Meals ordered before the closing hour may be served, but no new patrons may be admitted, and all patrons must leave by one hour after the closing hour. (P&Z)

DISCUSSION:

1. The applicant, Five Guys Inc. by Jerry Murrell, is before the Planning Commission for a review of the special use permit for a restaurant located at 4626 King Street in the Claremont Shopping Center.
2. The subject property is one lot of record with approximately 216 feet of frontage on North Beauregard Street, approximately 146.7 feet of frontage on King Street and a total lot area of 30,153 square feet. The site is developed with a shopping center and surface parking lots.
3. On January 23, 1999, City Council granted Special Use Permit #98-0153 to the applicant to expand the restaurant.
4. On November 23, 1999, in conjunction with Condition #17 which requires a review of the restaurant one year after approval, staff inspected the restaurant on November 23, 1999, and observed a violation of the permit conditions. Specifically, staff observed a violation of Condition #12 which requires that all disposable paper goods or drink containers be clearly labeled in order to identify the source of litter. Staff issued a citation for the violation and docketed the permit for review.
5. The applicant requests that the condition be deleted and cites the cost of the labeling as the basis for its request. According to the applicant's research, the cost to label the paper products would be \$2,500 to \$3,500 per month. By contrast, the average profit per store is less than \$2,000 per month. The applicant indicates that last year's corporate profit for all three stores was \$5,980 per month. The applicant indicates that it cannot comply with the requirements of Condition #12 and requests that the condition be deleted.
6. Staff has inspected the site weekly since the issuance of the citation in November and has not observed a problem with litter or debris generated by the applicant's use.
7. Zoning: The subject property is located in the OCM(100)/ Office Commercial Medium (100) zone. Section 4-1003(AA) of the zoning ordinance allows a restaurant in the OCM (100) zone only with

a special use permit.

8. Master Plan: The proposed use is consistent with the Alexandria West small area plan chapter of the Master Plan which designates the property for office and commercial uses.

STAFF ANALYSIS:

Staff has no objection to the continued operation of the restaurant located at 4626 King Street at the Claremont Shopping Center. With regard to Condition #12 which requires that all disposable paper goods or drink containers be clearly marked, staff has recommended the inclusion of this condition for carry-out restaurants because it believes that the potential for litter to be generated by this type of restaurant is high. In this case, however, staff understands the financial burden that would be imposed on the applicant by complying with this condition. In addition, staff has inspected the property for litter on a weekly basis since the citation was issued and has not observed a problem. Finally, staff has not received any complaints from area residents or other City departments regarding litter on the property. For these reasons, staff recommends that the condition be deleted. Staff has retained the condition requiring a review of the restaurant one year from approval in order to continue to monitor the restaurant. With this condition, staff recommends approval of the special use permit.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning;  
Kathleen Beeton, Urban Planner.

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:

F-1 No objection to continued use.

Police Department:

F-1 The Applicant did contact the Crime Prevention Unit of the Alexandria Police Department. The Crime Prevention Unit conducted a security survey of the business and a robbery awareness program.