



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 3410 Mount Vernon Ave Alexandria VA 22305

TAX MAP REFERENCE: _____ **ZONE:** _____

APPLICANT

Name: Abe Hadjiesmaeiloo

Address: 11030 Sandy Manor Dr Fairfax Station 22039

PROPERTY OWNER

Name: William Oshinsky of Oshinsky Arlandria, Inc

Address: 5606 Pollard Rd Bethesda MD 20816

SITE USE: Restaurant

Business Name: **Current:** Senor Chicken **Proposed (if changing):** The Secret Garden

THE UNDERSIGNED hereby applies for a Special Use Permit for **Change in Ownership**, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

THE UNDERSIGNED hereby applies for a Special Use Permit for **Minor Amendment**, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Abe Hadjiesmaeiloo

Print Name of Applicant or Agent
11030 Sandy Manor Dr

Mailing/Street Address
Fairfax Station, VA 22039

City and State Zip Code

Signature
7036253197

Telephone # Fax #
SenorChickenCorp@gmail.com

Email address
4/25/2017

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____
Legal advertisement: _____
ACTION - PLANNING COMMISSION _____

Fee Paid: \$ _____

ACTION - CITY COUNCIL: _____

Abe Hadjiesmaailoo – Managing Partner
Direct: 703-625-3197
Email: AbeHadjiesmailoo@gmail.com

THE CONCEPT



The Concept:

The Secret Garten is not your typical Northern Virginian bar or restaurant. Here at *The Secret Garten* everything will be focused around our wide variety of rotating American craft beers along with high quality German & Belgium beers-- or biers as we like to call them. We will have beer tastings, beer dinners, beer pairings, home brewed beer, and more. Our menu will consist of great American and German food including burgers, wings, sausages and daily specials.



The Secret Garten revolves around today's hottest trend, "craft beers", along with satisfying those who like a little international flavor with German and Belgian beers. We will offer an unforgettable experience that blends diverse styles in beer selection, interior design and atmosphere-- catering to the various tastes of patrons in the Alexandria area. We will also be featuring a simple food menu offering six different types of sausages, wings and burgers. All of our ingredients will come from local farmers who practice the highest, natural farming standard. On tap (continuously rotating) will be ten+ various American craft beers, German beers and Belgium beers along with another 50+ various beers available in either bottles or cans served in various glassware ranging from boots to steins to pint glasses. We will also feature 50+ different kinds of bourbons from around the world.



People know what they are eating nowadays and do not want to eat your typical junk or frozen food. That is why we will make sure our food is fresh from local farmers who practice the highest natural farming standards. Never given any growth enhancers or added hormones our ingredients will be locally raised and processed when possible. The farmers we use will use an all vegetarian diet for the cattle and promote sustainability. Our meat will be humanely harvested and 100% all natural. Our customers will know that every time they enjoy one of our menu items that they are supporting the local farmers that supply these delicious ingredients. We will insure they know this thanks to the proper signage and also on our menus will say this in bold. We will also insure that our menu items will be created with high quality and organic food whenever possible.

The Menu:



- ~Six signature sausages with a "build your own sandwich option"
 - ~Three signature Burgers with a "build your own sandwich option"
 - ~Wings: hot, mild, medium
 - ~High quality, fresh, organic, healthy ingredients for the health conscious
 - ~Fresh ingredients from local farmers who practice the highest natural farming standards.
 - ~Ingredients that were never given any growth enhancers or added hormones.
 - ~Our ingredients will be locally raised and processed.
- ~The farmers we use will use an all vegetarian diet for the cattle & promote sustainability.
~Our ingredients will be humanely harvested and 100% all natural.

Service:

~Lunch: Everyday

Lunch will be served from 11am to 4pm every day. The estimated average check will be approximately ten to fifteen dollars.

~Happy Hour: Monday through Friday

Happy hour will begin at 4pm ending at 8pm accompanied with great food and drink specials. The estimated check will be \$15 to \$20 because our guests will be ordering food & drinks at a discounted price.



~After 9pm: Daily

The kitchen will be open until last call. Starting at 9pm depending on the day of the week we will have different events each night. Friday & Saturday nights we will have live music with a local musician signing acoustic music. Weeknights we will have open trivia nights, sports and more. The estimated check will be \$20 to \$30 a person.

Seating:

Inside we will have skinny long picnic tables for communal seating. Outside we will do the same thing except with larger & longer communal picnic tables.



R T Y H
REVISED

Special Use Permit # 2017-00049

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

If the use is closed, provide the date closed. _____ / _____ / _____
month day year

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

Outdoor seating and expanding our hours of operation by 2 hours

6. Are the hours of operation proposed to change? Yes No
If yes, list the current hours and proposed hours:

Current Hours:
Monday - Saturday 11am to 10pm
Sunday 11am to 9pm

Proposed Hours:
7 days a week: 11am to 12am

7. Will the number of employees remain the same? Yes No ^{OK} ^{EH}
If no, list the current number of employees and the proposed number.

Current Number of Employees:

3

Proposed Number of Employees:

5

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.

New Furniture, TV, new bar in place of old counter

9. Are you proposing changes in the sales or service of alcoholic beverages? Yes No
If yes, describe proposed changes:

We want to sell Mixed alcohol beverages as well. Currently we sell Beer and Wine

10. **Is off-street parking provided for your employees?** Yes No
If yes, how many spaces, and where are they located?
all of our employees currently walk to their job.

11. **Is off-street parking provided for your customers?** Yes No
If yes, how many spaces, and where are they located?
There is a shared parking lot for 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:
30

Proposed:
50 (20 seats outside)

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 (3%) 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:

Abe Hadjiesmaeiloo is a resident of Virginia for the past 40+ years and married with 3 children. He has always been self employed for his entire life and has generated numerous opportunities for the community including providing jobs, fundraising events and more for the people within our community for their enjoyment in a safe and friendly environment. He was one of the original founders of a non-profit organization for the Alexandria Health Clinic which provides health services for over 30,000 Alexandria less fortunate residents where he served on the board of directors for almost a decade. He also started his first restaurant in Virginia at this current location 3410 Mount Vernon Ave in 1992 which he later expanded it to 3 more locations and currently owns/operates 4 restaurants.

FOR YOUR INFORMATION

Special Use Permits Eligible for Administrative Approval

Certain uses of land that have potentially negative impacts on surrounding properties require special use permit approval from City Council. The City Council may impose conditions on the operation of the special use in order to protect the health, safety and welfare of the surrounding area. For new uses and for intensifications or amendments of existing uses, the Planning Commission and City Council conduct public hearings and decide whether to approve the request. The Director of Planning and Zoning, however, may approve a special use permit administratively if it is only a change in ownership or a minor amendment of a previously approved special use permit.

Special Use Permit for Change of Ownership

If the existing special use permit for an operation restricts the ownership of the use, a prospective owner may not take ownership of the operation until he receives special use permit approval for the change of ownership. Pursuant to Section 11-503, the director may approve the change and transfer the special use permit to a new owner, if the following conditions apply:

- 1) The applicant is not requesting a change in the conditions of the special use permit;
- 2) there have been no substantiated violations of the special use permit conditions;
- 3) there are no changes proposed or anticipated in the operation of the use involved;
- 4) the director has concluded that no new conditions or no amendments to existing conditions are necessary; and
- 5) following notice of the application in a newspaper of general circulation in the City, no person has requested that the director forward the application to the Planning Commission or City Council.

If the application does not meet any one of the above conditions, it must be docketed for the next available Planning Commission and City Council public hearings. If the Director approves a special use permit for change in ownership, the new owner must sign an agreement stating that he/she will to continue to comply with the special use permit conditions.

Special Use Permit for Minor Amendment

Pursuant to Sections 11-509 and 11-511 of the zoning ordinance, the director may approve minor amendments to approved special use permits. Only changes that constitute no more than a minimal enlargement or extension of the special use permit or that are so insignificant they will have little or no zoning impact on the surrounding neighborhood are eligible for administrative approval. If a change will intensify the use, it requires Planning Commission and City Council approval. Changes that intensify a use include any increase in the following:

- 1) Hours of operation;
- 2) number of seats;
- 3) number of employees; visitors of customers; or
- 4) number of vehicle trips generated.

The Director may not administratively approve minor amendments if any of the following apply:

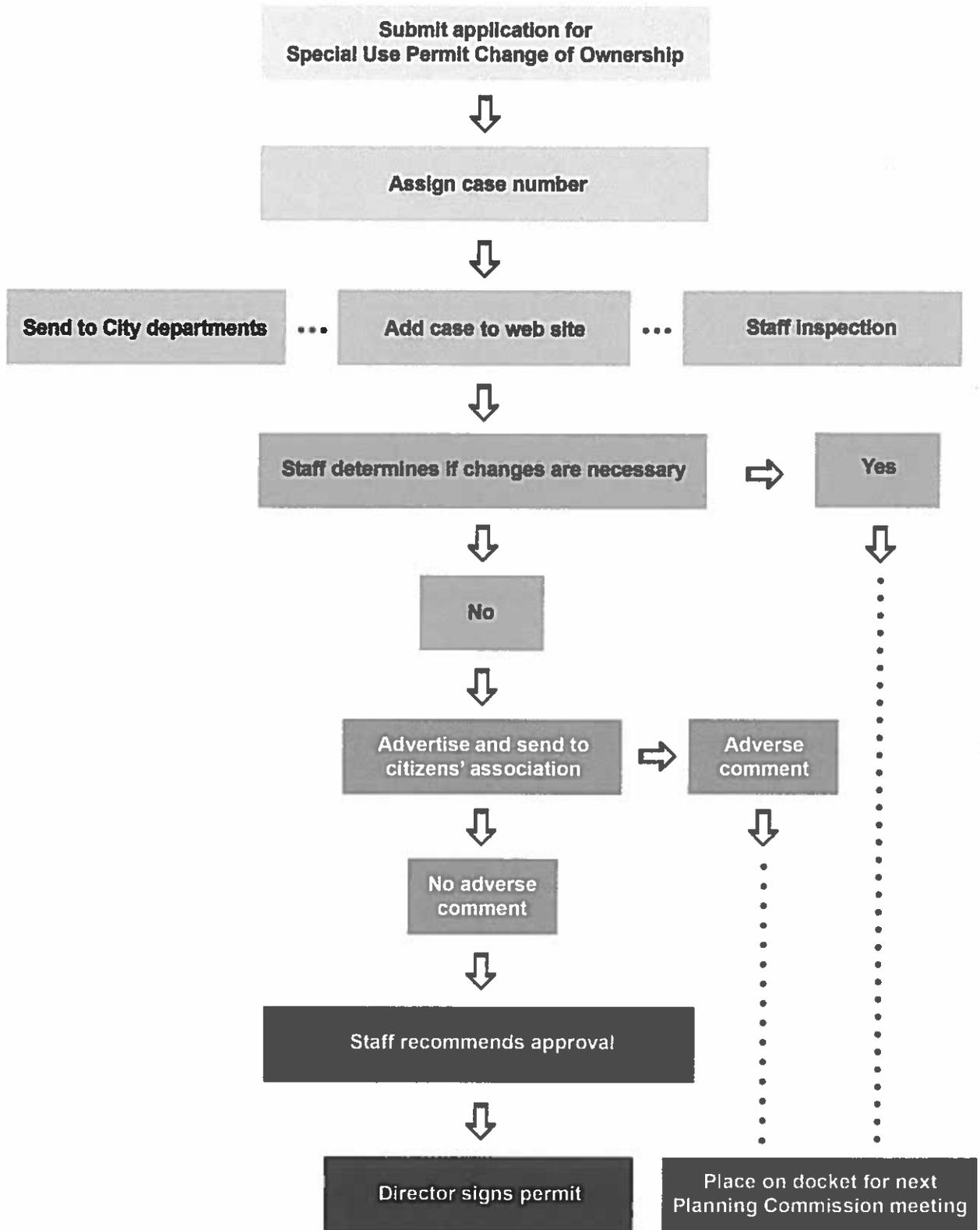
- 1) He/She has received written or oral complaints that the use is in violation of the zoning ordinance;
- 2) at the time the special use permit was approved, opposition was presented to the Planning Commission or City Council; or
- 3) new conditions or amendments to existing conditions are necessary.

Notice of the application is published in a newspaper of general circulation in the City and is sent to docket subscribers.

Approval Process

For both change in ownership and minor amendment special use permits, the approval process generally takes between four and six weeks from the time an application is submitted. During that time, staff will review the application, inspect the subject property for compliance with special use permit conditions and advertise the proposed change in the newspaper to provide an opportunity for citizens to comment on the change and, in the case of minor amendments, send notice to the Planning Commission and City Council members. If the Director determines that the Planning Commission and City Council must consider the application, he/she will docket the application for the next available Planning Commission and City Council hearings. At that time, the Director may require additional information regarding the application.

PROCESS FLOW CHART: Change of Ownership SUP

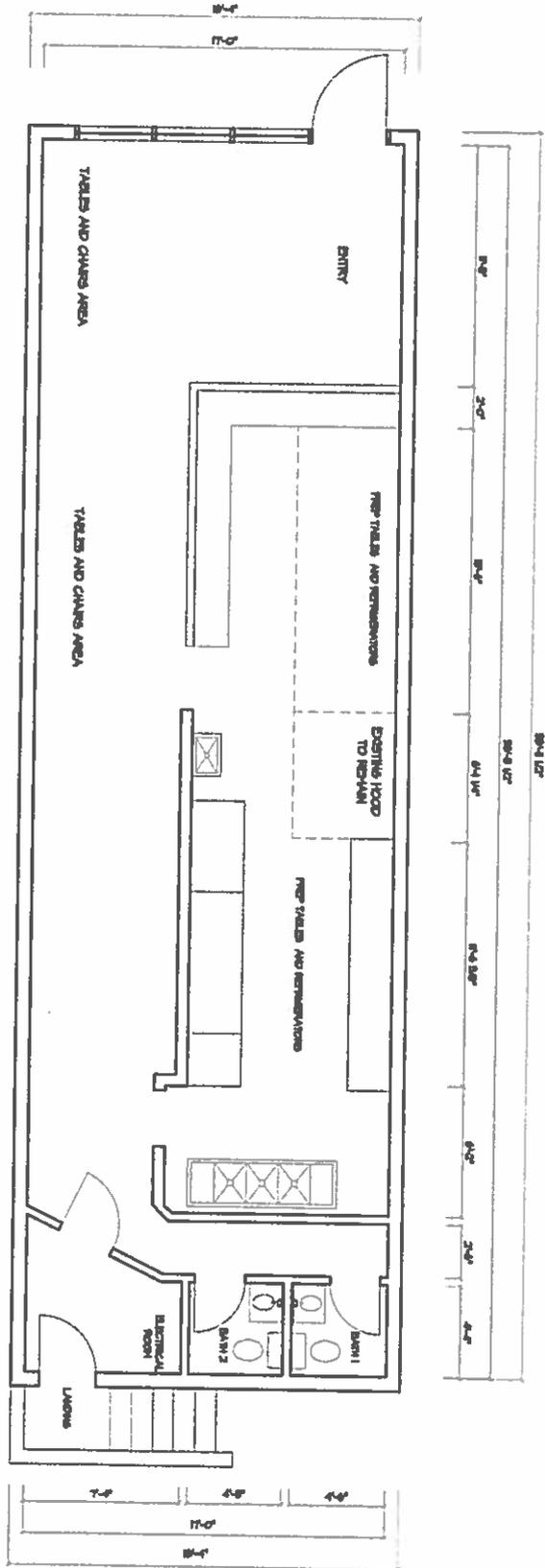


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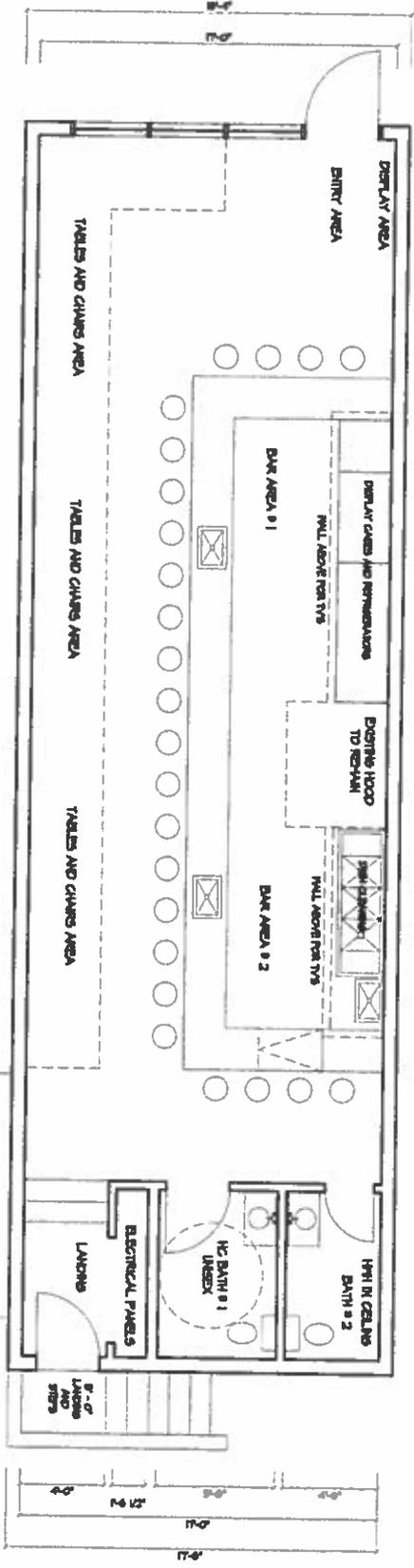


1 SITE PLAN WITH PROPOSED OUTDOOR SEATING
SCALE 1/8" = 1'-0"

SUP2017-00049



1 EXISTING FLOOR PLAN
AI SCALE 1/4" = 1'-0"



1
 A2 PROPOSED FLOOR PLAN
 SCALE 1/4" = 1'-0"