



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP
OR MINOR AMENDMENT

Change of Ownership Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 1623 Duke Street, Alexandria, Virginia 22314

TAX MAP REFERENCE: 073.02-02-07 **ZONE:** OCH

APPLICANT

Name: Yates Table Talk Restaurant LLC

Address: 1623 Duke Street, Alexandria, Virginia 22314

PROPERTY OWNER

Name: Jeffrey Lee Yates Trust U/A Dated September 14, 2017

Address: 1623 Duke Street, Alexandria, Virginia 22314

SITE USE: Restaurant / FST Food (474) - Commercial

Business Name: **Current:** Yates Table Talk Rest **Proposed (if changing):**

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.

Connie S. Sofia, Manager
Print Name of Applicant or Agent
1623 Duke Street
Mailing/Street Address
Alexandria VA 22314
City and State Zip Code

Connie S. Sofia, Manager
Signature
703-919-1899
Telephone # Fax #
Connies809@yahoo.com
Email address
June 26, 2018
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: _____ Fee Paid: \$ _____
Legal advertisement: _____
ACTION - PLANNING COMMISSION _____ ACTION - CITY COUNCIL: _____

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:

No proposed changes to the conditions of the special use permit at this time.

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

If yes, list the current hours and proposed hours:

Current Hours:

7:30 a.m. - 10:00 p.m.

Proposed Hours:

Same

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:

22

Proposed Number of Employees:

Same

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.

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?

11. **Is off-street parking provided for your customers?** Yes No
If yes, how many spaces, and where are they located?

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: 99

Proposed: Same

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: The Trust owns the LLC.

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:

Jeffrey Lee Yates Trust U/A Dated September 14, 2017 owns 100% of the Yates Table Talk

Restaurant LLC.

PREVIOUS SUP REPORT

Docket Item #6
SPECIAL USE PERMIT #96-0021

Planning Commission Meeting
May 9, 1996

ISSUE: Consideration of a request for a special use permit to change the hours of operation of the existing restaurant.

APPLICANT: Mostafa Movahed
by Harry P. Hart, attorney

LOCATION: 1623 Duke Street
Table Talk Restaurant

ZONE: OCH/Office Commercial High

CITY COUNCIL ACTION, MAY 18, 1996: Approved the Planning Commission recommendation and approved the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

PLANNING COMMISSION ACTION, MAY 9, 1996: On a motion by Mr. Komoroske, seconded by Mr. Wagner, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 4 to 0 to 1. Mr. Leibach abstained and Mr. Ragland and Ms. Fossum were absent.

Reason: The Planning Commission discussed staff's proposed new condition regarding trash and garbage and voted separately to recommend its use. The motion carried on a 4 to 1 vote. Mr. Leibach voted against the motion and Mr. Ragland and Ms Fossum were absent.

Speakers:

There were no speakers.

PLANNING COMMISSION ACTION, APRIL 2, 1996: The Planning Commission noted the deferral of the request.

Reason: The applicant failed to comply with the requirements for legal notice.

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 corporation in which the applicant has a controlling interest. (P&CD) (SUP #1974)
2. Seating shall be provided inside for no more than 96 patrons. (P&CD) (SUP #1974)
3. No outside dining facilities shall be located on the premises. (P&CD) (SUP #1974)
4. The hours during which the business is open to the public shall be restricted to between 6:00 A.M. and 11:00 P.M., daily. (P&Z)
5. No food, beverages, or other material shall be stored outside. (P&CD) (SUP #1974)
6. 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)
7. Condition deleted.
8. Landscaping installed on the property shall be maintained at all times. (P&Z)
9. No live entertainment shall be provided at the restaurant. (P&Z)
10. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z)
11. Alcoholic beverages shall be sold for on-premises consumption only. (P&Z)
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)

13. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
14. No amplified sound shall be audible at the property line. (P&Z)
15. 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)
16. The Director of Planning and Zoning shall review the special use permit one year after City Council approval, in May, 1997, 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: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Mostafa Movahed, is requesting approval to change the hours of operation at Table Talk restaurant, so that the existing restaurant may remain open for dinner.
2. The subject property is one lot of record, with 89.33 feet of frontage along Duke Street, a depth of 150 feet, and a lot area of 13,400 square feet. The property is developed by a one story building and a parking lot with 30 spaces.
3. On May 11, 1987, City Council approved Special Use Permit #1974, which allowed the applicant to construct an addition, and add 16 seats to the 80 seat restaurant. On November 11, 1994, staff approved Special Use Permit #94-0360, a minor amendment, allowing the applicant to install a freestanding, walk-in freezer for storage in the parking lot. Then, on January 12, 1995, staff approved Special Use Permit #95-0002, also as a minor amendment, which allowed the applicant to construct a small storage room between the building and the freezer and to remodel the restroom to comply with the Americans with Disabilities Act guidelines.
4. The current request is to extend the hours of operation for the restaurant, until 11:00 P.M. daily, so that the applicant may serve dinner. The current hours and proposed hours of operation are as follows:

| Current hours of operation | Proposed hours of operation |
|-----------------------------------|------------------------------------|
| 6:00 AM-4:00 PM, Mon.-Fri. | 6:00 AM-11:00 PM, daily |
| 6:00 AM-2:00 PM, Sat.-Sun. | |

5. The restaurant has 78 seats at tables and 18 seats at a bar/counter. Carry-out service is also available.
6. The restaurant offers beer, wine and bar service for on-premises consumption.
7. On March 11, 1996, staff visited the subject property and found the restaurant operating in compliance with the conditions of its special use permit. Staff has not received any complaints regarding the operation of the restaurant.
8. Pursuant to section 8-200(A)(8) of the zoning ordinance, a

restaurant with 96 seats is required to provide 24 parking spaces. The existing parking lot contains 30 parking spaces.

9. Zoning: The subject property is zoned OCH/Office Commercial High. Section 4-1103(W) of the zoning ordinance permits restaurants only with a special use permit in the OCH zone.
10. Master Plan: The proposed use is consistent with the King Street/Eisenhower Avenue Metro Station Small Area Plan chapter of the Master Plan which designates the property OCH.

STAFF ANALYSIS:

Staff has no objection to the proposed expansion of hours at Table Talk restaurant. The proposed 11:00 PM closing hour is reasonable and should have negligible impact on residences in the surrounding neighborhood. The evening hours will serve the workers in the upper King Street area, and students at the new George Washington University extension. Further, the applicant will draw customers from the Federal Courthouse and residents at Carlyle Towers, which will be occupied in April and May. The applicant has adequate parking for the restaurant.

Staff recommends approval.

STAFF: Sheldon Lynn, Director, Department of Planning and Zoning;
Elizabeth Wilcox, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys, or storm sewers.

Code Enforcement:

F-1 No Comments.

Health Department:

F-1 No Comments.

Police Department:

- R-1 Security survey for the business.
- R-2 Robbery awareness program for all employees.
- R-3 Recommend "ABC On" license only. If "ABC Off" is approved, we recommend the following conditions:
1. That the sale of single beers be prohibited. A single sale of beer is defined as any container having 40 fluid ounces or less;
 2. That chilled beer may only be sold in six-packs or eight-packs and no more than one six-pack or eight-pack may be sold to any one customer at a time. Additional sales of beer to the same customer may not be chilled;
 3. That no fortified wine may be sold. Fortified wines are defined as wines having an alcohol content of more than 14% by volume but not more than 21%;
 4. That the sale of beer and wine before 11:00 a.m. and after 9:00 p.m. is prohibited; and

5. That the SUP is reviewed after one year.