



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2019-0106
Approved by Planning and Zoning: January 28, 2020
Permission is hereby granted to: Long Gate, LLC
to use the premises located at: 5418 Duke Street
for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

1/28/2020
Date

Karl Moritz (by [signature])
Karl Moritz, Director
Department of Planning and Zoning

DATE: January 28, 2020

TO: Tony LaColla, Division Chief
Department of Planning and Zoning

FROM: Max Ewart, Planner I, Land Use Services
Department of Planning and Zoning

SUBJECT: Special Use Permit #2019-0106
Administrative Review for a Change of Ownership
Site Use: Restaurant
Applicant: Long Gate, LLC
Location: 5418 Duke Street
Zone: CG / Commercial General Zone

Request

Special Use Permit #2019-0106 is a request for a change of ownership to operate a restaurant at 5418 Duke Street from Team Washington, Inc to Long Gate, LLC. The restaurant would operate as AJ's Pizza restaurant with both on-site seating and delivery services. The applicant does not propose any additional changes to the operation and would operate under the conditions of the previously approved Special Use Permit #2016-0098.

Background

The subject site was first developed under Site Plan (SIT) #65-056 and constructed in 1966 as a one-story convenience store and a surface parking lot with 12 spaces. The Domino's Restaurant has operated at this site since City Council approved SUP #1558 for a carry-out and delivery restaurant on May 14, 1983. The restaurant operated under the 1983 approval until City Council approved Special Use Permit #2016-0098 which amended the Special Use Permit to permit indoor seating, an increase in the hours of operation and a request to change the ownership of the restaurant.

A 2018 inspection revealed that the owner of the restaurant violated Conditions #4, #6, #10, #14, #25 and #28. A warning was given to the owner and a follow-up inspection revealed that the owner adhered to all conditions. No violations have occurred at the subject site since 2018.

Parking

Section 8-200(A)(17)(a) requires restaurants in the enhanced transit area to provide one parking space for every 1,000 square feet of floor area. The 2,033 square foot business would be required to provide three parking spaces. The applicant is also permitted to employ five delivery drivers which would require them to provide a total of eight parking spaces which can be satisfied by the 12-space on-site parking lot.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Cameron Station Civic Association was sent email notifications regarding the

current application. Staff did not receive any comments regarding the application.

Staff Action

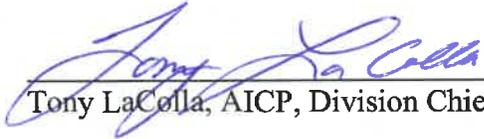
Staff supports the applicant's request for a change of ownership of a restaurant located 5418 Duke Street. The request to change the ownership of the business is reasonable and will allow for continued operation of a use that has existed at the site since 1983. Staff has carried over conditions from the previously approved Special Use Permit. Condition #26 requires that the applicant replace the free-standing pole sign with a monument sign, as required in the Zoning Ordinance. The free-standing sign must be removed by February 21, 2024.

Staff hereby approves this special use permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: January 28, 2020

Action: Approved


Tony LaColla, AICP, Division Chief

- Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

activities in which unreasonable noise may carry and disrupt nearby residences). (P&Z) (PC)

11. The applicant shall require its employees who drive to use off-street parking. (T&ES)
12. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
13. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
14. Not more than five delivery vehicles may be used to deliver food to customers. The applicant shall provide five (5) off-street spaces for delivery vehicles. The applicant must park the delivery vehicles in an off-street parking space when located in the vicinity of the restaurant. (P&Z) (T&ES) (PC)
15. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
16. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)
17. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES)
18. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES)
19. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
20. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
21. Supply deliveries, loading, and unloading activities shall not occur between the hours of

CONDITIONS OF SPECIAL USE PERMIT #2019-0106

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

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&Z)
2. Condition deleted by staff. (SUP #2016-0098)
3. The dine-in, carry-out, and delivery hours of operation shall be limited to between 10 a.m. and 1 a.m., Sunday through Thursday and 10 a.m. and 2 a.m. Friday and Saturday. Meals ordered before the closing hour may be served or delivered, but no new patrons may be admitted or orders placed, and all patrons must leave by one hour after the closing hour. (P&Z)
4. Litter on site and on the public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day, and more often as necessary to prevent an unsightly and insanitary accumulation, on each day that the business is open to the public. (P&CD) (SUP #1558)
5. No food, beverages or other material shall be stored outside. (P&CD) (SUP #1558)
6. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of Planning & Zoning and Transportation & Environmental Services, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
7. Condition deleted by staff. (SUP #2016-0098)
8. The maximum number of indoor seats shall be 24. No outdoor dining is permitted. (P&Z)
9. The applicant shall post the hours of operation at the entrance to the business. (P&Z)
10. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation; to discuss all SUP provisions and requirements; to review site access including the requirement for delivery vehicles to access the property only using public streets and property curb cuts on Duke Street and South Reynolds Street and no use of other properties for delivery vehicle access; and, to require employees to be sensitive to noise affecting residents (i.e. during shift changes, activity after 11 p.m., and other outdoor

11:00pm and 7:00am. (T&ES)

22. The use must comply with the city's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
23. No alcohol sales are permitted. (P&Z)
24. No live entertainment shall be allowed at the restaurant. (P&Z)
25. The applicant shall restripe the parking lot and maintain the parking lot paving in good repair. (P&Z)
26. The free-standing pole sign shall be replaced with a monument sign no later than February 21, 2024. (P&Z)
27. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use 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 which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, 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) (SUP #2016-0098)
28. The applicant shall establish a franchise representative to serve as a liaison with members of the community to resolve concerns that may arise from the operation of the restaurant. The name of the liaison shall be posted inside the store in a conspicuous location and provided to nearby property owners. Contact information for this individual shall be available upon request. (P&Z) (PC)
29. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance of the business. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0106. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant at 5418 Duke Street.



Applicant – Signature

1,29,2020

Date

MAHMOUD SALAMA

Applicant – Printed

1,29,2020

Date