



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 #2019-0084

Approved by Planning and Zoning: October 31, 2019

Permission is hereby granted to: Farhat Seraj

to use the premises located at: 3406 Commonwealth Avenue

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.

10/31/2019
Date

Karl Moritz (Signature)
Karl Moritz, Director
Department of Planning and Zoning

DATE: October 31, 2019

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 #2019-0084
Administrative Review for a Change of Ownership
Site Use: Restaurant
Applicant: Farhat Seraj
Location: 3406 Commonwealth Avenue
(Parcel address: 3400 Commonwealth Avenue)
Zone: CSL/Commercial Service Low Zone

Request

Special Use Permit #2019-0084 is a request for a change of ownership to operate a restaurant in an existing 1,176 square foot commercial tenant space at 3406 Commonwealth Avenue from Adel Asad to Farhat Seraj. The restaurant would continue to serve pizza and operate under the name Vocelli Pizza. The applicant does not propose any additional changes to the operation and would operate it under the conditions of the previously approved Special Use Permit #2014-0023.

The applicant would continue to operate according to these operational details:

Hours of Operation: 10:30 a.m. – 11 p.m., daily

Seating: 12 indoor seats only

Noise: Minimal noise is expected

Odors: Minimal odors from a restaurant are expected

Delivery: Applicant operated delivery is permitted through four delivery vehicles which are required to be parked off street

Background

On September 23, 2008, City Council approved Special Use Permit #2008-0048 to operate a pizzeria restaurant with dine in, carryout and delivery service. On March 26, 2014, staff administratively approved a request for a change of ownership for the pizzeria via SUP #2014-0023.

In March 2019, the owner of the restaurant was cited for violating an SUP condition requiring litter to be picked up within 75 feet of the subject site. Follow up inspections revealed that the

litter was cleaned and no further violations notices were issued.

Parking

Section 8-200(A)(17)(a) requires restaurants in the Enhanced Transit Area to provide 1 parking space for every 1,000 square feet of floor area. The 1,176 square foot tenant space requires two parking spaces. The 19-space on-site parking lot satisfies this requirement. Spaces for the four delivery vehicles are also available in the shared 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 Del Ray Citizens, Lynhaven Civic, Arlandria Civic, North Ridge Citizens and Hume Springs Citizens Associations were sent email notifications regarding the current application. Staff did not receive any comments regarding the application.

Staff Action

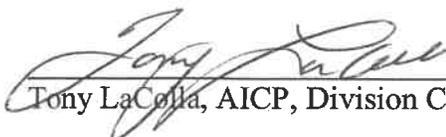
Staff supports the applicant's request for a change of ownership of a restaurant located at 3406 Commonwealth Avenue. The request to change the ownership of the business is reasonable and the use is compatible in the commercial center. Staff has carried over conditions from the previously approved Special Use Permit, deleting those that are no longer relevant and amending others to reflect present-day condition language.

Condition #14, requiring the applicant to inform employees about public transit and carpool options, has been deleted and replaced with Condition #37 and #38, which reference the use of GoAlex programs to promote public transportation use. Conditions that were deleted as they were satisfied by the previous restaurant owner are: Condition #28, requiring the applicant to submit the proposed menu to the Health Department, and Condition #29, requiring the applicant to reach out to the Police Department for a crime prevention survey. Staff has also amended and added conditions to represent present-day standard condition language for restaurant uses.

Staff hereby approves this special use permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: October 31, 2019
Action: Approved


Tony LaColla, AICP, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2019-0084

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) (SUP #2008-0048)
2. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP #2008-0048)
3. The hours of the restaurant shall be limited to 10:30 a.m. – 11 p.m., daily. (P&Z) (SUP #2008-0048)
4. The maximum number of seats at the restaurant shall be 12. No outdoor dining shall be allowed at the restaurant. (P&Z) (SUP #2008-0048)
5. The maximum number of delivery vehicles shall be four (4). (P&Z) (SUP #2008-0048)
6. Delivery vehicles shall be parked in off-street parking spaces. They shall not be parked in either of the two tandem parking spaces along the northern side of the building. Delivery vehicles shall be no larger than passenger vehicles. (P&Z) (SUP #2014-0023)
7. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #2008-0048)
8. No alcohol service shall be provided. (P&Z) (SUP #2008-0048)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2008-0048)
10. Loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (P&Z) (T&ES) (SUP #2008-0048)
11. Supply deliveries, loading, and unloading shall only occur between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday. Loading and unloading of supply delivery vehicles shall take place from behind the building at the rear access door of the business. (P&Z) (T&ES) (SUP #2008-0048)
12. The applicant shall require its employees who drive to work to use off-street parking. (P&Z) (SUP #2008-0048)
13. Only employees may park in the two tandem parking spaces along the northern side of the building. (P&Z) (SUP #2008-0048)
14. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITIONS #37 AND #38:** ~~The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpool~~

opportunities. (P&Z) (T&ES) (SUP #2008-0048)

15. All patrons must leave the restaurant by the closing hour and all deliveries must be completed by the closing hour. (P&Z) (SUP #2008-0048)
16. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2008-0048)
17. Trash, garbage, and recycling generated by the restaurant shall be removed from the premises at least once per week, or more often if necessary as determined by the Director of Planning and Zoning. (P&Z) (SUP #2008-0048)
18. 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. (P&Z) (SUP #2008-0048)
19. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for ~~90 days, and again~~ one year ~~following council 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 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 #2008-0048)
20. Condition deleted. (SUP #2014-0023)
21. Landscape maintenance shall be the responsibility of the property owner. Landscaping shall be well maintained and free of weeds, debris, and litter at all times. Dead or missing plants shall be replaced as needed. (RPCA) (SUP #2008-0048)
22. Condition deleted. (SUP #2014-0023)
23. **CONDITION AMENDED BY STAFF:** Kitchen equipment, including floor mats shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES) (SUP #2008-0048) (P&Z)
24. The applicant shall control 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 and environmental services. (T&ES) (SUP #2008-0048)
25. Condition deleted. (SUP #2014-0023)

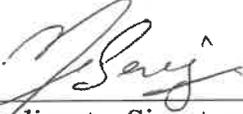
26. Litter on the side and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES) (SUP #2008-0048)
27. Condition deleted. (SUP #2014-0023)
28. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health) (SUP #2008-0048)~~
29. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF:** ~~The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security survey for the business and regarding robbery readiness training for all employees. (P&Z) (SUP #2014-0023)~~
30. Condition deleted. (SUP #2008-0048)
31. Any rooftop exhaust fan or HVAC unit shall be maintained with a visual mechanical screen/noise deflector. The output (noise and odor) from any rooftop exhaust fan shall continue to be directed away from the residences located to the north and west of the restaurant. An internal exhaust fan shall be maintained in place of a rooftop exhaust fan. (City Council) (SUP #2014-0023)
32. The applicant shall maintain exhaust fan(s) as far away as possible from residential property and in a manner as to not impact the intake vent of adjacent businesses or properties. (T&ES) (City Council) (SUP #2014-0023)
33. **CONDITION ADDED BY STAFF:** Exterior power washing of the building shall not be completed using any kind of detergents. (P&Z)
34. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (P&Z)
35. **CONDITION ADDED BY STAFF:** 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. (P&Z)
36. **CONDITION ADDED BY STAFF:** 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. (P&Z)
37. **CONDITION ADDED BY STAFF:** 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. (P&Z)

38. **CONDITION ADDED BY STAFF:** 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. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2019-0084. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant at 3406 Commonwealth Avenue.



Applicant – Signature

11-20-19
Date

FARHAT SERAJ
Applicant – Printed

Date