

EXHIBIT NO. 1

25  
6-14-03

Docket Item #27  
SPECIAL USE PERMIT #2003-0052

Planning Commission Meeting  
June 3, 2003

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

**APPLICANT:** Ruffino's Restaurant  
by Romas and Robin Gomez

**LOCATION:** 1225 Powhatan Street

**ZONE:** RB/Townhouse zone

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**PLANNING COMMISSION ACTION, JUNE 3, 2003:** On a motion by Mr. Komoroske, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations, to delete Condition #30 and to amend Conditions #33 and #35. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis and were supportive of the speakers' comments.

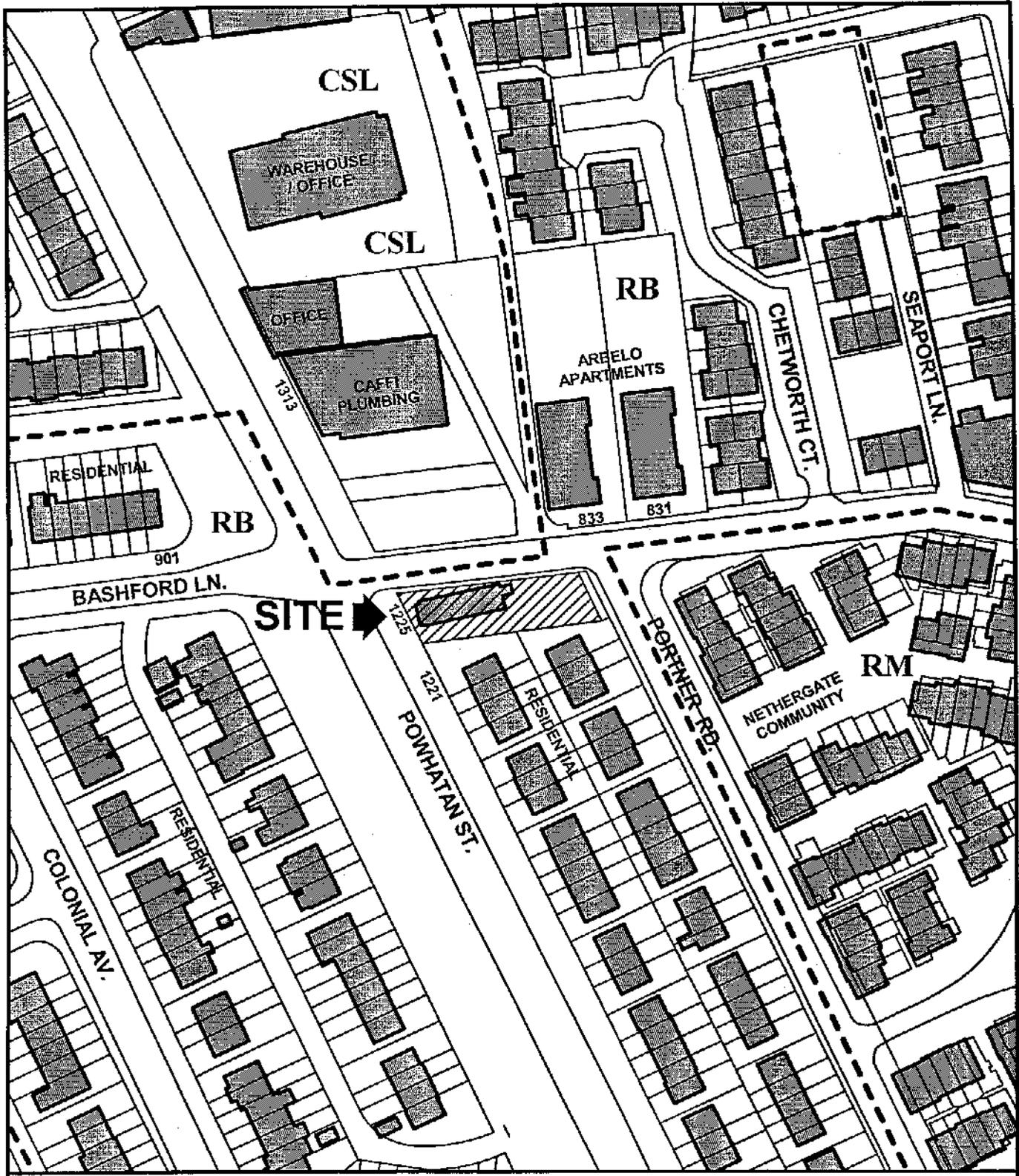
Speakers:

Hossein Rad, the subject restaurant owner, stated that there has been some delay, however, he plans on moving forward and opening the restaurant. He requested that Condition #30 be deleted. Staff did not object because the item has already been completed. He confirmed that he is providing the required parking specified in condition #34.

David LeDuc, president of the Northeast Citizen's Association, stated that the neighborhood is very supportive of a restaurant at the subject location, although, there are some concerns about the inactivity and neglect at the site. The neighborhood also recommended that the applicant be given six months to open the restaurant.

Mary Jane Kramer, 1219 Powhatan Street, spoke in support of the continuation of the permit to allow the restaurant. She gave three reasons that a restaurant at this location is important for the neighborhood: it is a community gathering place; it is the oldest surviving structure in the neighborhood and has much history; and the alternative to having a restaurant is a problem because of added congestion from residential development and the loss of a community gathering place.

Rick Cooper, 1219 Powhatan Street, spoke in support of the continuation of the permit for a restaurant.



**SUP #2003-0052**

**06/03/03**



*Handwritten signature or initials.*

STAFF RECOMMENDATION:

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

1. The restaurant shall contain a maximum of 53 seats. (PC) (SUP #97-0126)
2. The hours of operation shall be limited to 7:00 A.M. to 9:00 P.M., Monday through Thursday, and 7:00 A.M. to 10:00 P.M. Friday through Sunday. (PC) (SUP #97-0126)
3. At least one trash container shall be located in the parking area for use of patrons. The container shall not be permitted to overflow, and the area around it must be kept clean. (P&Z) (SUP #2413)
4. Condition deleted. (SUP #99-0139)
5. Litter on the site and on the public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day, or more often if necessary, to prevent an unsightly and unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #2413)
6. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2413)
7. 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 #96-0122)
8. The nonconforming use shall be extended until either City Council takes further action or five years from October 2001, whichever occurs first. (CC) (SUP #2000-0083)
9. The special use permit shall be granted to the applicant only, namely, Robin Gamzeh and Roma's Inc., and only as long as the corporation is owned and controlled by Robin Gamzeh and Hossein Rad. (P&Z) (SUP #2001-0017)
10. Kitchen equipment or other types of equipment shall not be cleaned outside, nor shall any cooking residue or other wastes be washed into the streets, alleys, sidewalks or sewers. (T&ES) (SUP #2001-0017)

11. No music or amplified sound shall be audible at the property line. (P&Z)  
(SUP #2413-C)
12. No outside dining facilities shall be located on the premises. (P&Z)(SUP #2413-C)
13. The applicant shall post the hours of operation at the entrance to the restaurant.  
(P&Z) (SUP #2413-C)
14. An amendment to the special use permit will be required if there is any change either  
to the ownership or to the lessee. (CC) (SUP #2413-C)
15. The new 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. (P&Z) (SUP #2001-0017)
16. Applicant will work with the civic association and obtain staff approval regarding  
any sign replacement. (CC) (SUP #96-0122)
17. **CONDITION AMENDED BY STAFF:** The applicant shall control cooking odors,  
~~and smoke, and any other air pollution from operations at the site and from the~~  
~~property to prevent them from leaving the property or becoming a nuisance to~~  
neighboring properties, as determined by the T&ES Division of Environmental  
Quality. (T&ES) (SUP #2001-0017)
18. Condition deleted. (SUP #99-0139)
19. Condition deleted. (SUP #2001-0017)
20. The Director of Planning and Zoning shall annually review this particular application  
and docket it for consideration by the Planning Commission and City Council. (CC)  
(SUP #2000-0083)
21. Condition deleted. (SUP #2001-0017)
22. See consolidated parking condition #34. (SUP #2001-0017)
23. Condition deleted. (SUP #2000-0083)
24. The applicant shall have its trash removed only between the hours of 9:00 a.m. and  
11:00 a.m. daily. (P&Z) (SUP #2001-0017)

25. **CONDITION AMENDED BY STAFF:** The applicant shall replace ~~the~~ any dead plantings in the landscaping beds ~~located on Portner Road~~ pursuant to a plan approved by the Director of Planning and Zoning. Plants shall be installed ~~during the next planting season~~ within 30 days of City Council approval. Thereafter, the landscaping shall be maintained in good condition. (P&Z) (SUP #2001-0017)
26. The applicant shall repair the dumpster screening and shall maintain the screening in good condition to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #2001-0017)
27. See consolidated parking condition #34. (SUP #2001-1107)
28. The applicant shall provide a public sidewalk easement on the Bashford Lane side of the property to allow the construction of a five foot wide walkway adjacent to the curb. (T&ES) (SUP #2001-0017)
29. The applicant shall grant a temporary construction easement on the Powhatan Street frontage to enable the City to install improvements to the right-of-way to enhance pedestrian and vehicular circulation pursuant to a plan prepared by the Department of Transportation and Environmental Services and attached to this report. The City reserves the right to make minor adjustments to the plan to accommodate drainage and utilities. (T&ES) (SUP #2001-0017)
30. **CONDITION DELETED BY PLANNING COMMISSION:** ~~The applicant shall allow the City to remove the existing driveway entrance on Bashford Lane adjacent to the front entrance to the restaurant. (T&ES) (SUP #2001-0017)~~
31. Loudspeaker(s) shall not be installed on the exterior of the building. (SUP #2001-0017)
32. See consolidated parking condition #34. (SUP #2001-0017)
33. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall maintain the Dixie Pig reproduction sign in good condition in a design consistent with the original sign to the satisfaction of the Director of Planning and Zoning. The applicant shall work with neighbors and staff to identify alternative opportunities to reuse the original sign. The existing rooftop sign shall be maintained in its existing design and in good condition. (P&Z) (SUP #2001-0017) (PC)

34. Parking shall be provided as follows:
- A. The applicant shall provide no fewer than 14 off-street parking spaces. At least nine of the spaces shall be located on-site in well striped spaces. Five or more spaces shall be located at the Alexandria Executive Club Suites, and shall be available for use between 5:00 p.m. and 10:30 p.m. daily. The Director of Planning and Zoning may approve a reasonably equivalent alternative location for the off-site spaces.
  - B. The applicant shall not permit parking on its property in front of its building and shall also post signs saying "Parking Not Permitted in front of the building."
  - C. The applicant shall require that its employees who drive to work use off-street parking. (City Council) (SUP #2001-0017)
35. **CONDITION AMENDED BY PLANNING COMMISSION:** If construction activity is not complete and satisfactory and the restaurant is not in operation by ~~October 15, 2003~~, December 31, 2003, this permit shall be null and void, unless it is extended with approval by City Council. (P&Z)

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Staff Note: Meals ordered before the closing hour may be served, but no new patrons may be admitted and no alcoholic beverages may be served after the closing hour, and all patrons must leave by one hour after the closing hour.

DISCUSSION:

1. The applicant, Robin Gamzeh and Roma's Inc., requests approval of a review of a nonconforming restaurant located at 1225 Powhatan Street, previously the site of the Dixie Pig restaurant.
2. The subject property consists of one lot of record and an outlot. The two lots have a combined area of approximately 7,473 square feet, 50 feet of frontage on Powhatan Street, 163 feet of frontage on Bashford Lane, and 48 feet of frontage on Portner Road. There are nine parking spaces on the lot; no parking is permitted in front of the building. The restaurant is located in a residential area.
3. The most recent SUP was approved by City Council on June 12, 2001, to Robin Gamzeh and Romas Inc., trading as Ruffino's, to operate an Italian restaurant called "Ruffino's". The restaurant was not open at the time of the one year review, and is still not operating. Nevertheless, because there is a review condition requiring review by Council and because many neighbors have complained an/or asked about its status, staff has docketed the matter for review. Building permits for the major improvements to the building were issued on February 11, 2002, and include new windows, roofing, bathrooms, floor tile, wall finishes, ceiling, and bar area. Other permits including electrical, plumbing, and mechanical were issued. Code Enforcement staff have inspected the premises several times since the issuance of the permits and observed little construction activity. None of the work has been finalized. Work that was done and ready for inspection by Code Enforcement failed. Other work was not inspected because it was not done, the building was locked, or the applicant has not called for an inspection. According to the applicant, he is having trouble with his contractor.

Staff has also received a number of complaints from area residents regarding the maintenance of the property, including complaints regarding trash and litter, and poorly maintained landscaping.

4. Section 11-506 of the zoning ordinance states that a special use permit approval that involves new construction shall expire and become null and void as to any uncommenced construction and any uncompleted construction, unless substantial construction of the project is commenced within 18 months.
5. Staff met with the applicant on April 29, 2003 to discuss the status of the construction at the site. The applicant agreed that by May 15, 2003, he would provide staff with a timeline projecting when construction work would be completed on the site. He also agreed to arrange for a Code inspection by the same date. Attached letter outlines applicant's intentions for completing construction work.

6. On May 9, 2003, staff visited the subject property and conducted inspections. There was evidence that some construction activity had occurred since previous inspections. Staff is also concerned about the status of the Dixie Pig sign which is required to be retained under Condition #33. Staff is investigating this issue and will be prepared to speak to it at the hearing, if necessary.
7. The Dixie Pig Restaurant is a legal nonconforming use. On September 16, 2000 City Council, approved SUP #2000-0083 to allow Top Flight Services Inc. to continue to operate the restaurant and extended the nonconforming use until either City Council took action again or five years from October 2001, whichever occurred first.
8. Zoning: The subject property is located in the RB/Townhouse zone. A restaurant is not a permitted use in the RB zone. Section 12-210 of the zoning ordinance allows the continuation of nonconforming uses beyond December 28, 1991 only with a special use permit.
9. Master Plan: The proposed use is inconsistent with the Northeast small area plan chapter of the Master Plan which designates the property for residential use.

#### STAFF ANALYSIS:

Staff does not object to the operation of the restaurant located at 1225 Powhatan Street. Although the restaurant is a nonconforming use, staff believes a small, well-run restaurant would be an amenity for area residents and businesses.

However, the inactivity at the restaurant and general negligence of the site is of great concern. A small commercial use in a residential setting can be a great asset for the community, but when left vacant can become a nuisance to the neighborhood. The applicant has recently been responsive to staff and arranged for the required building inspections. The applicant appears to be trying to work with his contractor and is optimistic about finishing the work and opening the business in a reasonable amount of time.

Staff wants to allow the applicant the opportunity to complete the work but also wants some assurance that if he does not, there will be resolution for the neighborhood. Therefore, staff recommends a condition requiring that all construction activity be completed and the restaurant in operation by October 15, 2003. If the applicant fails to meet this deadline, the SUP will be terminated unless the applicant requests an extension of the SUP prior to that time. This arrangement will give the neighborhood some certainty as to the use of the site, and four months is a reasonable amount of time for the applicant to arrange for diligent construction activity and final staff inspections of the work.

SUP #2003-0052  
1225 Powhatan Street

Staff has also amended the condition regarding landscaping requiring that the applicant install and maintain landscaping within 30 days of City Council approval. Healthy landscaping will be a great improvement to the site and to the neighborhood, and can buffer some of the prolonged construction activity that has been occurring on the site.

With these conditions, staff recommends approval of the special use permit.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Valerie Peterson, 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 residue be washed into the streets, alleys, or storm sewers.
- R-2 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.
- R-3 No amplified sound shall be audible at the property line.
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

- F-1 This business is not open to the public. The business has an open Building Permit. As of April 2003, there have been no requested inspections. The site appears dormant. The Building Permit will expire in December 2003.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
  - 1) Permits are non-transferable.
  - 2) This facility must meet current Alexandria City Code requirements for food establishments. Contact Environmental Health at 703-838-4400 Ext. 255 to arrange for a "change of ownership" inspection.
  - 3) If changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
  - 4) Permits must be obtained prior to operation.

- 5) The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- 6) Certified Food Managers must be on duty during all hours of operation.
- 7) Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.
- 8) Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

F-1 No objections.

APPLICATION for SPECIAL USE PERMIT # 2003-0052

[must use black ink or type]

PROPERTY LOCATION: 1225 Powhatan St.

TAX MAP REFERENCE: 04.04-07-01 ZONE: RB

APPLICANT Name: Robin & Romas Gomez

Address: 4703 Lee Highway

PROPERTY OWNER Name: \_\_\_\_\_

Address: \_\_\_\_\_

PROPOSED USE: Review of Ruffino's Restaurant

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Print Name of Applicant or Agent

Signature

Mailing/Street Address

Telephone #

Fax #

City and State

Zip Code

Date

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_

ACTION - CITY COUNCIL: \_\_\_\_\_

10/12/03

B. Loss

Law Office  
of  
Daniel S. Fiore

Counsellors and Attorneys at Law



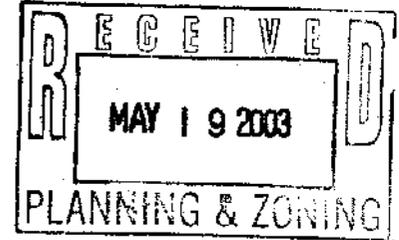
DANIEL S. FIORE  
ADMITTED IN VA, MD, AND D.C.  
JONATHAN E. LEVINE  
ADMITTED IN VA, AND D.C.  
JEREMIAH A. JENKINS  
ADMITTED IN VA.

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May 14, 2003

City of Alexandria  
Code Enforcement Bureau  
P.O. Box 178  
Alexandria, Virginia 22313



Attention: Arthur D. Dahlberg, Director

Re: Ruffino's Restaurant, 1225 Powhatan Street

Dear Mr. Dahlberg:

This office represents Ruffino's Restaurant with respect to the construction project at 1225 Powhatan Street. I am writing to provide you with an update on the status of construction as requested by Ms. Jannine Pennell from your office.

The following status and timeline are provided pursuant to Ms. Pennell's request:

1. BLD #2001-03535 (windows, new roofing, new bathrooms, new tile for dining area and kitchen, new wall finishes and ceiling, bar) – Work is estimated to commence by 06/01/03 and completion is estimated by 07/14/03. Contractor of Record: Rose Renovation and Custom Millwork.
2. ELE #2002-01496 (install fixtures, switches, rough wire outlets, 1/3 hp motor, new service panel) – Work is estimated to commence by 06/01/03 and completion is estimated by 07/01/03. Contractor of Record: Dittmar Company.
3. MEC #2002-02478 (grease hood, duct and fans) - Work has already commenced and only the dry wall and fire-wall remain to be completed. Completion is estimated by 06/01/03. Contractor of Record: Alpha Sheet Metal, Inc.
4. SGN #2001-00111 (new wall sign and repair and repaint existing rooftop sign) - The new wall sign and rooftop sign are installed. The electrical wiring for the signs remains to be

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*Law Office  
of  
Daniel S. Fiore  
Arlington, Virginia*

closed-in. Completion is estimated by 06/01/03. Contractor of Record: Rose Renovation and Custom Millwork.

5. ELE #2002-01912 (electrical wiring for sign) - The work is estimated to commence by 06/01/03 and completion is estimated by 07/01/03. Contractor of Record: Owner.

6. PLM #2002-01534 (relocating bathrooms (ADA), relocating kitchen sink, floor sink) - The work is estimated to commence by 06/01/03 and completion is estimated by 07/01/03. Contractor of Record: Caffi Plumbing and Heating.

7. MEC #2002-03308 (moving AC from outside to rooftop, and gas pipe for rooftop) - The AC is now on the rooftop and work on the gas pipe for the rooftop is estimated to commence by 06/01/03 and completion is estimated by 07/01/03. Contractor of Record: Owner.

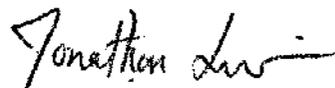
8. ELE #2002-02787 (Electric for the AC from outside to rooftop) - The work is estimated to commence by 06/01/03 and completion is estimated by 07/01/03. Contractor of Record: Owner.

Ms. Pennell has been very helpful in Ruffino's efforts and assisted Ruffino's in obtaining an inspection of the restaurant last week by City staff to gauge the progress of the construction and determine what remains to be completed. Rose Renovation and Custom Millwork remains the general contractor on the project and since Mr. Rado from Ruffino's met with Ms. Pennell, Barbara Ross and Valerie Peterson on April 28, 2003 work has been done on the restaurant on a regular basis.

It has always been and it remains Ruffino's desire to finish this project as quickly as possible and begin operations at the restaurant and Ruffino's has taken significant steps, including retaining this firm, to apply pressure on Rose Construction to finish the job.

I will continue to provide you with updates on the construction progress and should you have any questions, please feel free contact me.

Yours truly,

  
Jonathan Levine

JEL:tlb

xc: Mr. Robin Gamzeh  
Mr. Hossein Rado

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CODE ENFORCEMENT

P. O. Box 178

Alexandria, Virginia 22313

May 16, 2003

Arthur D. Dahlberg  
Director

Phone (703) 838-4360  
Fax (703) 838-3880  
ci.alexandria.va.us

Mr. Jonathan Levine  
Law Office of Daniel S. Fiorie  
5311 Lee Highway  
Alexandria, Virginia 22207  
By Fax only: 703525-8393

Subject: Ruffino's Restaurant, 1225 Powhatan Street

Dear Mr. Levine:

Thank you for your letter of May 14, 2003, regarding the status of the permits on the above subject property. The estimated start and completion dates that you provided are helpful to gauge how the work has progressed.

As you know, a site inspection was conducted on May 9, 2003, with Mr. Rado present. During the inspection, code deficiencies were noted for work being done under the building, mechanical, plumbing, and sign permits. Of significant concern is the structural integrity of the roof system with the installation of the mechanical unit. Mr. Rado was informed that engineering calculations are required to show that the existing roof can handle the added load of the rooftop mechanical unit. In addition, engineering calculations are required to prove that the ceiling joists can handle the imposed loads of the installed exhaust hood system.

Other code issues are as follows:

• **Building:**

- single top plate bearing wall must have stud with 3/4" of the center of joist;
- bottom plates on slab on grade to be pressure treated.

• **Mechanical:**

- additional permit required to install hood suppression system;
- provide access to mechanical equipment on roof without having to walk on sloped roof;
- working platform, not less than 30" in any direction, required for rooftop mechanical unit;
- provide guardrail on working platform;
- provide duct insulation product information showing that it is acceptable to use outdoors/exposed to weather.

• **Plumbing:**

- Toilets must have 42" clear space from center line to sink.

• **Sign:**

- Electrical sign must be waterproof.

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1225 Powhatan Street

Chronology of Approvals and Inspections

1. SUP #2001-0017 – Approved **6-12-01**: Approved for change of ownership for a nonconforming restaurant at 1225 Powhatan Street.
2. BLD #2001-03535 – Issued **2-11-02** and Expires 8-5-03: Work includes: windows, new roofing, new bathrooms, new tile for dining area and kitchen, new wall finishes and ceiling, bar.
 

<b>INSPECTIONS:</b>	5-30-02:	Bldg Survey Inspection–No construction activity. Some work done, not all.
	5-31-02:	Bldg Survey Inspection–Same.
	6-3-02:	Bldg Survey Inspection–Same.
	8-14-02:	Framing Inspection--Fail.
	12-19-02:	Owner and Contractor told Janine Hazel of Code Enforcement that work would be fully completed by mid January 2003.
	12-30-02:	Framing Inspection--Fail.
	1-6-03:	Framing Inspection--Fail.
	2-5-03:	Bldg Survey Inspection–Not all work completed.
3. ELE #2002-01496 – Issued **5-22-02**: Work includes: install fixtures, switches, rough wire outlets, 1/3 hp motor, new service panel. Attached to BLD permit. **No inspection requested.**
4. MEC #2002-02478 – Issued **6-24-02**: Work includes: grease hood, duct and fans. Attached to BLD permit. **Inspection 1-15-03: Bldg locked and grease hood hung.**
5. SGN #2001-00111 – Issued **7-8-02**: Work includes: new wall sign and repair and repaint existing rooftop sign. No change to the existing Dixie Pig sign. **No inspection requested.**
6. ELE #2002-01912 – Issued **7-8-02**: Work includes: electrical wiring for sign. Attached to SGN permit. **No inspection requested.**
7. PLM #2002-01534 – Issued **7-25-02**: Work includes: relocating bathrooms (ADA), relocating kitchen sink, floor sink. Attached to BLD permit. **Inspection 1-15-03: Bldg locked and could not see bathrooms.**
8. MEC #2002-03308 – Issued **10-4-02**: Work includes: moving ac from outside to rooftop, and gas pipe for rooftop. Attached to BLD permit. **Inspection 1-15-03: Bldg locked, ac on roof, no gas run.**
9. ELE #2002-02787 – Issued **10-4-02**: Work includes: Electric for the ac from outside to

~~1-15-03~~ 16

rooftop. Attached to BLD permit. **Inspection 1-15-03: Bldg locked, some electrical run inside and ac on roof.**

Summary:

The building permit is the umbrella for all the other permits listed here. All the work in the building permit has not yet been completed. Some work, including electrical, plumbing and gas work, appears to have been done. The dry wall has not been done. It is not clear from the inspectors' notes whether or not the remaining window, roof, tile, ceiling and bar work have been begun or finished. The bottom line is that no work has been done AND finalized by Code Enforcement. The work that was done and ready for inspection was failed by Code Enforcement. Other work has not been inspected because it was not done, the building was locked, or the applicant has not called for an inspection.

The last time Janine Hazel spoke with the owner and the contractor was in December 2002. She never discussed the SUP and diligent pursuit of operation with the owner or applicant. She did tell the owner and contractor that the work needs to get done. The owner and contractor blamed each other for the work not getting done.

It also important to note that the owner had 6 months to begin work approved under permits. Each time an inspector visits a site, that visit automatically extends the life of the permit another 6 months. The last time an inspector visited the site was on 2-5-03, and so now the expiration date of the building permit is 8-5-03.

Sources: Janine Hazel - 3-6-03  
3-10-03

Permit Plan

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"M.P. Posey"  
<mpos915@yahoo.com  
>  
06/02/2003 12:42 PM

To: <Barbara.Ross@ci.alexandria.va.us>  
cc:  
Subject: Dixie Pig SUP [June 3, 2003]

Docket Item # 27  
SUP 2003-0052

Barbara,

I do not have email addresses for the Planning Commissioners. Would you be able to have someone provide paper copies to the Commissioners or forward them this email.

Thank you for any help you can give me.

Members of the Planning Commission:

I had planned to be at the Planning Commission Public Hearing on Tuesday for the review of the Dixie Pig's SUP (Docket Item 27), but my mother passed away this weekend and I will be out of town.

Since I will not be present I want to let you know of my extreme displeasure and disappointment that the original Dixie Pig sign has been replaced with a replica. This sign was historic to our neighborhood. A replica is not the same as the historic sign. The applicant told our association at its May 21 meeting that the original sign started to fall apart when he took it down so he had a replica made. Condition 33 of the SUP states that, "The existing rooftop sign shall be maintained in its existing design and in good condition." His statement that he had a replica made was the first we knew that the original sign was not the one that is now on the roof.

I am concerned also about his providing the required five off site parking spaces. At our Association meeting, he was very vague on this issue when asked if the agreement between the Executive Club Suites and him for these off site parking spaces was still in effect.

Please impress on this applicant that the conditions of the SUP are requirements, not options.

Although the NorthEast Citizens' Association voted in support of a six month extension of the Dixie Pig's SUP I, personally, do not object to the staff's recommendation of an October 15 deadline.

Mariella Posey  
915 Second Street  
Alexandria, Virginia 22314-1347  
703/549-5842

Do you Yahoo!?  
Free online calendar with sync to Outlook(TM).

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# **The Dixie Pig Restaurant**

## **An Alexandria Cultural Landmark**

**By Bonnie Rideout**

Alexandria is a city rich in history and is dotted with many historic landmarks. The Dixie Pig Restaurant is part of this long heritage. Although not associated with any of the more recognizable figures in Virginia history, the Dixie Pig nevertheless embodies an undeniable continuity with the cultural past of the local community.

The first historical reference to the property dates to 1870 when the area was known as the Jefferson District of Arlington. In October of that year, Scott School, a segregated institution for blacks, was established. The school's first principal was Mary A. Nevett. Scott was one of a series of late-nineteenth-century segregated schools organized in Alexandria by Alfred H. Parry. Parry's mother-in-law, incidentally, had been a servant at George Washington's estate, Mount Vernon.

Despite strong local opposition to Parry's places of learning for the disadvantaged, which operated in churches, private homes, barracks, and warehouses, Scott School served the community's black population for many years until its students were eventually dispersed to nearby Parker Grey High School, and the Snowden and Hollowell schools. Alexandria resident [and local historian], Harry Burke, born in the late 1920's, recalls [a story of] the students of Scott and one of their teachers, Mrs. Prichett. "Most of the kids in the school," recalls Mr. Burke, "lived on the other side of the railroad tracks where their fathers worked, while others lived near the power plant."

The next documented structure to appear on the site was a grocery store erected in 1918. It is uncertain whether or not Scott School was torn down at that time or if the store was simply erected on the old foundation of the school. Shortly after the store building went up, this section of Powhatan Street (called Washington Road at the time) became part of the City of Alexandria. Canton and Sarah Johnson ran the store after inheriting it from Kent and Rosa Johnson in 1938. Confirmation of the link between the Johnson's store and Scott School can be found in a 1939 deed to the adjoining property that still referred to the grocery store property as the "old school lot."

By the 1950's [sometime in 1940's], the grocery store was converted into a diner, beginning the history of the present-day Dixie Pig establishment. The Dixie Pig has long been a fixture in the local community life of the Powhatan Street area. The interior and decor of the building is original [vintage] 1950's.

Beyond the architecture of the building, the unique neon sign is an important artistic and historical artifact. It is one of the oldest neon signs in the [Metropolitan] Washington, D.C. area. Professionals have reflected on the cultural relevance of the landmark. Even artists have taken note of the structure. An art exhibition at the Old Summer School in Washington, D.C. features the work of another Dixie Pig restaurant sign in its display. Also, the picture of the Dixie Pig Restaurant is on display at the Torpedo Factory in Old Town Alexandria.

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APPLICATION for SPECIAL USE PERMIT # 2003-0052

[must use black ink or type]

PROPERTY LOCATION: 1225 Powhatan St.

TAX MAP REFERENCE 04.04-07-01 ZONE: RB

APPLICANT Name: Rubin & Roman Gomez

Address: 4763 Lee Highway

PROPERTY OWNER Name: \_\_\_\_\_

Address: \_\_\_\_\_

PROPOSED USE: Review of Ruffino's Restaurant

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

_____		_____	
Print Name of Applicant or Agent		Signature	
_____		_____	
Mailing/Street Address		Telephone #	Fax #
_____		_____	
City and State	Zip Code	Date	

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_ Date & Fee Paid: \_\_\_\_\_ \$ \_\_\_\_\_

ACTION - PLANNING COMMISSION: \_\_\_\_\_ RECOMMEND APPROVAL 7 TO 0

ACTION - CITY COUNCIL: 6/14/03PH--City Council approved the Planning Commission recommendation.

10/12/03