

EXHIBIT NO. 1

20
6-16-01

Docket Item #26
SPECIAL USE PERMIT #2001-0053

Planning Commission Meeting
June 5, 2001

ISSUE: Consideration of revocation of a special use permit for the existing restaurant.

APPLICANT: City of Alexandria, Department of Planning and Zoning

LOCATION: 2700 Jefferson Davis Highway
Afghan Restaurant

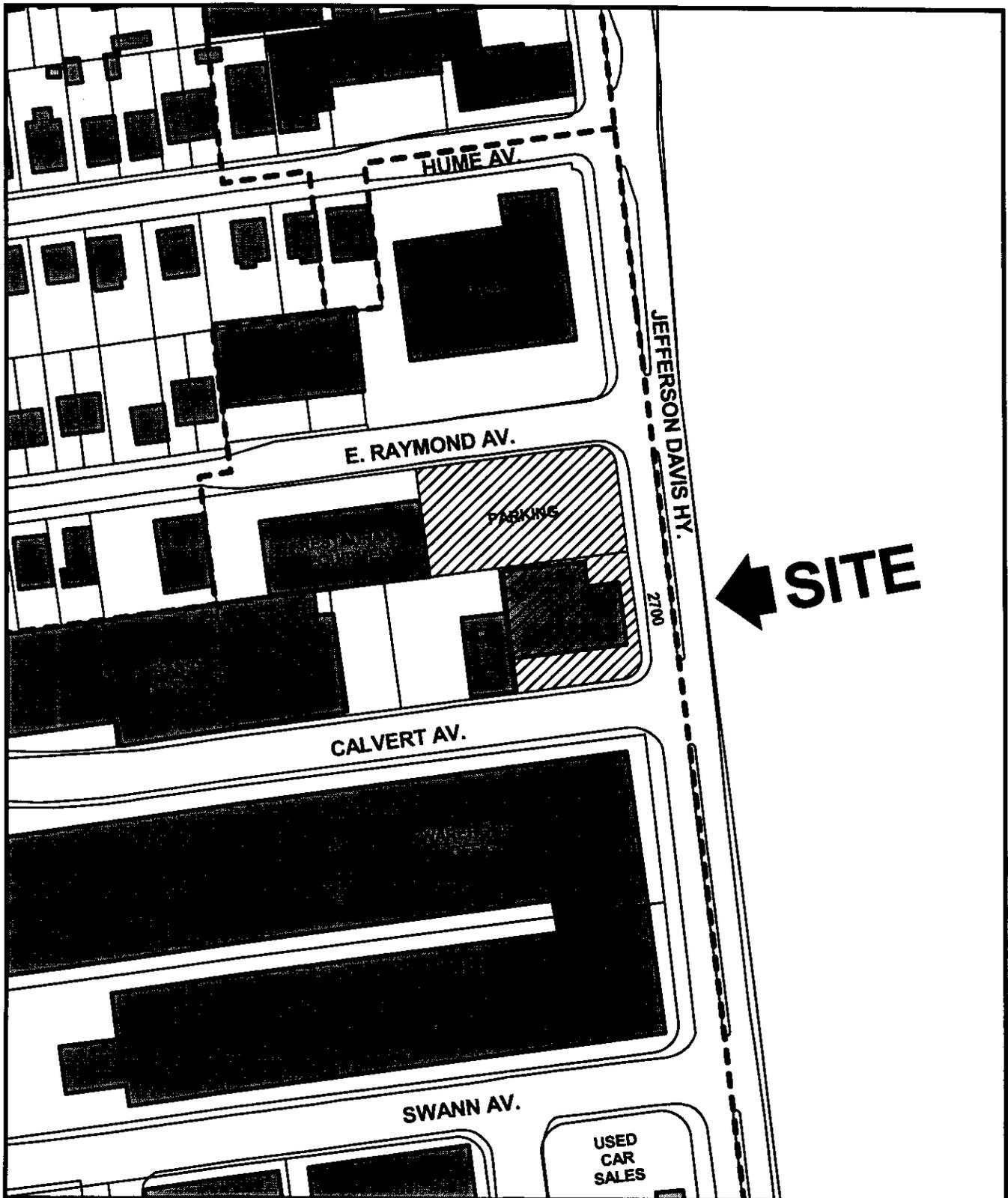
ZONE: I/Industrial

PLANNING COMMISSION ACTION, JUNE 5, 2001: On a motion by Ms. Fossum, seconded by Mr. Leibach, the Planning Commission voted to recommend revocation of the special use permit. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission believed revocation was warranted because the applicant violated Condition #11, because the violation was similar to violations in the past, and because the consequences of the violation were so severe.

Speakers:

Harry Hart, attorney representing the applicant, requested that the restaurant be placed on probation and stated that the operator will file an application to change the ownership of the restaurant this week.



SUP #2001-0053

06/05/01



SUMMARY

Based on recent illegal live entertainment events held at the restaurant in violation of the special use permit approval, staff recommends revocation of the special use permit, as required by Condition #11 of the approved SUP.

STAFF RECOMMENDATION:

Staff recommends **revocation** of the special use permit. If Council approves the continued operation of the restaurant, 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 business or entity in which the applicant has a controlling interest. (P&Z) (SUP #2719)
2. Seating shall be provided inside for no more than 280 patrons. (P&Z) (SUP #95-0101)
3. No outside dining facilities shall be located on the premises. (P&Z) (SUP #2719)
4. The hours of operation shall be limited to 7:00 A.M. to 1:00 A.M. (P&Z) (SUP #2719)
5. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2719)
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) (SUP 96-0029)
7. No music or amplified sound shall be audible at the property line. (P&Z) (SUP #2719)
8. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #2719)
9. At least one trash container shall be located in the parking area for the use of patrons, the container shall not be permitted to overflow, and the area around it shall be kept clean. (P&Z) (SUP #96-0166)

10. 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 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 #2719)
11. Live entertainment shall be limited to music and dancing as background for diners or to traditional Afghani performances. No admission or cover charge for entertainment may be required of patrons. Advertising that features entertainment as a destination is prohibited. Live entertainment and dancing is restricted to between 8:00 A.M. and 1:00 A.M., Monday through Saturday. The applicant shall be responsible for all entertainment at the restaurant. A violation of this condition shall result in the automatic docketing of the permit for revocation by City Council. (P&Z) (SUP #96-0029)
12. All reasonable steps shall be taken to minimize cooking odors outside the restaurant. (P&Z) (SUP #2719)
13. Kitchen equipment shall not be cleaned outside, nor shall any cooking residues be washed into the streets, alleys or storm sewers. (T&ES) (SUP #2719)
14. Private security guards shall be provided after 10:00 P.M. on those days when live performances and dancing is offered at the restaurant in order to police both the building and the parking lot. (P&Z) (Police) (SUP #2719)
15. Condition deleted. (P&Z) (SUP #97-0077)
16. On each anniversary of the approval of the special use permit, in November of each year, the applicant shall provide to the Director of Planning and Zoning a copy of the lease or other arrangement by which the applicant makes 11 off-site parking spaces available. If at any time the off-site parking becomes unavailable, the applicant shall remove 44 seats. (P&Z) (SUP #96-0029)
17. The applicant shall maintain the landscaping according to the approved plan in good condition. (P&Z) (SUP #96-0029)
18. The applicant shall keep the site and landscaping free of weeds. (P&Z)(SUP #95-0101)
19. No untagged vehicles shall be parked on the lot at any time. (P&Z) (SUP #95-0101)

20. Lighting shall be installed in the parking lot to the satisfaction of the Director of Transportation and Environmental Services and the Police Department. (T&ES) (Police)(SUP #95-0101)
21. Street address numbers shall be maintained. (T&ES) (SUP #95-0101)
22. The pad and enclosure for the dumpster shall be maintained to the satisfaction of the Director of Planning and Zoning and Director of Department of Transportation and Environmental Services. (T&ES) (P&Z) (SUP #96-0029)
23. The shed shall be painted and maintained to the satisfaction of the Director of Planning and Zoning. (PC) (SUP #96-0029)
24. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit ~~one year~~ six months after 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, (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~~)(SUP #97-0077) (P&Z)
25. **CONDITION ADDED BY STAFF:** 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. (P&Z)

DISCUSSION:

1. This special use permit, for the operation of the Afghan restaurant located at 2700 Jefferson Davis Highway, is being brought forward by the Department of Planning and Zoning, in order that the permit may be revoked and the restaurant forced to close.
2. The subject property is two lots of record with a combined frontage of approximately 166 feet along Jefferson Davis Highway, approximately 93 feet of frontage along Calvert Avenue, approximately 160 feet of frontage on East Raymond Avenue, and a combined lot area of approximately 28,610 square feet.
3. A restaurant has operated in this location since the 1940s. On September 19, 1993, City Council granted Special Use Permit #2719 to Qasam Abbasi to reopen the former restaurant use. Since that approval, the applicant has obtained additional approvals to allow live entertainment, increase the number of seats inside the restaurant, and reduce the parking requirement.
4. The restaurant has been the subject of scrutiny in the past because of its use of the facility for entertainment events which attract large numbers of patrons.
 - In September 1994, the applicant scheduled and advertised an event at the restaurant featuring "the wickedest band alive." The band was scheduled to perform until 3:00 A.M., a violation of the special use permit condition regarding hours of operation. After that incident, condition 11 was amended to include prohibitions on advertising and charging admission to entertainment events.
 - In August 1995, the applicant received a zoning ticket for a similar event involving overcrowding and selling tickets, which required intervention by the Fire Marshall .
 - In April 1996, the Alexandria Police and Planning and Zoning staff stopped a two day entertainment event, being advertised with presold tickets, from occurring. It was at that time that the language in Condition #11 was amended to include the last sentence:

Live entertainment shall be limited to music and dancing as background for diners or to traditional Afghani performances. No admission or cover charge for entertainment may be required of patrons. Advertising that features entertainment as a destination is prohibited. Live entertainment and dancing is restricted to between 8:00 A.M. and 1:00 A.M., Monday

through Saturday. The applicant shall be responsible for all entertainment at the restaurant. *A violation of this condition shall result in the automatic docketing of the permit for revocation by City Council.*

5. Since 1996, the restaurant has been the subject of three reviews. Other than a continual problem with the maintenance of its landscaping, the restaurant has not been cited for other violations until recently. Its last review was in September 1997.
6. Planning staff recently became aware that the restaurant management has been leasing a portion of the building to Patrick Cooper, operator of SupaDuper Entertainment, who was offering live entertainment events in the form of comedy shows and go-go dances. On May 5, 2001, during a go-go dance at the restaurant, Alexandria City Police were called to the restaurant in the early morning hours to break up fights and to restore order at the restaurant. 15 additional officers from Arlington County were necessary to assist due to the large number of disorderly persons at the restaurant. Further, the Police indicate that one person was stabbed and two other persons were arrested for disorderly conduct at that time.

The Police also indicate that the music could be heard beyond the property line, that the incident occurred after 1:00 A.M., and that a cover charge was being collected at the door. (See attached memorandum and Patrick Cooper contract for the restaurant.)

Staff is also informed that the May 5 event was one in a series of recent ones, and that the restaurant has been typically rented on Thursday, Friday and Saturday nights. In fact, Mr. Cooper complained to the police department about the police behavior when responding to a citizen noise complaint at the restaurant on March 24. On that evening, the music from the restaurant could be heard a full block away (see attached letters.)

7. The entertainment provided by Patrick Cooper is a violation of Condition #11 of the SUP in that the music was neither background music for diners or traditional Afghani music. The event was advertised, a cover charge was collected and the event was occurring after the closing hour of the restaurant and the time limit for entertainment. The restaurant also violated condition #7 which prohibits music so loud that it can be heard at the property line of the site. The special use permit has been docketed for revocation as required by Condition 11.
8. On May 8, 2001, Planning and Zoning staff and the Fire Marshal conducted a joint inspection of the restaurant. The Director of Code Enforcement has provided the inspection results in a separate memorandum (see attached). In addition to the illegal live entertainment, Planning staff has issued citations for the following violations:

- There are extensive weeds in the planting beds along the west of the parking lot and along Jefferson Davis Highway (Condition #18);
 - There are no street numbers to identify the property (Condition #21);
 - The doors to the dumpster enclosure have been removed and were observed to be leaning against a wall inside the enclosure (Condition #22);
 - The shed is painted gray with white paint randomly applied to the shed walls (Condition #23).
10. The special use permit approval was granted to Qasam Abbasi, and Condition #1 requires that the permit be under his control. According to the Police, Qasam Abbasi was removed from the application for an ABC License because under ABC policy, he was ineligible to obtain an ABC License. As a result, Qasam Abbasi was replaced on the ABC application by his brother Gul Ahmed Abbasi. The change in ownership without approval is an additional violation and approval of the new ownership is necessary if the restaurant is permitted to continue to operate.
11. Zoning: The subject property is zoned I/Industrial. Section 4-1203 (R.1) of the zoning ordinance permits restaurants only with a special use permit in the I zone.
12. Master Plan: The proposed use is consistent with the Potomac West small area plan chapter of the Master Plan which designates the property I/Industrial.

STAFF ANALYSIS:

Staff recommends that the special use permit be revoked. The event that occurred at the site on May 5 is precisely the type prohibited by Condition 11 and the reason for the prohibition is to avoid precisely the type of activity and consequences that occurred on May 5. Events that are large, loud, and late tend to attract very large numbers of patrons. When the number exceeds what may be reasonably accommodated, crowds create problematic, even criminal behavior. Even if crimes do not occur, such events, with their noise, cars and numbers create a nuisance for the City's neighborhoods and a drain on the City's resources. The recent entertainment events are a repeat of those that occurred several times during 1994, 1995, and 1996. The applicant was given full and fair warning at the time that the restaurant would be forced to close and the special use permit revoked if it occurred again.

For these reasons, staff recommends revocation of the special use permit.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

No comments were received from this department.

Code Enforcement:

See attached memorandum comments.

Health Department:

F-1 No comments.

Police Department:

See attached memorandum.

APPLICATION for SPECIAL USE PERMIT # 2001-0053

[must use black ink or type]

PROPERTY LOCATION: 2700 JEFFERSON DAVIS Hy

TAX MAP REFERENCE: 25.03-02-11 ZONE: I

APPLICANT Name: CITY of ALEXANDRIA

Address: _____

PROPERTY OWNER Name: _____

Address: _____

PROPOSED USE: REVOKE S.U.P. for RESTAURANT
"AFGHAN RESTAURANT" by QASIM ABBASI

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: _____ \$ _____

Legal Advertisement: _____

Property Placard: _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____



ALEXANDRIA DEPARTMENT OF
PLANNING AND ZONING
301 King Street, Room 2100
Alexandria, Virginia 22314

TICKET NO 2179

NOTICE OF VIOLATION

YOU ARE CHARGED WITH VIOLATING THE
ALEXANDRIA, VIRGINIA ZONING ORDINANCE

5/18/01 Tuesday 11:30
Date ticket served Day of Week Time AM/PM

Location of Violation: 2700 JEFFERSON DAVIS

Ord. Section: 11-505
Description of Violation: VIOLATION OF SIGN
CONDITIONS 21, 22, 23, 18, 11

Penalty \$: 50.00
 1st 2nd
 3rd/MORE

IF THE VIOLATION IS NOT CORRECTED BY
5/18/01 AN ADDITIONAL MONETARY
PENALTY WILL BE ASSESSED.

[Signature] 103
Inspector's Signature ID Number

I personally observed or investigated the commission of the
violation noted above and/or violation was based upon signed
affidavit.

- VIIATORS COPY - WHITE
- CITY ATTORNEY COPY - YELLOW
- FINANCE COPY - PINK
- PLANNING AND ZONING COPY - ORANGE

NOTICE SERVED ON:
KAZEMI, CHAH
NAME: LAST FIRST MIDDLE
 PROPERTY OWNER
 COMPANY Afghan Restaurant
NAME
MANAGER
POSITION

OTHER
2700 JEFFERSON DAVIS HWY
ADDRESS ALEXANDRIA VA
CITY/TOWN STATE ZIP

SIGNATURE [Signature] DATE 5.08.01

I hereby acknowledge receipt of this Notice of
Violation. Signature is not an admission of guilt.

PERSON REFUSED TO SIGN DATE _____

CERTIFICATE OF SERVICE

Mailed/posted a true copy of this notice to the last
known home or business address of the respondent
or the respondent's agent

Name of Person or Business Served

Address of Service

City/State

Posted true copy of this notice at the site of the
infraction

The undersigned states that he/she is an employee
of the City of Alexandria Department of Planning
and Zoning and knows this Certificate of Service to
be true to the best of his/her knowledge.

Signature _____
Print Name _____
Date Phone # _____

WARNING
YOU ARE REQUIRED TO RESPOND TO THIS NOTICE
OF VIOLATION WITHIN 15 DAYS OF THE DATE OF
SERVICE IN ONE OF THE FOLLOWING WAYS

1. TO PAY PENALTY AND WAIVE YOUR RIGHT TO A HEARING:

- Check the "Admit Violation" or "No Contest" box below;
- Make personal check, cashier's check, certified check or money order payable to City of Alexandria. Do not send cash through the mail;
- Print violation notice number on the check or money order;
- Payment may be made by mail, or in person, at the Treasury Office, City Hall, 301 King Street, Room 1510, Alexandria, Virginia, between the hours of 8:00 a.m. - 5:00 p.m., Monday-Friday, phone 703-838-4949.

2. TO REQUEST A COURT HEARING:

- Check the "Contest in Court" box below and:
(a) Mail this completed notice to the Office of the City Attorney, City Hall, Suite 1300, 301 King Street, Alexandria, Virginia, 22314; or
(b) Appear in person or by an authorized representative, at the above address between the hours of 8:00 a.m. - 5:00 p.m., Monday-Friday, phone 703-838-4433.

- If you wish to contest this violation a date will be set for trial in the General District Court of Alexandria, Virginia. Failure to appear in court on the date set for trial, unless prior approval has been granted by a judge of that court, will result in the entry of a default judgement against you.

3. TO CONTEST THE INTERPRETATION OF THE ORDINANCE:

- You have the right to appeal the interpretation of the zoning ordinance upon which this violation is based to the Board of Zoning Appeals within 30 days in accordance with 15.2-2311 of the Code of Virginia. The interpretation shall be final and unappealable if not appealed within 30 days.

FOR INFORMATION CONCERNING THIS TICKET CALL
PLANNING AND ZONING AT 703-838-4688

FAILURE TO RESPOND AS PROVIDED ABOVE WILL RESULT
IN THE ISSUANCE OF A SUMMONS TO APPEAR IN COURT
AND ANSWER TO THE VIOLATION FOR WHICH THIS NOTICE
WAS ISSUED

YOU MUST COMPLETE AND SIGN THIS
CERTIFICATION:
 ADMIT VIOLATION NO CONTEST CONTEST IN COURT

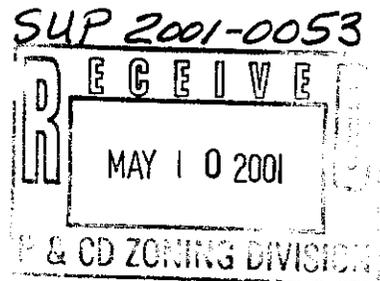
Name (print) _____
Street Address _____
City _____ State _____ Zip _____

I hereby certify under penalty of law, that I have
answered as indicated above, and corrected or made
substantial efforts to correct the violation that I have
admitted or for which I have pleaded no contest.

Signature _____ Date _____

City of Alexandria, Virginia

MEMORANDUM



DATE: MAY 10, 2001

TO: BARBARA ROSS, DEPUTY DIRECTOR
PLANNING AND ZONING

FROM: ^{AD} ART DAHLBERG, DIRECTOR, CODE ENFORCEMENT

SUBJECT: INSPECTION AT 2700 JEFFERSON DAVIS HIGHWAY

This is to provide you with the results of the inspection of the Afghan Restaurant located at 2700 Jefferson Davis Highway that was conducted on May 8. Deputy Fire Marshal Rodriguez conducted the inspection and cited a total 31 violations. Although there are numerous violations within this establishment, none are considered to be serious or life threatening in nature nor do they give sufficient cause to close the establishment.

The vast majority of the violations are considered routine housekeeping violations which are normally found in similar establishments. Accordingly, Deputy Fire Marshal Rodriguez has assigned the normal 30 day compliance date for correction of the violations. The following is a list of the violations cited during this inspection:

General

Conduct annual test of sprinkler system;
Prepare fire evacuation plan for entire building.

Exterior

Clear shrubbery from Fire Department connection.

Banquet room

Repair exit light in ballroom;
Remove double cylinder deadbolt from South exit door;
Small stage incorrectly supported by milk crates;
Relocate chandelier obstructing sprinkler head;
Replace all painted sprinkler heads;
Remove tape over sprinkler head near kitchen;
Remove combustible storage in sprinkler room;
Replace missing spar sprinkler heads;
Eliminate extension cord on track lighting;

Re-install exit light near restrooms;
Remove storage from exit corridor.

Restaurant

Repair all inoperative exit lights;
Exit door in vestibule swings in wrong direction;
Discontinue use of all extension cords.

Bar in banquet hall

Replace covers on damaged light switches.

Kitchen area

Hood system needs six month inspection;
Remove lint accumulation on vents in kitchen;
Remove all storage within 30 inches of main electrical panel;
Mount portable fire extinguisher in kitchen;
Discontinue use of extension cords to freezer.

Rear storage room

Remove all storage within 18 inches of sprinkler heads;
Maintain clear aisles in storage room;
Remove electrical cables running through doorways.

Office area

Remove side-by-side sprinkler heads in office;
Remove extension cords in office area;
Replace missing ceiling tiles in office.

The current occupant load posted within the restaurant is as follows:

Banquet/ballroom	140
Restaurant general seating area	<u>86</u>
Total permitted occupant load	226

If you have any questions regarding this report, please contact me on -4644 ext 110.

cc: Thomas M. Hawkins, Fire Chief

SUP 2001-0053

City of Alexandria, Virginia

MEMORANDUM

DATE: MAY 21, 2001
TO: PHILIP G. SUNDERLAND, CITY MANAGER
FROM: CHARLES E. SAMARRA, CHIEF OF POLICE 
SUBJECT: AFGHAN RESTAURANT

The purpose of this memorandum is to provide input for the upcoming Special Use Permit revocation hearing of the Afghan Restaurant. I have assigned Captain Joseph Rosboschil, Commander of the Midnight Patrol Division, to review this matter. This executive summary will document activity recently handled by the Police Department, as well as follow-up efforts by Captain Rosboschil and his staff.

Summary of the Events of May 6:

The activities of the Afghan Restaurant have become an issue of concern as a result of a large fight that occurred at the business on May 6, 2001 at 2:33 a.m. On that date, police officers responded to the business as the result of a call for assistance from two Alexandria Sheriff's Department Deputies working an off-duty detail at the restaurant.

Upon their arrival, police officers observed a large disturbance involving approximately 100 patrons of the Afghan Restaurant. All available Alexandria Police officers were summoned to the restaurant to assist in resolving the fight and disturbance. Due to the large number of patrons involved, the on-scene commander requested assistance from the Arlington County Police Department to provide traffic control around the incident which would free up the Alexandria Police to make arrests. Once Arlington officers arrived and assumed the outer perimeter posts, the on-scene commander gave the order to make arrests. Once the crowd saw that arrests were being made, the crowd became orderly, and cleared out of the area in approximately fifteen minutes. The Police Department made two arrests during this incident.

During this incident it was discovered that one patron attending the event was stabbed during the incident. The victim of the stabbing, who was identified, refused to cooperate with officers investigating the incident and also refused medical treatment.

Calls for Service:

During the past six months the Police Department has responded to the Afghan Restaurant for disorderly persons, loud music, and fight calls on six separate occasions since November 11, 2000. The calls were as follows:

- *November 11, 2000 / 1:20 a.m. - Noise complaint / loud party / children running in parking lot. (No criminal violations were found.)
- December 31, 2000 / 12:27 a.m. - Possible fight in progress (Gone on arrival)
- March 24, 2001 / 11:52 p.m. - Noise violation / loud party (The business was verbally warned by the responding officers.)
- *March 25, 2001 / 2:01 a.m. - Fight in progress (Ended prior to arrival - no charges were placed)
- May 6, 2001 / 12:21 a.m. - Disorderly subjects leaving the restaurant (Parties were warned by the responding officers.)
- *May 6, 2001 / 2:33 a.m. - Large fight involving more than 100 patrons (Two arrests were made during this incident. Nineteen Alexandria Police Officers responded and were assisted by Arlington County Police who provided traffic control for City officers who resolved the fight.)

*denotes calls for service which were received by the Police Department after the hours of operation permitted by the SUP.

Follow-up Investigation:

Officer Seth Weinstein, of the Midnight Patrol Division, was assigned to follow-up on the activities of the Afghan Restaurant as part of a problem-solving project. The first task was to review the Special Use Permit issued to the Afghan Restaurant. In reviewing the SUP, it was discovered that many of the above calls for service which the Police Department responded to were possible violations of the SUP. In reviewing the calls for service, it appears that three of the calls for service occurred after the 1:00 a.m. closing time of the establishment, as documented in the SUP.

Officer Weinstein interviewed Deputies Traynham and Stubblefield, who had been hired to provide security on May 6, 2001. Deputy Traynham advised Officer Weinstein that they had been hired by Patrick Cooper, proprietor of SupaDuper Entertainment, on May 4, 2001, to provide security for a "Jazz Cabaret" on May 6. Deputy Traynham further stated to Officer Weinstein that Mr. Cooper rented the restaurant from the owners of the Afghan Restaurant, and

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was charging a fee of \$20 admission for patrons to enter the restaurant and attend the entertainment. Deputy Traynham related to Officer Weinstein that he noticed the crowd did not appear to be typical jazz patrons, and found out after he arrived that the performers at the event were a go-go band. Deputy Traynham also advised Officer Weinstein that Mr. Cooper also holds a Comedy Show at the Afghan Restaurant every Thursday evening.

A check of the business' license for the Afghan Restaurant was conducted and found to be in proper order. The license for the sale of beer at the Afghan Restaurant was current, while their license for the sale of wine and operation of a restaurant expired on May 9, 2001.

A review of the activities of the Alcoholic Beverage Control Board revealed the following activity:

- November 6, 1997 - Keeping Unauthorized Mixed Beverages (Fine)
- May 13, 1998 - Keeping Unauthorized Alcoholic Beverages (Fine)
- February 14, 2000 - Designated manager was not posted
- November 3, 2000 - Sale of alcohol to underage persons (Pending)
- November 30, 2000 - Unable to provide documents for inspection

In checking with Virginia ABC we learned that in May 1998, one of the owners listed on the ABC application, Qasam Abbasi, was not eligible to receive an ABC License under ABC policy. As a result of this ineligibility, Mr. Abbasi was forced to remove himself from the ownership group prior to ABC issuing the license to serve alcohol. He was replaced on the ownership group by his brother, Gul Ahmed Abbasi. It appears that Qasam Abbasi never removed himself from the ownership listed on the SUP.

Meeting with Afghan Restaurant Management and Patrick Cooper:

On May 10, Captain Rosboschil met with Chah Khazemi, a manager/owner of the Afghan Restaurant to discuss the public safety issues surrounding the incident of May 5, and the need to prevent any further occurrences. Through an interpreter, Mr. Khazemi confirmed that he had a contract with Patrick Cooper for him to utilize the business on some weekend evenings. Mr. Khazemi also confirmed that Mr. Cooper provides a Comedy Night for the restaurant on Thursday evenings. Mr. Khazemi further advised that they have canceled any future events until they get the problems with their SUP corrected.

While Captain Rosboschil was meeting with Mr. Khazemi, Patrick Cooper arrived at the business. Initially, Mr. Cooper claimed that he was being hassled because he was a young black man trying to run a legitimate business. Captain Rosboschil discussed at great length with Mr.

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Cooper why this was not the case. Moreover, Captain Rosboschil elaborated regarding the regulations applied to all legitimate businesses operating within the City and how these regulations are needed to protect the public, the business, and its employees. When asked about charging admission, Mr. Cooper advised he was not charging an admission fee. He advised that he was "showcasing" new talent, and the only guests that attended were by "invitation only." Captain Rosboschil advised Mr. Cooper that he needed to obtain a SUP to operate these types of events and referred him to Kathleen Beeton in the City's Office of Planning and Zoning should he wish to obtain a SUP for future events.

Conclusion:

In reviewing the activities of the Afghan Restaurant in which the Police Department responded, it is clear that the operation of the business through its owners/operators, and the people it contracts with, is clearly in violation of its SUP. Of the six calls for service during the past six months, three calls for service occurred after the operating hours of the establishment, two calls for service involved violation of the noise provisions of the SUP. This does not include the public safety concerns created by the events hosted at the restaurant.

The Police Department is closely monitoring the activities of the Afghan Restaurant. We have started conducting checks of the restaurant on the weekends to ensure this type of an event does not occur again in violation of the SUP. The current information we have received is that Mr. Cooper and SupaDuper Entertainment is now contracting with venues in Arlington County.

Should you have any additional questions please feel free to contact Captain Rosboschil at 838-4744 or me at 838-4700. Thank you.

cc: Barbara Ross, Planning and Zoning

Staff: Chief Charles Samarra
Deputy Chief Joseph Hilleary
Captain Joseph Rosboschil
Lieutenant Dennis Butler
Lieutenant Mark Uzzell
Officer Seth Weinstein

*

SUP 2001-0053

AFGHAN RESTAURANT
2700 Jefferson Davis Highway
Alexandria, VA 22301
Lease information: (703) 491-9848
General information: (703)548-0022

LEASE CONTRACT FOR FACILITIES AND SERVICES

Name: PATRICK S. COOPER Phone: (H) 7/672-2386
Address: 2450 MILLERSON AVE Phone: (W) 7/684-6396
City: ALEXANDRIA State: VA Zip 22301
DATE OF AFFAIR SAT 05 05 2001
Week Day Month Date Year
Purpose: Private Party Rental Time: 10:00 to 2:00

This agreement of lease made this 05 day of 05 2001 by Afghan Restaurant at 2700 Jefferson Davis Highway, Alexandria, VA 22301 and the above named lessee. Any and all proposals, reservations, agreements and contracts in respect to the use of services and facilities of Afghan Restaurant are made subject to all Afghan Restaurant rules and regulations and shall include, but not be limited to the following express terms and conditions:

- 1- Afghan Restaurant will provide the use of the following facilities, amenities and services to Lessee on the specified event date above.
 - A- Facilities include: Dining floor, Wet bar counter, Limited use of Kitchen (no cooking), 15' x 15' Dance floor, 8' x 8' Music platform, 8' x 8' Bridal platform, Bridal changing and makeup room, Women & Men rest rooms, Parking area.
 - B- Amenities include: Tables, Chairs, Linen, Napkins, Dishes, Plates, Tea cups and saucers, Glasses, Silverware, Ashtrays, Decorative center pieces, Bridal couch and table.
 - C- Services include: Setup and breakdown, Cleaning, Trash removal, Two waiters (9 PM - 1 AM)

2- Afghan Restaurant Does Doesnot provide catering services from their standard B-Day party Menu with a price of \$ per person for 250 guests and a total charge of \$ 3,500.00

3- Rental Fee: A nonrefundable deposit of \$250 is required to reserve the Restaurant for the specified date. The balance of the rental fee and service charges is payable in FULL no later than 30 days prior to the date of the event. If the final payment is not received by this time, the date will no longer be held for the lessee and the deposit is forfeited.

OFFICE USE		
First Payment Amount	<u>3,500.00</u>	Date Received <u>03-03-01</u> Check # <u> </u>
Final Payment Amount	<u> </u>	Date Received <u> </u> Check# <u> </u>
Additional Amount	<u> </u>	Date Received <u> </u> Check # <u> </u>

I have read the policies and regulations governing the lease of the Afghan Restaurant and agree to abide by them. I understand that I will be held responsible for any damage (or violation listed under the Policies and Regulations of the Restaurant) incurred to the Restaurant facilities, its furnishings or grounds during the time I have rented the Restaurant. Should damages exceed the security deposit, I agree to pay the balance for the damages and any attorney fees incurred by the Restaurant. I further agree not to hold the Afghan Restaurant staff or owners responsible for any injuries by myself or my guests while on the premises.

[Signature]
Renter's Signature
[Signature]
Restaurant Lease Coordinator

March 03, 2001
Date
March 03 - 2001
Date

AFGHAN RESTAURANT

2700 Jefferson Davis Highway

Alexandria, VA 22301

Lease information: (703) 491-9848

General information: (703) 548-0022

LEASE POLICIES AND REGULATIONS

AFGHAN RESTAURANT SHALL:

- 1- Provide the contracted services and facilities.
- 2- Provide a staff member to answer questions, assist and give guidelines.
- 3- Not assume any responsibility for damages theft or loss of personal belongings, merchandise or articles left in the Afghan Restaurant premises, prior to, during or following the patron's function.
- 4- Not be responsible for injuries accidental or otherwise and damages incurred by the renting party or members of his/her function due to the negligence or disturbance on the part of any or all attendees.
- 5- Hold the right to deny any future use of the Afghan Restaurant facilities to any renting party or associates of renting party who has abused the privileges and regulations.

LESSEE SHALL:

- 1- Not exceed the fire regulations / seating capacity of the Restaurant.
- 2- Provide a person in charge:
 - a) The person in charge shall be present at the beginning and end of the event. If this person cannot be present during the ENTIRE event, the Restaurant staff must be informed prior to the event or the lessee risks the loss of security deposit
 - b) Upon arrival at the Restaurant, the person in charge MUST introduce him/herself to the restaurant manager on duty.
- 3- Keep the level of noise, especially that produced by sound equipment to a reasonable volume. The Restaurant's determination as to "reasonable volume" will be followed in all cases. The engagement of persons, equipment, or both, to perform recorded music for Dinner/Dance functions must be approved by the Restaurant in advance of the function date.
- 4- Be responsible for the conduct of all attendees in the use of said facilities and for damages and loss of property.
- 5- Guarantee there is no gambling, illegal drugs or any other unlawful and immoral acts being performed in the Restaurant premises, including the consumption or possession of alcoholic beverages or beer by any one under the age of 21.
- 6- May not bring in beer, soft drinks, wine or any other alcoholic beverages.
- 7- Not utilize staples, nails or tacks when decorating. Only tape will be allowed.
- 8- Not throw anything including birdseed, rice or confetti INSIDE the Restaurant. Birdseed and balloons can be used OUTSIDE the Restaurant.
- 9- Not use any red type punches/wine as these have been known to cause permanent stains in the carpet. If such a stain occurs and cannot be removed during the event, the security deposit will be forfeited and appropriate charges assessed.
- 10- Not enter the Restaurant earlier than the contracted time. The event must end at the time noted on the contract or risk losing the security deposit.
- 11- Agrees to pay for any violations in the rental times either before or after the scheduled event. Should the violation or any damages to the Restaurant property exceed the amount of the security deposit the renter agrees to pay the additional charges.
- 12- Be responsible for any rented equipment. The restaurant cannot sign for or be responsible for any rented equipment or its storage after function. Equipment must be removed after the function.
- 13- Be allowed to **change** the date of the rental 60 days or more in advance of the original rental date, provided the alternate date is available. Failure to do so will result in the loss of the security deposit and any payments made.
- 14- Be allowed to **cancel** rental agreement 60 days in advance of the original rental date. All cancellations result in the loss of the security deposit and a refund of the payment made to date (less security deposit) will be sent to lessee. Cancellations made less than 60 days in advance of the rental date forfeit **all** fees paid at the time.

SUP 2001-0053

(F)

City of Alexandria, Virginia

Department of Police

2003 Mill Road

Alexandria, Virginia 22314



John

Telephone: (703) 838-4700
Fax: (703) 838-6345

2001 APR 13 P 3:19
COMMUNICATIONS SECTION
CITY OF ALEXANDRIA, VIRGINIA



Charles E. Samarra
Chief

April 13, 2001

Patrick S. Cooper
CEO SupaDuper Entertainments
2400 A. Mount Vernon Avenue
Alexandria, Virginia 22301

Dear Mr. Cooper:

I am writing in response to your letter regarding the actions of the police department in response to a noise complaint at 2700 Jefferson Davis Highway on March 24. In your letter, you complained about the actions of a shift supervisor from the police department, whom we determined was Sergeant Wendy Maris. I asked Executive Officer of the Midnight Patrol Division Lieutenant Mark Uzzell and Sergeant Maris' immediate supervisor to thoroughly review this matter. The following is the result of Lieutenant Uzzell's review.

On the evening of March 24 and early morning hours of March 25, the police communications section received four citizen calls pertaining to the Afghan Restaurant at 2700 Jefferson Davis Highway. The first call was received on March 24 at 11:24 p.m. This call was received from an unknown source who complained about loud noise. The second call was received on March 25 at 12:11 a.m. from an unknown source who complained about loud noise. The third call was received on March 25 at 12:33 a.m. from an unknown source complaining about loud noise. The fourth call was received on March 25 at 2:01 a.m. from an off-duty Alexandria Deputy Sheriff, working as a security officer hired by the Afghan Restaurant, reporting a fight.

Section 11-5-4 of the Alexandria City Code states in part "Sound reproduction devices . . . operated between the hours of 11:00 p.m. and 7:00 a.m. in such manner as to be plainly audible across property boundaries at a distance of 50 feet from the building, structure or vehicle in which it is located shall be prima facie evidence of a violation of this section." According to Sergeant Maris, while responding to one of the calls at the restaurant, she could hear the noise as she approached the intersection of Swann and Calvert Avenues. This is much farther than the 50 feet standard described in the Alexandria City Code Section.

Police officers handling noise violations must respond to all complaints they are dispatched to. On the first visit, if there is a violation, the officer gives a verbal or written warning (no fine attached) to the responsible party. On the second complaint, within seven (7) days, the officer may give a written noise violation notification (requiring a \$50.00 fine) to the

Accredited by the Commission on Accreditation for Law Enforcement Agencies, Inc.

Letter to Patrick S. Cooper

April 13, 2001

Page Two

responsible party. On the third complaint, within seven (7) days the officer may issue a noise violation notification (requiring a \$100.00 fine) to the responsible party. On the fourth and subsequent complaints, within fourteen (14) days, the officer may issue a noise violation notification (requiring a \$500.00 fine) to the responsible party. The noise violation form also says "Failure to abate the violation within the time stated may result in the issuance of a criminal warrant or summons." There is no requirement for Alexandria Officers to use a noise measuring gauge.

It is the policy of the Alexandria Police Department to respond to all complaints made by citizens even when the citizen refuses to provide their identity. If the officer arrives on the scene of a complaint and finds that there is a violation of the law, they take the appropriate actions. If there is no violation, then the call for service is usually cleared as "unfounded."

According to Sergeant Maris, when she responded to the first noise violation, she found that there was a violation and discussed the problem with your security personnel. Sergeant Maris advised your security personnel that if two more complaints were received, the music would have to be shut down. There were two subsequent calls for noise violations that Sergeant Maris determined were unfounded. On the third call for a noise complaint, she notified your security people that she could not hear the music and that no further action would be taken by the police. This information was apparently not relayed to you.

It is the goal of the Alexandria Police Department to promote good relations between the police department and the citizens and business people in the community. I regret any misunderstanding about the series of events on the night in question. I hope the above information is helpful in explaining to you how Alexandria Police Officers handle noise violations. I appreciate the steps you have taken to ensure your events are well chaperoned and you can count on the Alexandria Police Department for assistance in the future.

Should you have any further questions or concerns, feel free to contact Lieutenant Mark Uzzell at (703) 838-4744. His normal work hours are between 10:00 p.m. and 8:00 a.m.

Sincerely,



Charles E. Samarra
Chief of Police

cc: Councilman William Euille
✓ City Manager Philip Sunderland

c:\wpdocs\patroll\5248Cooper.wpd

SUP 2001 - 0053

Chief of Police (Alexandria VA)
2003 Mills Road
Alexandria VA 2230

SupaDuper Entertainment
2400 A. Mount Vernon Ave.
Alexandria VA 22301

Dear Chief of Police:

I am writing you in regards to the actions of one of your shift supervisors March 24, 2001. At or about 12:30 a.m. the officer in question responded to a noise complaint at a SupaDuper event at The Afghan at 2700 Jefferson Davis Highway. Upon arriving at the scene, she approached two of my staff personnel (security) and informed them that there was a noise complaint. She then proceeded to say that she had received two complaints and that if she received another one she would shut the event down. She did not use a noise gauge nor did she question anyone on our point of view. Upon being informed of her being there, I came to the spot where the conversation had take place at which time she was departing. However there were three Alexandria police and my staff there when I arrived. While talking to them about the incident the police department received another complaint about alleged disorderly conduct and fighting in the parking lot. The complaint was totally false as witnessed by three officers on the scene. One of the officers then radioed back to the dispatcher and informed the dispatcher of his location and told them the report was unfounded. The officer then went one step further and offered to come to the complainant house in which time the complainant chose not to accept the offer.

My point in detailing the actions of this night is to illustrate how easily a false accusation by someone can wrongly disrupt or end an event if it's not fully and fairly investigated before an officer decide on the appropriate course of action. SupaDuper entertainment is a licensed entertainment company that service primarily the Northern VA area. In many ways my company's goals are the same as yours. We have a vested interest in providing top quality entertainment and an alternative to crime. We do this in a variety of ways. Such as developing local talent and contributing to the improvement of the community.

It is our sincere hope that we are able to work along side your officers in achieving these common goals. Understanding that there will be times when people will be disruptive in social setting. My company employs trained professional security personnel to dispel those types of actions at our event immediately. I can assure you that we have no interest in negative activities of any type and will work with your officers concerning such activities at our events if the need arrives. In return I ask that your officer treat my clients, my staff, and my company with respect and exercise due process when investigating matters concerning my company's activities.

Thanks in advance



Patrick S. Cooper
CEO SupaDuper Entertainments

7/684-6396

SUP 2001-0053



City of Alexandria, Virginia



DEPARTMENT OF PLANNING AND ZONING
301 King Street, Room 2100
P. O. Box 178
Alexandria, Virginia 22313
(703) 838-4666
FAX (703) 838-6393

May 21, 2001

Antonio and Maria Laliotis
2700 Jefferson Davis Highway
Alexandria, Virginia

Re: Afghan Restaurant SUP

Dear Mr. And Mrs Laliotis:

As owners of the property at 2700 Jefferson Davis Highway, where the Afghan Restaurant is located, we write to inform you that the restaurant has violated the conditions of its approval and has been scheduled for two hearings at which time the revocation of its special use permit may be considered. The Alexandria Police Department, the Code Enforcement Bureau, and our office have discussed this matter with the restaurant management several times. Enclosed is our recent letter to the restaurant, explaining its violations and the schedule for hearings on revocation of its permit. As owner of the property, you will also be receiving official notice of the hearings next week.

If you have any questions about this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Barbara Ross".

Barbara Ross
Deputy Director

cc: Eileen Fogarty, Director
Joseph Rosbochil, Lieutenant, Police Investigations

SUP 2001-0053



City of Alexandria, Virginia

DEPARTMENT OF PLANNING AND ZONING
301 King Street, Room 2100
P. O. Box 178
Alexandria, Virginia 22313
(703) 838-4666
FAX (703) 838-6393



May 11, 2001

HAND DELIVERY

Mr. Chah Kazemi, Manager
Afghan Restaurant
2700 Jefferson Davis Highway
Alexandria, VA 22301

Re: SUP #97-0077

Dear Mr. Kazemi:

The Afghan Restaurant operates under the approval of Special Use Permit #97-0077, which includes several conditions and requirements. Condition #11 provides:

Live entertainment shall be limited to music and dancing as background for diners or to traditional Afghani performances. No admission or cover charge for entertainment may be required of patrons. Advertising that features entertainment as a destination is prohibited. Live entertainment and dancing is restricted to between 8:00 A.M. and 1:00 A.M., Monday through Saturday. The applicant shall be responsible for all entertainment at the restaurant. A violation of this condition shall result in the automatic docketing of the permit for revocation by City Council.

On May 8, 2001, the restaurant received a zoning citation for violating this condition in that there was a show featuring a go-go band on Saturday, May 5, and into the morning of May 6, for which a cover charge was required of patrons, and which was taking place after 1:00 a.m. In addition, there was a violation of Condition # 7 which prohibits music or amplified sound that is audible at the property line.

You are hereby directed to abate the violation and refrain from having any entertainment at the restaurant except for the type and under the terms specifically allowed. Under section 11-206 of the Alexandria Zoning Ordinance, your failure to do so will be punishable as a class 1 misdemeanor.

Condition #11 requires that the special use permit be automatically docketed for revocation by City Council. As I discussed with you yesterday, the case for revoking the restaurant's permit will

be heard by the Planning Commission on June 5 at 7:30 p.m. and by City Council on June 9 at 9:30 a.m. Both hearings will take place in City Council chambers, 301 King Street, Alexandria. Your presence is required. If the special use permit is revoked, the restaurant will have to cease operations.

Finally, I am also advised that the ownership of the restaurant has changed since 1977. At that time the permit was granted only to Mr. Quasam Abbasi; I am informed that the current owners are Gul Ahmed Abbasi and Abdul Khan. The change of ownership of the restaurant without City Council approval constitutes another violation of the special use permit. The current owner must file an application with my office immediately to amend the special use permit to allow that owner to operate it.

If I can answer any questions, or you need additional information, please call Barbara Ross of this office.

Very truly yours,



Eileen Fogarty
Director

cc: Barbara Ross, Deputy Director
Felton Gilliam, Zoning Inspector
Joseph Rosboschil, Lieutenant, Police Investigations

EXHIBIT NO.

2

20

6-16-01

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

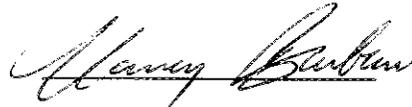
Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 415 E. Raymond. I have been a neighbor of the Afghan Restaurant for 7 years years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,



May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

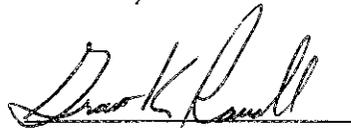
Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 416 East Raymond Ave. I have been a neighbor of the Afghan Restaurant for 4 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,



Dr. K. Raul

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 439 Calvert Ave. I have been a neighbor of the Afghan Restaurant for 7 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "M. G. D.", is written over a horizontal line.

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 400 Calvert Ave. I have been a neighbor of the Afghan Restaurant for 7 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

Martha M. LeBeuf

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26. SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 423 Calvert Ave. I have been a neighbor of the Afghan Restaurant for ___ years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,



Brandon L. F.
ADCOM Worldwide

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 413 Colver Ave. I have been a neighbor of the Afghan Restaurant for 7 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

Will O'Hara

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

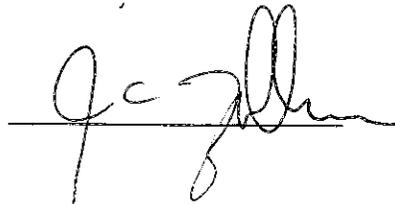
Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 376-B CALVERT AVE. I have been a neighbor of the Afghan Restaurant for 3 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Zolcer", written over a horizontal line.

J ZOLCER, MANAGER, D & J RENTALS

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 376 A CALVERT AVE I have been a neighbor of the Afghan Restaurant for 2 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to be "D. M. [unclear]", written in a cursive style.

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

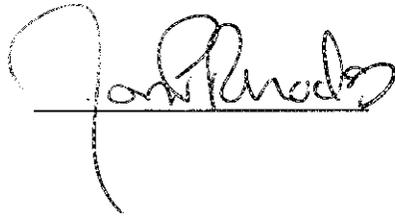
Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is Oakville Industrial. I have been a neighbor of the Afghan Restaurant for 9 years years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,



Jon R. [unclear]

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is ~~409 E. Raymond Ave #2~~ ^{409 E. Raymond Ave #2} have been a neighbor of the Afghan Restaurant for ~~2~~ ^{2 years} years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

Beverly Seegars
BEVERLY SEEGARS

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 407 East Boulevard I have been a neighbor of the Afghan Restaurant for 5 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,


Michael Seafus

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 208 F. Raymond Avenue. I have been a neighbor of the Afghan Restaurant for 30 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

Cleveland Gregg Jr.
Cleveland Gregg Jr.

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

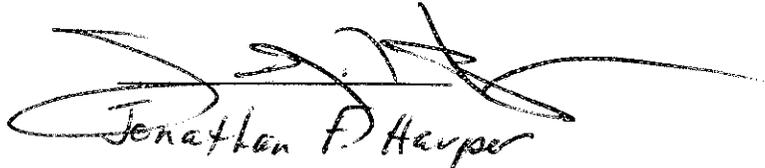
Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 208 E Raymond. I have been a neighbor of the Afghan Restaurant for 6 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,



Jonathan F. Harper

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 2182 Lafayette Ave *Allen Grays*. I have been a neighbor of the Afghan Restaurant for 26 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Grays", is written over a horizontal line.

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 208 E. Raymond Avenue. I have been a neighbor of the Afghan Restaurant for 28 yrs years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

Sharon Gregg Harter
Sharon Gregg Harter

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 808 E. Raymond Avenue. I have been a neighbor of the Afghan Restaurant for 29 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

Joann Gregg
X Joann Gregg

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 405 HOME AVE. I have been a neighbor of the Afghan Restaurant for 20 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. [unclear]". The signature is written in a cursive style with a large, looping flourish at the end.

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

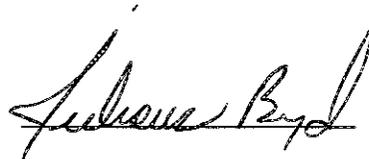
Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 4060 HOME AVE. I have been a neighbor of the Afghan Restaurant for 2 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrew Boyd".

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 406 Lane Ave. I have been a neighbor of the Afghan Restaurant for 2 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Simon Byrd", written over a horizontal line.

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 317 A WUME AVE. I have been a neighbor of the Afghan Restaurant for 16 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

NORMAN L. HOWARD

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26, SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 317 A Home Ave.. I have been a neighbor of the Afghan Restaurant for 16 years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,



Stacey Howard

May 30, 2001

Mr. Eric Wagner, Chairman
and Members of the Planning Commission
City Hall, Room 2100
Alexandria, VA 22314

Re: Docket Item 26. SUP # 2001-0053
Afghan Restaurant

Dear Mr. Chairman and Members of the Planning Commission:

I am a neighbor of the Afghan Restaurant located at 2700 Jefferson Davis Highway. My address is 3228 E CLIFFORD AVE I have been a neighbor of the Afghan Restaurant for 6+ years and they have been a good neighbor. I support their continued operation as a restaurant.

Thank you.

Sincerely,

Zarif L. Venty
Zarif L. Venty

**STATEMENT OF SUPPORT FOR THE AFGHAN
RESTAURANT**

The people of Afghanistan were ousted from their homeland and therefore fled to America for a place to resume a calm and peaceful livelihood. It is an integral part of an Afghan's identity to maintain the culture and heritage that were instilled in them in their homeland. Therefore, the Afghan culture places a great emphasis on community solidarity. The Afghan Restaurant's Banquet Hall is an excellent representation of a venue that offers the Afghan community a place to come together and celebrate their special occasions.

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Please provide your signature below as evidence of your active support.

Name	Telephone	Signature
<i>Roger Telschow</i>	<u>703-549-6626</u>	<u>ROGER TELSCHOW</u>
<i>Frances Gatz</i>	"	FRANCES GATZ

Please keep this unique and community-oriented business here! We love these folks!

**STATEMENT OF SUPPORT FOR THE AFGHAN
RESTAURANT**

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Please provide your signature below as evidence of your active support.

Name	Telephone	Signature
<u>Steve Shapiro</u>	<u>703 308 8538</u> 2700 Crystal Drive Arlington	<u>[Signature]</u>

This restaurant is one of Alexandria's jewels. People from work always look forward to coming here as I have for seven years.
Please keep them open.
Thank you.

STATEMENT OF SUPPORT FOR THE AFGHAN RESTAURANT

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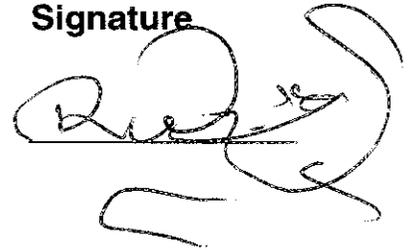
Name

Telephone

Signature

A. H. Rashid

703-385-3169

A handwritten signature in black ink, appearing to read 'A. H. Rashid', written over a horizontal line. The signature is stylized and includes a large flourish at the end.

**STATEMENT OF SUPPORT FOR THE AFGHAN
RESTAURANT**

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Mahmoud RASOOL

703-998-7110



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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Koshan
Mohammad

703-9226321

Mohammad Koshan

6028 Buttercup Ct.
Alexandria, VA 22310

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Sam Harris

703-578-4626



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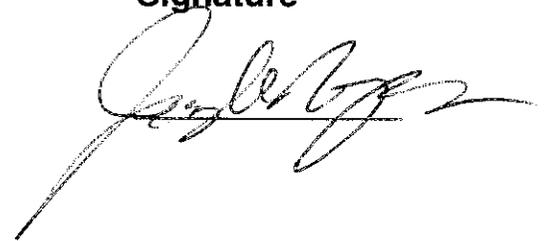
Name

Telephone

Signature

James H. Vaughan

(202) 783-7208



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Please provide your signature below as evidence of your active support.

Name	Telephone	Signature
<u>Ali Noory</u>	<u>703 455 3358</u>	<u>Alli</u>
MARIA LAGERA Albert Ferrara	703 619 3382	[Signature]

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Alberto Ferrera

703-799-6439

Alberto O. Ferrera

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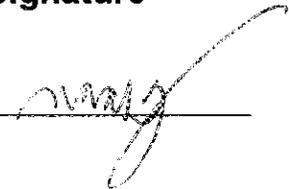
Name

Telephone

Signature

MARIA LOPEZ

703 526 8264



STATEMENT OF SUPPORT FOR THE AFGHAN RESTAURANT

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Rodriguez, Katherine

cell (917) 822 7812.
(703)

K Rodriguez
2LT, USAF

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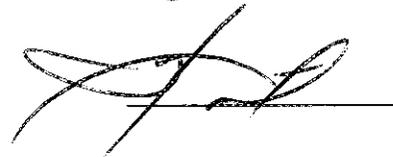
Name

Telephone

Signature

TEO HART

703-734-5324



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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Florence Hansen

703.790.5340

Florence Hansen
6.17.01

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Elwan (202)

703/821-8270



STATEMENT OF SUPPORT FOR THE AFGHAN RESTAURANT

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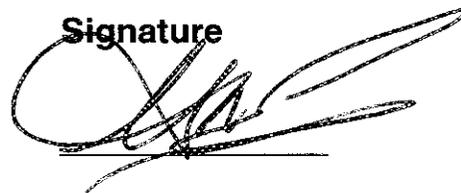
Name

Kella Evans

Telephone

410-310-5957

Signature



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Name

Telephone

Signature

Sayd yosufy

703 282-4240

Sayd

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Jaaved zia

703 6280707

Jaaved zia

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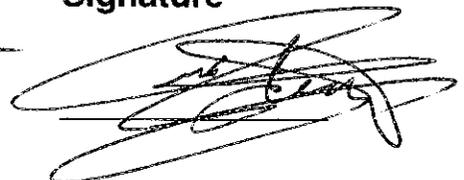
Name

Telephone

Signature

A. ES-Haq

(703)914-9505



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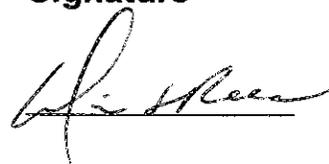
Name

Telephone

Signature

DAVE REED

703-866-6768



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Name

Telephone

Signature

Nasir K. Esrafi

703.610.1212

Nasir Esrafi

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Name

Telephone

Signature

Mayra Aguilera

305.710.3891

Mayra Aguilera

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Name

Telephone

Signature

Alma G. Latham

703 419 5334

Alma G. Latham

This restaurant serves excellent food and is a really nice and quiet place!

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Name	Telephone	Signature
<u>Philip Smith</u>	<u>(202) 543-1444</u>	<u>Philip Smith</u>
	2200 Wilson Blvd # 102209 Arlington, VA	
	22201	

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Name

Telephone

Signature

Kevin Coa

703 599 4952

Kevin

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Name

Telephone

Signature

Abbas Molekhanal Karmi 903-633-4761

Abbas Molekhanal Karmi

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Name

Telephone

Signature

SID. JALIL

703 671 6032

Said M. Jalil

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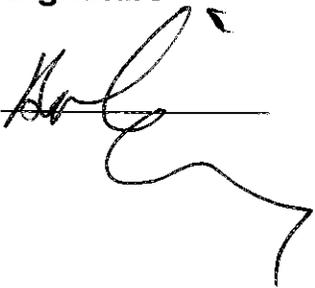
Name

Telephone

Signature

H. Habib

(703) 242-5116



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Name

Telephone

Signature

Sammy Shazma

703-764-1099



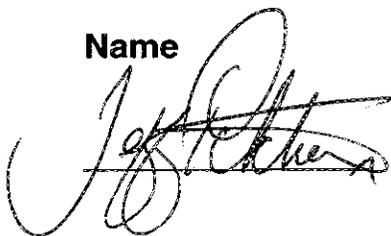
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Please provide your signature below as evidence of your active support.

Name



Telephone

801 771 9887

Signature



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Please provide your signature below as evidence of your active support.

Name

Kyle Larsen

Telephone

Signature

J. Kyle Larsen

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Name

Telephone

Signature

Denzee M. Mouzon

703-683-4399

Denzee M. Mouzon

**STATEMENT OF SUPPORT FOR THE AFGHAN
RESTAURANT**

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Name	Telephone	Signature
<u>Harold A. Morison</u>	<u>703-683-4399</u>	<u>Harold A. Morison</u>

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Name

Telephone

Signature

Karen Hobbs

703-836-9526

Karen Hobbs

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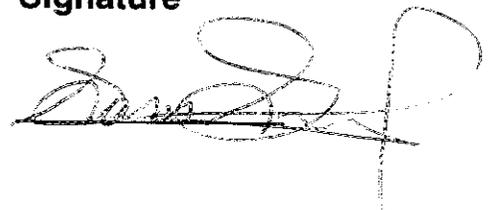
Name

Telephone

Signature

SIDA SAM MAJID

703-684-5665



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Name

Telephone

Signature

THOMAS SUMARIE

703-444-5752



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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Chandrika

(703) 414-5844

Ch. Tolmabov

Tolmabov

This restaurant has one of the best kitchens in Alexandria and peaceful, friendly atmosphere. I always enjoy coming here.

Ch. Tolmabov

STATEMENT OF SUPPORT FOR THE AFGHAN RESTAURANT

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Name	Telephone	Signature
① M. Omar Nooreyhani	703-447-8298	
② Jalaluddin Wardak	703-608-8000	

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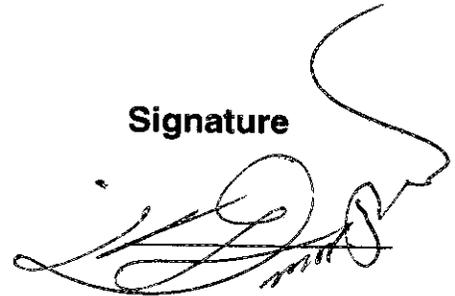
Name

Telephone

Signature

Shekib, Mohd

(703) 585-7111

A handwritten signature in black ink, appearing to read 'Shekib, Mohd', with a large, sweeping flourish extending upwards and to the right.

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Name

Telephone

Signature

M. ZAHER 703-912-9478 Mehomed Zan

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Name

Telephone

Signature

Rafiq Hakim Zada 703-339-5687

Rafiq

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Name

Telephone

Signature

Ghazni

703-421-6350

Ghazni

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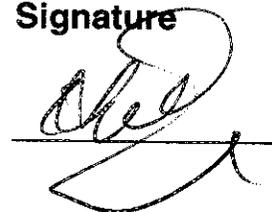
Name

Telephone

Signature

M. Wadi Najim

(703) 913-0986



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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Sayed F. Hashime *703-855-5849*

Sayed F. Hashime

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Ahulam

(703) 830-6116

E. y. p. ca. i. s. k. e. i

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Name	Telephone	Signature
① <u>Assad Ghayba</u>	<u>703-978-0518</u>	<u>Assad Ghayba</u>
② MIR RAFIQ	703 590-7079	MIR RAFIQ
③ F. FARHAD	703 680-1446	<u>F. Farhad</u>

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Signature

STEVE MELWICK

703 308 4797



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Name

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SHANAZAD K. ESMAI

703-416-1198

[Handwritten Signature]

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Name

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Signature

AMINA SAEED

703-904-9409

Amina Saeed

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Name

Telephone

Signature

USMAN KHAN

571-220-9353



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Name

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Signature

Suzanne H. Dawes

703-532-7588

Suzanne H. Dawes

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Name

Telephone

Signature

I have dined here with my family and friends many times over the past 5 years. The Afghan Restaurant is a rare treasure to our neighborhood. It has been a pleasant + enriching experience to eat here - I always leave content - and looking forward to my next visit. An absence of the Afghan Restaurant would be a great loss to the community... if its current location were closed, where do you envision its new address....??

Sincerely,

A. Nicole Miknovets

A. Nicole Miknovets
(703) 684 7707

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Name

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Jane Anderson

(703) 838-8993

Jane Anderson

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Name

MARK ANDERSON

Telephone

703-838-8993

Signature



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Name

Telephone

Signature

Elliott Dubin

703 569-7188

Elliott Dubin

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Name

Lynne L Dubin

Telephone

703 569-7188

Signature

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Please provide your signature below as evidence of your active support.

Name
HAROLD
RICHTOL

Telephone
(703) 243-4316

Signature


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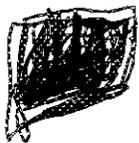
Telephone

Signature

IRIS RICHTER

703 243 4316





300-855 2209

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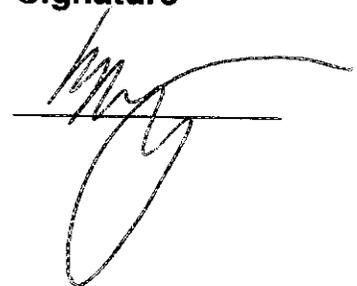
Name

Lynn Harrington

Telephone

703-460-5959

Signature



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Name

Telephone

Signature

William Davies

703-548-2647

Wm H. Davis

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Esmat ALi

703 6834039



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Signature

Sam Davis

703-532-7588

Samela A. Davis

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Name	Telephone	Signature
<u>AYGUN</u>	<u>(703) 320-7146</u>	<u>Samadova</u>
Samadova		

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Name

Telephone

Signature

Eliad Suleymanov

(202) 3630830



**STATEMENT OF SUPPORT FOR THE AFGHAN
RESTAURANT**

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Jill Raulison

703.536.7749

J Raulison

**STATEMENT OF SUPPORT FOR THE AFGHAN
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Please provide your signature below as evidence of your active support.

Name

MAYAN DEGRAND

Telephone

202-543-5748

Signature



STATEMENT OF SUPPORT FOR THE AFGHAN RESTAURANT

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Name

Telephone

Signature

M. Hakimzade

703-451-8244



**STATEMENT OF SUPPORT FOR THE AFGHAN
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Name

Telephone

Signature

HAKIM Ayubi

804-683-5425
703-435-4482

HAKIM Ayubi

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Name

Telephone

Signature

He will be interested in learning exactly what the transgression of the proprietor of this restaurant is that would warrant a threat to it's very existence. We have found this to be a wonderful place to eat for @ 5 years. We have found the staff to be equally wonderful, and we want the people of Afghanistan to feel at home and welcome here. We want this restaurant in our community.

Sharon Miknovets
SHARON MIKNOVETS 763 684-7707

STATEMENT OF SUPPORT FOR THE AFGHAN RESTAURANT

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Name

Telephone

Signature

Joe Khan

(703) 626-8588

A handwritten signature in black ink, appearing to read "Joe Khan", written over a horizontal line.

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Name

Telephone

Signature

Aleana Kabala

703 739 3350

Aleana Kabala

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Name

Telephone

Signature

Mary Bell S. Shepherd

703-876-9860

Mary Bell S. Shepherd

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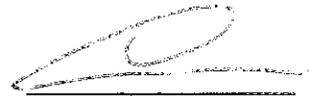
Name

Telephone

Signature

ERIC ROE

703 739 4133



**STATEMENT OF SUPPORT FOR THE AFGHAN
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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

Christa Zamer

703-573-7599

Christa Zamer

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Name

Telephone

Signature

AMAN TEFZAI 703 926 6960
4629 S 31ST RD A-2
ARLINGTON VA 22206

Aman Tefzai

**STATEMENT OF SUPPORT FOR THE AFGHAN
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Name

Telephone

Signature

SHOBHOJIT

703-922-9200

Bemp

**STATEMENT OF SUPPORT FOR THE AFGHAN
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Name

Telephone

Signature

Pushkita

703-922-9200



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Name

Telephone

Signature

Taylor Burch

780-2425

Taylor Burch

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Name

Telephone

Signature

Matt Ambrano

703-519-0323

M. Ambrano

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Name

Telephone

Signature

Jason Ruvy

763 465 8271

Jason Ruvy

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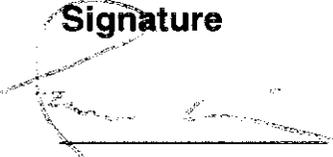
Name

Telephone

Signature

Patrick Givens

(301) 765-9864



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Name

Telephone

Signature

ALICIA WALLACE

(202)342-0332



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Name

Telephone

Signature

Basir

703 281 1303

B, A Najmyar

311 Branch cir Vienna VA 22180

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Name

Telephone

Signature

J. M. [Signature]

703 739 9180

[Signature]

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Name

Telephone

Signature

Benyam Negussie

703 998-8529



2500 N. Van Dorn St.
Alexandria VA 22302

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Please provide your signature below as evidence of your active support.

Name

Telephone

Signature

STEPHEN R. SCHANAMANN
2700 Crystal Dr
Arlington, Va

(home)
(301) 926-9134



SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

20
6-16-01

DOCKET ITEM NO. 20

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Harry P. Hart
2. ADDRESS: 307 N. Washington St.
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? _____
Afghan Restaurant / Habib Khan
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: X AGAINST: _____ OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY,
LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE
COUNCIL? YES X NO _____

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

APPLICATION for SPECIAL USE PERMIT # 2001-0053 ²⁰

[must use black ink or type]

PROPERTY LOCATION: 2700 JEFFERSON DAVIS Hy

TAX MAP REFERENCE: 25.03-02-11 ZONE: I

APPLICANT Name: CITY of ALEXANDRIA

Address: _____

PROPERTY OWNER Name: _____

Address: _____

PROPOSED USE: REVOKE S.U.P. for RESTAURANT
"AFGHAN RESTAURANT" by QASIM ABBASI

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: _____ \$ _____

Legal Advertisement: _____

Property Placard: _____

ACTION - PLANNING COMMISSION: 6/5/01 Recommend Revocation 7-0

ACTION - CITY COUNCIL: 6/16/01PH -- See attached.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

20. SPECIAL USE PERMIT #2001-0053
2700 JEFFERSON DAVIS HY
AFGHAN RESTAURANT
Public Hearing and Consideration of revocation of a special use permit for the existing restaurant business; zoned I/Industrial. Staff: Department of Planning and Zoning.

COMMISSION ACTION: Recommend Revocation 7-0

Councilman Speck noted that condition no. 25 which talks about how long you can operate after the closing hour means a midnight closing and that everyone is gone by 1:00 a.m.

City Council overturned the Planning Commission revocation with the following changes in conditions: **Change condition no. 4 to read as follows: "4. The hours of operation shall be limited to 7:00 a.m. to Midnight."**; **deleted condition no. 11, and substituted a new condition no. 11 that states: "11. No live entertainment shall be allowed except for scheduled wedding ceremonies approved in a list submitted to the Director of Planning and Zoning, by 5:00 p.m., June 20, 2001."**; **changed condition no. 14 to read: "14. Private security guards shall be provided from 10:00 p.m. to one hour after the closing hour."**; and **changed condition no. 24 to read: "24. The Director of Planning and Zoning shall review the special use permit and shall docket the matter for consideration by the Planning Commission and the City Council no later than December 31, 2001.**

Council Action: _____

21. VACATION #2001-002
1601 CHAPEL HILL DRIVE
Public Hearing and Consideration of a request for vacation of a public right-of-way, zoned R-20/Residential. Applicant: Thomas A. Davis and Jerri Davis, by Duncan W. Blair, attorney; and appointment of viewers for same.

COMMISSION ACTION: Recommend Denial 7-0

Councilwoman Pepper asked if there is a condition or covenant that indicates that this will always be green grass.

Attorney Blair stated he has indicated that, and he will make sure that an ordinance has that in it that there will be a covenant "that the front vacated portion shall not be built upon." That is a statement, and it is a proffer which will be in an ordinance.

Mr. Davis, applicant, noted that the request was not for 10 feet.

City Engineer Baker spoke to maintaining a 50 foot right-of-way.

Transportation and Environmental Services Director Baier explained the intent of the staff.