

Docket Item # 16  
SPECIAL USE PERMIT #2003-0003

Planning Commission Meeting  
March 4, 2003

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

**APPLICANT:** Jose Rivera

**LOCATION:** 2615 Mt. Vernon Avenue  
Capitol Pizza

**ZONE:** CL/Commercial Low

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**PLANNING COMMISSION ACTION, MARCH 4, 2003:** On a motion by Mr. Komoroske, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to add Conditions # 24 through #27. The motion carried on a vote of 7 to 0.

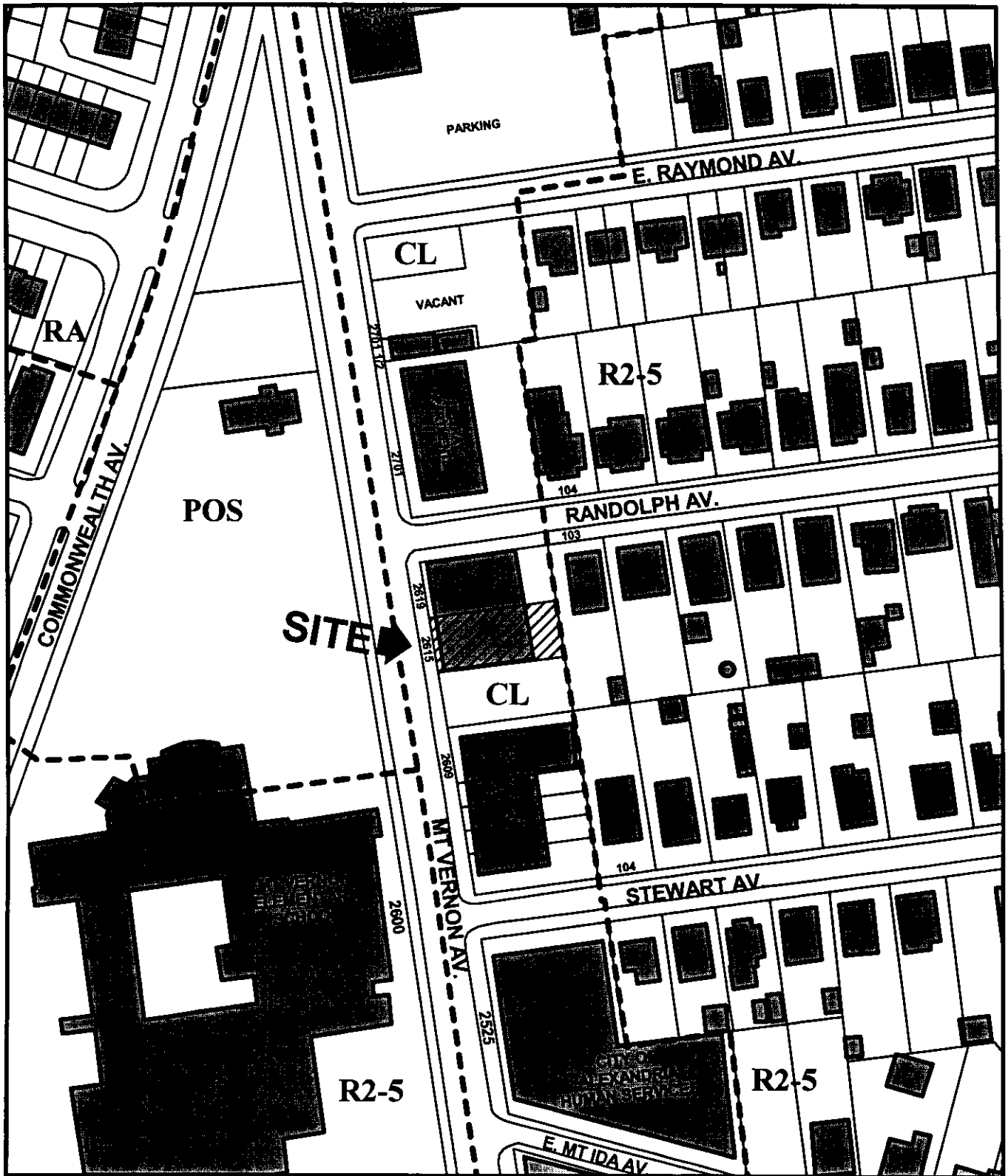
**Reason:** The Planning Commission added conditions in response to a request made by the Del Ray Citizens Association, and otherwise agreed with the staff analysis.

**Speakers:**

Stephanie Rivera, a representative for the applicant, requested approval of the special use permit.

Amy Slack, representative for the Del Ray Citizens Association, supported the special use permit request with additional conditions that are outlined in her letter to the Planning Commission (attached).

Anne Martone, a nearby residential neighbor, supported the special use permit request.



**SUP #2003-0003**

**03/04/03**



STAFF RECOMMENDATION:

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

1. The special use permit shall be issued to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #1751-A)
2. The seating capacity shall be limited to a maximum of 24 seats, as requested by the applicant. (P&Z) (SUP #1447)
3. **CONDITION AMENDED BY STAFF:** The hours of operation shall be restricted to those as requested by the applicant, ~~i.e., 11:00 A.M. to 10:00 P.M.~~ 6:00 a.m. to 10:00 p.m., seven days per week. Deliveries made to the business from the rear alley shall occur only between 9:00 a.m. and 6:00 p.m. daily. (P&Z) (SUP #1447)
4. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2002-0046)
5. Trash and garbage shall be collected every day that service is available. (P&Z) (SUP #1751-A)
6. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES) (SUP #1751-A)
7. No amplified sound shall be audible at the property line. (P&Z) (SUP #1751-A)
8. The applicant shall post the hours of operation at the entrance to the restaurant. (P&Z) (SUP #1751-A)
9. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#1751)
10. **CONDITION DELETED BY STAFF:** ~~At least one trash container shall be located in the parking area for the use of patrons, and the container shall not be permitted to overflow, and the areas around the container shall be kept clean.~~ (P&Z) (SUP #1751-A)

11. **CONDITION AMENDED BY STAFF:** ~~One standard City trash container shall be furnished to the City of Alexandria for installation by the City on the adjacent public right-of-way. The applicant shall obtain, at his expense, one Model SD-42 Ironsides series trash container to be placed on the adjacent public right-of-way. The applicant shall contact T&ES at 703-838-4318. (T&ES) (SUP #1751)~~
12. Litter on the site and on public rights-of-way spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (SUP #1751)
13. **CONDITION AMENDED BY STAFF:** ~~Delivery vehicles shall be limited to one; and it shall park and pick up orders only on the off-street parking lot located on the south side of the building. No delivery service is permitted. (P&Z) (SUP #1751-A)~~
14. **CONDITION AMENDED BY STAFF:** Any improvements to the exterior of the building shall comply with the Mount Vernon Avenue Design Guidelines, adopted for the area by City Council. (P&Z) (SUP #1751-A)
15. **CONDITION DELETED BY STAFF:** ~~Delivery drivers may not enter the food handling area. (Health) (SUP #1751-A)~~
16. **CONDITION RENEWED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey and robbery awareness program for the business. The number is 703-838-4520. (Police) (SUP #2002-0046)
17. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #2002-0046)
18. No alcohol service shall be permitted. (P&Z) (SUP #2002-0046)
19. The applicant shall require its employees who drive to work to use off-street parking. (P&Z) (SUP #2002-0046)
20. **CONDITION AMENDED BY STAFF:** The applicant shall control cooking odors and smoke from the property to prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP #2002-0046)

21. **CONDITION ADDED BY STAFF:** The applicant shall remove or obtain permits for all illegal exterior signs. New signs shall be consistent with the Mount Vernon Avenue Design Guidelines, as determined by the Director of Planning and Zoning. The lighting of any business sign shall also be limited to either internal or external illumination and will not include both forms of lighting. (P&Z)
22. **CONDITION ADDED BY STAFF:** The applicant shall provide signs at the front of the building and on the southern side of the building that indicate that restaurant patrons may use the adjacent parking lot. (P&Z)
23. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year 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 as a result of a complaint that rises to the level of a violation, 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)
24. **CONDITION ADDED BY PLANNING COMMISSION:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (PC)
25. **CONDITION ADDED BY PLANNING COMMISSION:** The applicant shall remove the existing exterior pay phone. (PC)
26. **CONDITION ADDED BY PLANNING COMMISSION:** The applicant shall screen the dumpster to the satisfaction of the Director of Planning and Zoning, and the screening shall be maintained in good condition. (PC)
27. **CONDITION ADDED BY PLANNING COMMISSION:** No dumpster service is permitted before 8:00 a.m. (PC)

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Jose Rivera, requests special use permit approval to change the ownership and change the hours of an existing restaurant at 2615 Mount Vernon Avenue.
2. The subject property is one lot of record with 50 feet of frontage on Mount Vernon Avenue, 113.6 feet of depth and a total lot area of 5,680 square feet. The site is developed with a single story commercial building divided into four commercial tenant spaces. A parking lot abuts the south side of the building. The parking lot can accommodate 18 vehicles. The surrounding land uses include commercial north and south along Mount Vernon Avenue, residential immediately to the east and the Mount Vernon Elementary School and Recreation Center to the west.
3. On January 23, 1982, City Council granted Special Use Permit #1447 for the operation of a restaurant at this location, specifically a 24 seat ice cream shop. On February 23, 1985, City Council granted Special Use Permit #1751 to allow the use to include a pizza sit-down and carry-out restaurant, but without an increase in the number of seats. On December 11, 1993, City Council granted Special Use Permit #1751-A to allow the addition of delivery service to the existing pizza restaurant with carry-out, known as Taco Maxi Pizza Town. On July 30, 2002, staff administratively approved Special Use Permit #2002-0046 for a change of ownership.
4. On September 25, 2002, staff inspected the restaurant as part of a proactive zoning inspection program and issued a ticket for violations of Conditions #3 (hours of operation) and #10 (trash container required for parking lot). Staff returned to the site on October 10, 2002 to inspect for compliance with regard to ticketed violations and issued a second ticket for violation of Condition #3 (hours of operation). Staff returned to the site on October 16, 2002 and issued a ticket for a violation of Condition #1 (change of ownership). Staff returned to the site on November 6, 2002 and issued a second ticket for violation of Condition #1 (change of ownership).

Mr. Ashraf is the last owner to receive a special use permit for the subject restaurant. He sold the business to Mr. Khan without benefit of special use permit approval. The violation regarding hours of operation has been corrected. Staff has not required the applicant to place a trash can in the adjacent parking lot, as required in Condition #10 because, according to Mr. Ashraf, the trash can was stolen on a regular basis. This change of ownership application seeks to correct the violation of Condition #1. It requires a public hearing because of the history of violations.

5. The applicant, Mr. Rivera, requests approval for a change of ownership and requests approval to change the hours of operation to allow him to open the restaurant earlier. The hours of operation are currently 11:00 a.m. to 10:00 p.m. daily, and the proposed hours are 6:00 a.m. to 10:00 p.m. daily.
6. The applicant intends to retain the table service and carry-out service, but will not continue the delivery service. The number of seats, 24 seats, will remain the same. The applicant will offer a menu of Spanish fast food.
7. Pursuant to Section 8-200 of the zoning ordinance, the restaurant is required to provide one parking space for each four seats, or six parking spaces. The restaurant has an agreement with the Sonitrol security company to use it's 18 space parking lot, located next door to the restaurant at 2611 Mount Vernon Avenue, for the required six spaces. This agreement was in place when the City first granted a special use permit for a restaurant at 2615 Mt. Vernon in 1982.
8. The applicant expects that deliveries to the restaurant will occur between 9:00 a.m and 10:00 a.m. twice a week from the rear alley.
9. Zoning: The subject property is located in the CL/Commercial Low zone. Section 4-100 of the zoning ordinance allows a restaurant in the CL zone only with a special use permit.
10. Master Plan: The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for commercial use.
11. The address for the subject business is 2615 Mt. Vernon Avenue. The first special use permit listed this address. The second and all subsequent special use permits prior to 2002 mistakenly listed the address as 2617 Mt. Vernon Avenue.

STAFF ANALYSIS:

Staff has no objection to the proposed change of ownership for the restaurant located at 2615 Mount Vernon Avenue. The current applicant, to staff's knowledge, has not been associated with any of the recent violations issued to the restaurant between September and November 2002. Additionally, the applicant proposes to reduce the intensity of the use by eliminating the existing delivery service. Otherwise, the use of the subject space for a restaurant is consistent with the commercial uses that line the Mount Vernon Avenue corridor.

Staff also supports the applicant's request to change the hours of operation. The hours are compatible with the hours of the surrounding businesses and the business is buffered from adjacent residential property by an alley at the rear (east) and other commercial and institutional properties to the front (west) and sides (north and south).

Staff does recommend that deliveries made from the rear alley not be allowed before 9:00 a.m. or after 6:00 p.m. to minimize impacts on adjacent residential properties. The applicant can use the adjacent parking lot or on-street parking for deliveries made outside of this time.

Staff also recommends that the applicant place a sign at the front of the building and on the southern side of the building that indicates that restaurant patrons may use the parking lot. There is currently no such sign.

The violations of the special use permit have been addressed by the previous owners, Mr. Ashraf and Mr. Khan. Staff has not required the applicant to place a trash can in the adjacent parking lot, as required in Condition #10, because Mr. Ashraf has said that the trash can was stolen on a regular basis. Staff actually recommends that Condition #10 be deleted because of this problem.

With regard to site improvements, the applicant has represented that he intends to remove the window air conditioning unit, which will greatly improve the appearance of the building. Staff also recommends that the existing city trash can, located on the adjacent right of way, be replaced with a new City trash can. Additionally, staff requires the applicant to remove all illegal signs or obtain sign permits for all non-permitted signs, and recommends that all signs comply with the Mount Vernon Avenue Design Guidelines. The existing signs, including the business sign on the front facade and the special advertising sign on the southern building wall, were installed without sign permits and do not otherwise comply with sign regulations in the zoning ordinance or the rules of the Mount Vernon Avenue Design Guidelines. The lighting of the business sign shall also be limited, and staff has included a condition allowing either internal or external illumination but not both forms of lighting as currently exists. Staff lastly recommends a review of the special use permit for the restaurant one year after approval.

**STAFF:** Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Mary Hashemi, Urban Planner.



CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 Applicant shall repair portions of the parking lot that are in disrepair and stripe parking spaces to satisfaction of the Director of Planning and Zoning.
- R-4 Applicant shall obtain at their expense, one city standard trash container to replace existing box located on right-of-way adjacent to Randolph Street.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 A new fire prevention code permit is required for the proposed operation due to a change in ownership. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Four sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alteration details, kitchen equipment, electrical, plumbing and mechanical layouts and schematics.

- C-4 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC.
- C-5 Required exits, parking and accessibility for persons with disabilities must be provided to the building.
- C-6 The following code requirements apply where food preparation results in the development of grease laden vapors:
  - (a) All cooking surfaces, kitchen exhaust systems, grease removal devices and hoods are required to be protected with an approved automatic fire suppression system.
  - (b) A grease interceptor is required where there is drainage from fixtures and equipment with grease-laden waste located in food preparation areas of restaurants. Food waste grinders can not discharge to the building drainage system through a grease interceptor.
- C-7 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
  - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
  - (b) How food stuffs will be stored on-site
  - (c) Rodent baiting plan.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Permits are not transferable.
- C-3 This facility must meet current Alexandria City Code requirements for food handling establishments. Contact Environmental Health (703-838-4400 x255) to arrange for a change of ownership inspection.
- C-4 If changes to the facility are to be done, five sets of plans must be submitted to the Health Department for approval prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Handling Establishments. There is a \$135.00 fee for plans review of food facilities.

- C-5 Permits must be obtained prior to operation.
- C-6 Facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-7 Certified Food Managers must be on duty during all hours of operation.
- C-8 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.
- C-9 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.
- F-1 This facility is currently operating as a Taco Maxi-Pizza Town under Health Department Permit #16/f-139-1, issued to Shakeel Enterprises Inc. This permit has expired and the most recent applicant (Madina Corporation) has not yet completed the required repairs. Change of ownership inspections were done on 4/22/02 and on 10/21/02. Repair and upgrades to the existing facility must be completed and inspected prior to the issuance of a new Health Department restaurant permit.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 The applicant is not applying for an A.B.C. permit. The Police Department concurs with this.

mt

APPLICATION for SPECIAL USE PERMIT # 2003-0003

[must use black ink or type]

PROPERTY LOCATION: 2615 MT. VERNON AVE. ALEXANDRIA, VA. 22301

TAX MAP REFERENCE: 24-04 04 1.01 ZONE: CL

APPLICANT Name: JOSE RIVERA

Address: 1620 South Taylor St. Arlington, VA 22204

PROPERTY OWNER Name: RAFAT MAHMOOD

Address: 702 N. Washington St. Alexandria, VA. 22314.

PROPOSED USE: Change OF OWNERSHIP <sup>HOURS</sup> FOR existing  
Restaurant. (CAPITOL PIZZA)

**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.

JOSE Rivera  
Print Name of Applicant or Agent

  
Signature

1620 S. Taylor Street  
Mailing/Street Address

703-920-5517 703-920-4333  
Telephone # Fax #

Arlington, VA 22204  
City and State Zip Code

01/16/2003  
Date

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

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

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

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

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one)  the Owner  Contract Purchaser  
 Lessee or  Other: \_\_\_\_\_ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Los Compadres, LLC.  
JOSE and Sonia R. Rivera 50%  
Ridolfo and Maria I. Bonilla 50%

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes. Provide proof of current City business license  
 No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

we are going to be installing central air.  
Maybe replacing some equipment.  
But otherwise pretty much the same.

**NARRATIVE DESCRIPTION**

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

Same as existing but we want to change  
the hours of operation.

we will like to open at 6:00 AM and  
close at ~~09:00 PM~~ 10:00 PM.

**USE CHARACTERISTICS**

4. The proposed special use permit request is for: (check one)

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,
- other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

100 people. NO Delivery.  
50% Carry out - 50% Dine-in.

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

3 to 4.

6. Please describe the proposed hours and days of operation of the proposed use:

Day: Mon. Daily

Hours: 6:00 AM to 10:00 PM.

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Regular Restaurant Equipment.  
NO problem expected.

B. How will the noise from patrons be controlled?

NO problem expected.

8. Describe any potential odors emanating from the proposed use and plans to control them:

We will city code requirement for ventilation.

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Trash pick up by a trash pick up company.

B. How much trash and garbage will be generated by the use?

Two bags a day.

C. How often will trash be collected?

Once a week.

D. How will you prevent littering on the property, streets and nearby properties?

We will have one trash bag next to the building, also, we will clean ourself.



10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes.  No.

If yes, provide the name, monthly quantity, and specific disposal method below:

N/A.

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes.  No.

If yes, provide the name, monthly quantity, and specific disposal method below:

N/A.

12. What methods are proposed to ensure the safety of residents, employees and patrons?

Security alarm and we will meet  
city code requirement.

**ALCOHOL SALES**

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes.  No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PARKING AND ACCESS REQUIREMENTS**

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

Approximate 30 parking spaces on that parking lot.  
More or less.

B. How many parking spaces of each type are provided for the proposed use:

\_\_\_\_\_ Standard spaces

\_\_\_\_\_ Compact spaces

\_\_\_\_\_ Handicapped accessible spaces.

\_\_\_\_\_ Other.

*There is existing agreement with the security company next door to use parking spaces for patrons and employees.*

C. Where is required parking located?     on-site     off-site (check one)

If the required parking will be located off-site, where will it be located:

\_\_\_\_\_

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? \_\_\_\_\_

B. How many loading spaces are available for the use? loading space in back alle

C. Where are off-street loading facilities located? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

D. During what hours of the day do you expect loading/unloading operations to occur?

I will expect ~~operations~~ - Loading & unloading from 9:00 To 10:00 Am.

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Twice a week.

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No

Do you propose to construct an addition to the building?  Yes  No

How large will the addition be? \_\_\_\_\_ square feet.

18. What will the total area occupied by the proposed use be?

1,300 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = \_\_\_\_\_ sq. ft. (total)  
Approximate.

19. The proposed use is located in: (check one)

a stand alone building  a house located in a residential zone  a warehouse

a shopping center. Please provide name of the center: \_\_\_\_\_

an office building. Please provide name of the building: \_\_\_\_\_

other, please describe: Commercial Building - Four Tenant.

**RESTAURANT SUPPLEMENTAL APPLICATION**

All applicants requesting special use permit approval for restaurants shall complete the following section. Applicants requesting approval of a special use permit for a restaurant in Old Town shall complete the SUPPLEMENTAL INFORMATION FOR RESTAURANTS IN OLD TOWN section and submit the required parking management plan and litter reduction plan.

Please provide the following information:

1. How many seats are proposed?

At tables:  At a bar: \_\_\_\_\_ Total number proposed: 24

2. Will the restaurant offer any of the following?

NO alcoholic beverages      NO beer and wine (on-premises)  
NO beer and wine (off-premises)

3. Please describe the type of food that will be served:

Basically the same menu -  
Spanish Fast Food.

4. The restaurant will offer the following service (check items that apply):

table service      \_\_\_\_\_ bar       carry-out      NO delivery

5. If delivery service is proposed, how many vehicles do you anticipate? \_\_\_\_\_

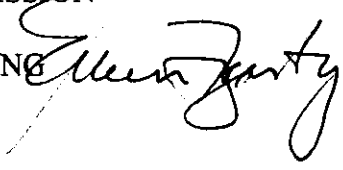
Will delivery drivers use their own vehicles?      \_\_\_ Yes.      \_\_\_ No.

6. Will the restaurant offer any entertainment (i.e. live entertainment, large screen television, video games)?      \_\_\_ Yes.       No.

If yes, please describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*City of Alexandria, Virginia*

MEMORANDUM

DATE: MARCH 4, 2003  
TO: CHAIRMAN AND MEMBERS OF THE PLANNING COMMISSION  
FROM: EILEEN P. FOGARTY, DIRECTOR, PLANNING AND ZONING   
SUBJECT: SUP #2003-0003  
2615 Mount Vernon Avenue

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Staff requests the addition of the following standard condition:

**Condition #24:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (P&Z)

# Del Ray Citizens Association

PO Box 2233

ALEXANDRIA VA 22301

ESTABLISHED 1954

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**To:** Members of Alexandria Planning Commission  
Eileen Fogarty, Director, Office of Planning and Zoning

**From:** Amy Slack, Land Use Committee Co-Chair  
Sarah Haut, Land Use Committee Co-Chair  
Rob Krupicka, President

**Date:** February 27, 2003

**Subject:** SUP#2003-0003; Capitol Pizza at 2615 Mt. Vernon Ave.  
Request to change the hours of operation and ownership of an existing restaurant .

The Del Ray Citizens Association Land Use committee and the Executive Board voted to support the application with conditions:

In addition to conditions normally requested by staff re: litter control, identification of disposable products used for carry out services, posting of hours, we ask the following:

- The applicant will provide the required 6 off street parking spaces in the adjacent lot ,as proffered, and the spaces will be clearly marked as for the use of their patrons.
- Signs directing patrons to off site parking will be prominently displayed.
- The applicant will provide employee parking and will encourage their use of carpools or public transit.
- Advertising and promotional materials will include information about parking and public transit options.
- Exterior elements of mechanical equipment (HVAC, exhaust hoods) will be located on the roof, screened for noise and in an attractive manner.
- No dumpster service will occur before 8:00 AM year round.
- No vendor deliveries will occur before 9:00 AM.
- Carry-out, catering, and delivery services will be subservient to the main restaurant.
- No alcohol sales shall be allowed.
- The applicant will adhere to the Mt. Vernon Ave. Design Guidelines with respect to lighting, signage and landscaping.
- The applicant will provide a regulation trash can on the sidewalk.
- Noise is to be confined to the property line.
- The dumpster will be screened from view.
- Removal of the existing exterior pay phone.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060 and President Rob Krupicka at 703-838-0280.

# Del Ray Citizens Association

PO Box 2233

ALEXANDRIA VA 22301

ESTABLISHED 1954

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**To:** Honorable Members of City Council  
Eileen Fogarty, Director, Office of Planning and Zoning

**From:** Rob Krupicka, President  
Amy Slack, Land Use committee Co-chair  
Sarah Haut, Land Use committee Co-chair

**Date:** March 12, 2003

**Subject:** SUP# 2003-0003, Restaurant at 2615 Mt. Vernon Avenue.  
Consideration of a request for a change of ownership and a change of  
the hours of operation; zoned CL/Commercial Low. Applicant: Jose  
Rivera / Los Compadres, LLC.

7  
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3-15-03

At their regular monthly meeting, the Del Ray Citizens Association voted unanimously to support the SUP request as proposed by staff and amended by the Planning Commission.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060 and President Rob Krupicka at 703-838-0280.

NOTICE OF PUBLIC HEARINGS

7  
3-15-03

Certified Mail

Date: February 20, 2003

Dear Property Owner:

You are hereby notified of the following public hearings to be held by the Alexandria Planning Commission and the Alexandria City Council on the issue described below:

ALEXANDRIA PLANNING COMMISSION

Date: March 4, 2003

7:30 P.M., City Hall  
301 King Street  
City Council Chambers  
Alexandria, Virginia

ALEXANDRIA CITY COUNCIL

Date: March 15, 2003

9:30 A.M., City Hall  
301 King Street  
City Council Chambers  
Alexandria, Virginia

ISSUE DESCRIPTION: Request to ammend special use permit to change  
the hours of operation and change the ownership.

PROPERTY ADDRESS: 2615 MT. Vernon Avenue.

TAX MAP REFERENCE: 24.04 04 1.01

As a citizen and party in interest, you are invited to attend these meetings and express your views concerning the above issue.

If you have any questions regarding the request you may call at (0) 703-525-4495

Cell 703-582-6867

Sincerely yours,



Change Hours  
Change of ownership.

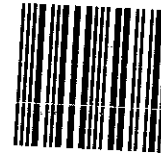




Jose Rivera  
1620 South Taylor Street  
Arlington, Virginia 22204



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22313

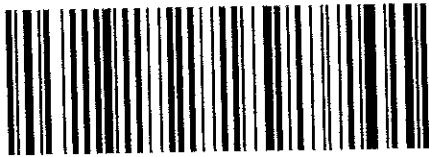
U.S. POSTAGE  
PAID  
ARLINGTON, VA  
22207  
FEB 21, '03  
AMOUNT

\$2.67

00027980-13

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7002 2410 0005 3927 4105

CITY COUNCIL OF ALEXANDRIA  
P.O. Box 178  
Alexandria, VA 22313

22313+1500 99



APPLICATION for SPECIAL USE PERMIT # 2003-0003 (7)

[must use black ink or type]

PROPERTY LOCATION: 2615 MT. VERNON AVE. Alexandria, VA. 22301

TAX MAP REFERENCE: 24-04 04 1.01 ZONE: CL

APPLICANT Name: JOSE RIVERA

Address: 1620 South Taylor St. Arlington, VA 22204

PROPERTY OWNER Name: RAFAT MAHMOOD

Address: 702 N. Washington St. Alexandria, VA. 22314.

PROPOSED USE: Change OF OWNERSHIP <sup>HOURS</sup> FOR existing  
Restaurant. (CAPITOL PIZZA)

**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.

JOSE Rivera  
Print Name of Applicant or Agent

  
Signature

1620 S. Taylor Street  
Mailing/Street Address

703-920-5517 703-920-4333  
Telephone # Fax #

Arlington, VA 22204  
City and State Zip Code

01/16/2003.  
Date

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

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

ACTION - PLANNING COMMISSION: 03/04/03 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 3/15/03PH--CC approved the Planning Commission recommendation.