

The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 2017-0093

Date approved: 09 / 25 / 2017
month day year

Name of applicant on most recent special use permit Kimberly Sickmen

Use Restaurant

2. Describe below the nature of the *existing* operation *in detail* so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary.)

The address at 727 N Henry st Alexandria VA- 525 square-foot - use to be an establishment that served

different juices, ice cream, coffee, and breakfast items- carryout. Customers had the option to

order inside at the counter or through the outside window. The restaurant had no indoor seating.

I would like to have outdoor seating. The hours of operation was from 6:30am-8pm. The opetstion was running with 2-3 employees per

day and parking is unassigned street parking.

4. Is the use currently open for business? Yes No
If the use is closed, provide the date closed. 03 / 29 / 2023
month day year

5. Describe any proposed changes to the conditions of the special use permit:
The changes we would like to make are all cosmetic changes- painting, new flooring
and new countertops. We would also be replacing the disply freezer with a new one.

6. Are the hours of operation proposed to change? Yes No
If yes, list the current hours and proposed hours:
Current Hours: 6am-8pm
Proposed Hours: Sunday-Thursday 10:30am-8:30pm
Friday & Saturday 10:30am-9pm

7. Will the number of employees remain the same? Yes No
If no, list the current number of employees and the proposed number.
Current Number of Employees: 3 employess/ day
Proposed Number of Employees: 3 employess/ day

8. Will there be any renovations or new equipment for the business? Yes No
If yes, describe the type of renovations and/or list any new equipment proposed.
Cosmetic changes- painting, new flooring and new countertops.
We would also be replacing the disply freezer with a new one.

9. Are you proposing changes in the sales or service of alcoholic beverages? Yes No
If yes, describe proposed changes:

10. Is off-street parking provided for your employees? Yes ___ No
 If yes, how many spaces, and where are they located?

Open off street parking

11. Is off-street parking provided for your customers? ___ Yes ___ No
 If yes, how many spaces, and where are they located?

Open off street parking

12. Is there a proposed increase in the number of seats or patrons served? ___ Yes No
 If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

Proposed:

No indoor seating

No indoor seating

13. Are physical changes to the structure or interior space requested? ___ Yes No
 If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? ___ Yes No
 If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Proposed:

15. The applicant is the (check one) ___ Property owner Lessee

___ other, please describe: _____

16. The applicant is the (check one) ___ Current business owner Prospective business owner

___ other, please describe: _____

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (3%) in the corporation and the extent of interest shall be identified by name and address.

For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

The property is owned 100% by WIC Henry LLC, a Virginia limited liability corporation whose address is:

WIC Henry LLC

c/o Indigo Asset Services LLC

2000 14th St N, Suite 601

Arlington, VA 22201

Special Use Permits Eligible for Administrative Approval

Certain uses of land that have potentially negative impacts on surrounding properties require special use permit approval from City Council. The City Council may impose conditions on the operation of the special use in order to protect the health, safety and welfare of the surrounding area. For new uses and for intensifications or amendments of existing uses, the Planning Commission and City Council conduct public hearings and decide whether to approve the request. The Director of Planning and Zoning, however, may approve a special use permit administratively if it is only a change in ownership or a minor amendment of a previously approved special use permit.

Special Use Permit for Change of Ownership

If the existing special use permit for an operation restricts the ownership of the use, a prospective owner may not take ownership of the operation until he receives special use permit approval for the change of ownership. Pursuant to Section 11-503, the director may approve the change and transfer the special use permit to a new owner, if the following conditions apply:

- 1) The applicant is not requesting a change in the conditions of the special use permit;
- 2) there have been no substantiated violations of the special use permit conditions;
- 3) there are no changes proposed or anticipated in the operation of the use involved;
- 4) the director has concluded that no new conditions or no amendments to existing conditions are necessary; and
- 5) following notice of the application in a newspaper of general circulation in the City, no person has requested that the director forward the application to the Planning Commission or City Council.

If the application does not meet any one of the above conditions, it must be docketed for the next available Planning Commission and City Council public hearings. If the Director approves a special use permit for change in ownership, the new owner must sign an agreement stating that he/she will to continue to comply with the special use permit conditions.

Special Use Permit for Minor Amendment

Pursuant to Sections 11-509 and 11-511 of the zoning ordinance, the director may approve minor amendments to approved special use permits. Only changes that constitute no more than a minimal enlargement or extension of the special use permit or that are so insignificant they will have little or no zoning impact on the surrounding neighborhood are eligible for administrative approval. If a change will intensify the use, it requires Planning Commission and City Council approval. Changes that intensify a use include any increase in the following:

- 1) Hours of operation;
- 2) number of seats;
- 3) number of employees; visitors of customers; or
- 4) number of vehicle trips generated.

The Director may not administratively approve minor amendments if any of the following apply:

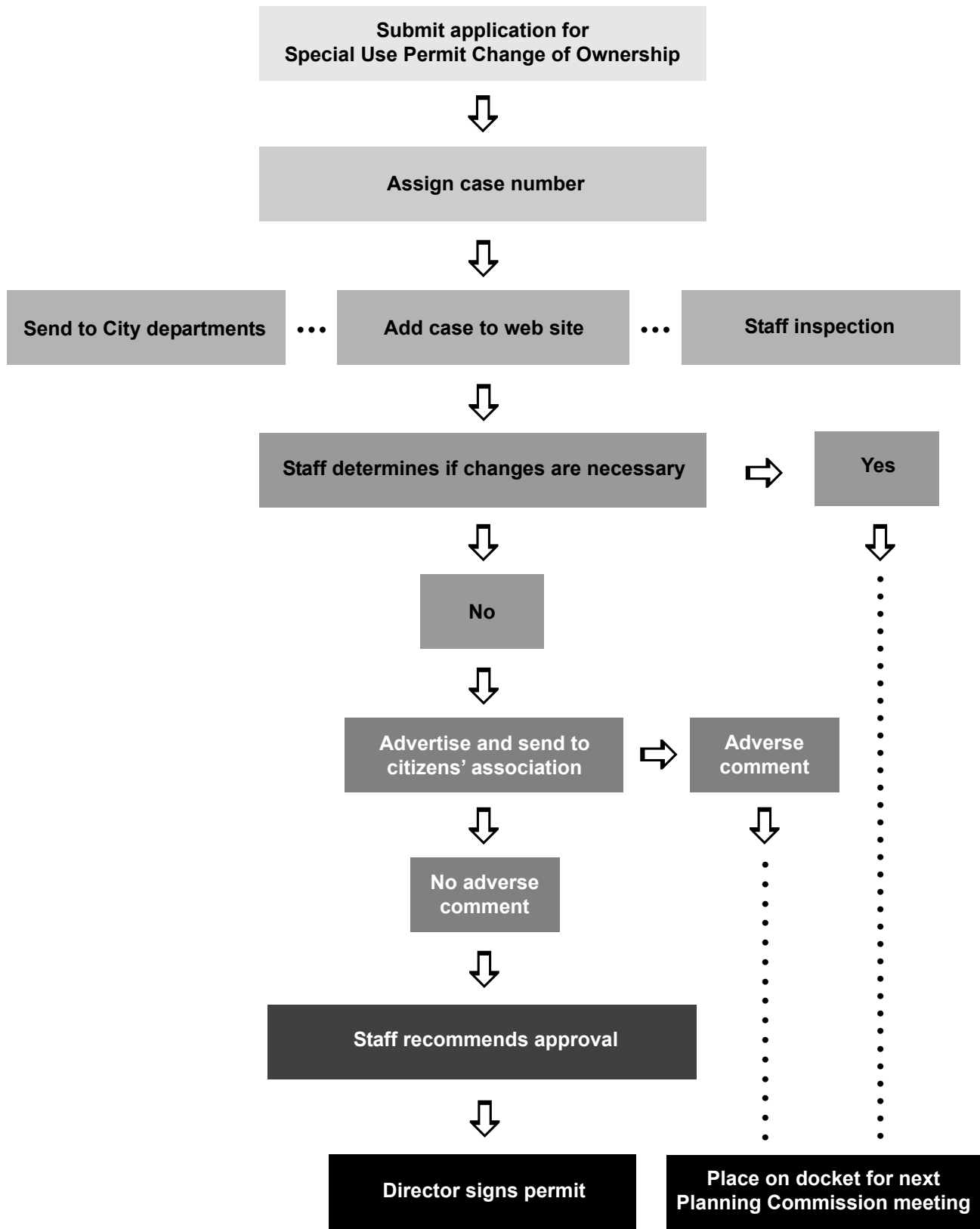
- 1) He/She has received written or oral complaints that the use is in violation of the zoning ordinance;
- 2) at the time the special use permit was approved, opposition was presented to the Planning Commission or City Council; or
- 3) new conditions or amendments to existing conditions are necessary.

Notice of the application is published in a newspaper of general circulation in the City and is sent to docket subscribers.

Approval Process

For both change in ownership and minor amendment special use permits, the approval process generally takes between four and six weeks from the time an application is submitted. During that time, staff will review the application, inspect the subject property for compliance with special use permit conditions and advertise the proposed change in the newspaper to provide an opportunity for citizens to comment on the change and, in the case of minor amendments, send notice to the Planning Commission and City Council members. If the Director determines that the Planning Commission and City Council must consider the application, he/she will docket the application for the next available Planning Commission and City Council hearings. At that time, the Director may require additional information regarding the application.

PROCESS FLOW CHART: Change of Ownership SUP





Department of Planning & Zoning
Administrative Special Use Permit New Use
Outdoor Dining Supplemental

WORKSHEET – Answer each question. Attach a separate sheet of paper if necessary.

Describe the outdoor dining arrangement. What type of food service establishment is this associated with?

This is for the ice cream shop and i would like to have outdoor seating

HOURS

What are the proposed hours for the outdoor dining?

Open from 11am-9pm

LOCATION ON PRIVATE PROPERTY

Outdoor dining, including seats, planters, wait stations and barriers, must be located on private property unless authorized by an encroachment ordinance.

Will the outdoor dining be located only on private property? What is the square footage of the outdoor dining area?

Submit a drawing indicating the layout for tables, seats, planters, wait stations and barriers.

NUMBER OF SEATS

Only 20 seats may be located at outdoor tables in front of the restaurant.

How many seats will be included in the outdoor seating?

Panning on having 2 benches or 3 table lesst than 20 seating for sure

ALCOHOL SERVICE

Alcohol service, to the extent allowed for indoor dining, is permitted; no off-premise alcohol sales are permitted.

Is on-premise alcohol service proposed?

No alcohol

OUTDOOR DINING PLAN

Please submit a detailed plan with your application

A plan for layout of the outdoor dining must be submitted for review and approval by the director.

The business must maintain compliance with the approved layout. Any changes to the approved layout may require further review by staff.

North Henry St

