

# APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

[↓ Change of Ownership 🛛 🗸 ] Minor Amendment

[must use black ink or ty	pe]			
PROPERTY LOCATION	727 N. Henry St	. Alexandra, VA	22314	
TAX MAP REFERENCE	054.04-05-0	)1	ZONE:	CLS
APPLICANT				
Name:	Mohammad Nadee	em		
Address:	22220 Overview Ln B	oyds, MD 20841		
PROPERTY OWNER				
Name:	WIC Henry LLC			
Address: 2000	14th street N., suite 601	, Arlington Virginia	a 22201	
SITE USE:	Lil' Creamery			
Business Name:	Current:	Proposed (if	changing):	

THE UNDERSIGNED hereby applies for a Special Use Permit for Change in Ownership, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

THE UNDERSIGNED hereby applies for a Special Use Permit for Minor Amendment, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Mohammad Nadeem		CH			
Print Name of Applicant or Agent 22220 Overview Ln		Signature			
		240-423-9629			
Mailing/Street Address		Telephone # Fax #	-		
Boyds, MD	20841	mnadeem23@gmail.com			
City and State	Zip Code	Email address	-		
		01/03/2024			
		Date	-		
	DO NOT WRITE IN 1	HIS SPACE - OFFICE USE ONLY			
Application Received: Legal advertisement:		Fee Paid: \$			
		ACTION - CITY COUNCIL:			

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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.

 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 vear

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 lile 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.

Application Admin Change Ownership.pdf 3/1/06 Pnz\Applications, Forms, Checklists\Planning Commission 3. Describe any proposed *changes* to the business from what was represented to the Planning Commission and City Council during the special use permit approval process, including any proposed changes in 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, any noise emitted by the use, etc. (Attach additional sheets if necessary)

We would like to keep the current operational set up, including equipment, placement and process.

There are no major changes that will be occurring. We will like to keep the existing business setup/

concept but make some interior cosmetic changes, like painting, new flooring and countertops. Also,

we are planning on replacing the display freezer with a brand new one. Overall we are not making

any changes to the existing uses. We are also planning on having 2-3 employees per day and our

hours of operation will be 10:30am-8:30pn Sunday-Thursday and 10:30am-9pm Friday and Saturday.

There will no indoor seating- only carry out and there is no assigned parking- just street parking.

At our establishment we will be serving, coffee, juices, icecream, and premade baked goods.

We would like to have outdoor seating in the front area.

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Special Use Permit #\_\_\_\_2017-0093

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

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 he i	enlacing the	disnly	r freezer	with a no	
anunew	countertops.		a150 DE 1	epiacing the	uispiy	ILEEZEI	with a m	

- Are the hours of operation proposed to change? Yes \_\_\_\_ No 6. If yes, list the current hours and proposed hours: Current Hours: **Proposed Hours:** Sunday-Thursday 10:30am-8:30pm 6am-8pm Friday & Saturday 10:30am-9pm Will the number of employees remain the same? <u>Yes</u> No 7. If no, list the current number of employees and the proposed number. Current Number of Employees: Proposed Number of Employees: 3 employess/ day 3 employess/ day Will there be any renovations or new equipment for the business? <u>Yes</u> No 8. 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  $\checkmark$  No If yes, describe proposed changes:

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	Special Use Permit # 2017-00
Is off-street parking provided for your en If yes, how many spaces, and where are they lo Open off street par	ocated?
Is off-street parking provided for your co If yes, how many spaces, and where are they loo Open off street parking	
If yes, describe the current number of seats or pa	er of seats or patrons served? Yes $\underline{\vee}$ atrons served and the proposed number of seats a of seats by type (i.e. bar stools, seats at tables, etc
Current:	Proposed:
No indoor seating	No indoor seating
If yes, attach drawings showing existing and pro- devoted to uses, i.e. storage area, customer serv Is there a proposed increase in the building	r interior space requested? Yes posed layouts. In both cases, include the floor are rice area, and/or office spaces. g area devoted to the business? Yes rea and the proposed amount of building area.
Current:	Proposed:
The applicant is the (check one) F other, please describe:	Property owner Lessee
	rrent business owner $$ Prospective business

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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

# FOR YOUR INFORMATION

# 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.

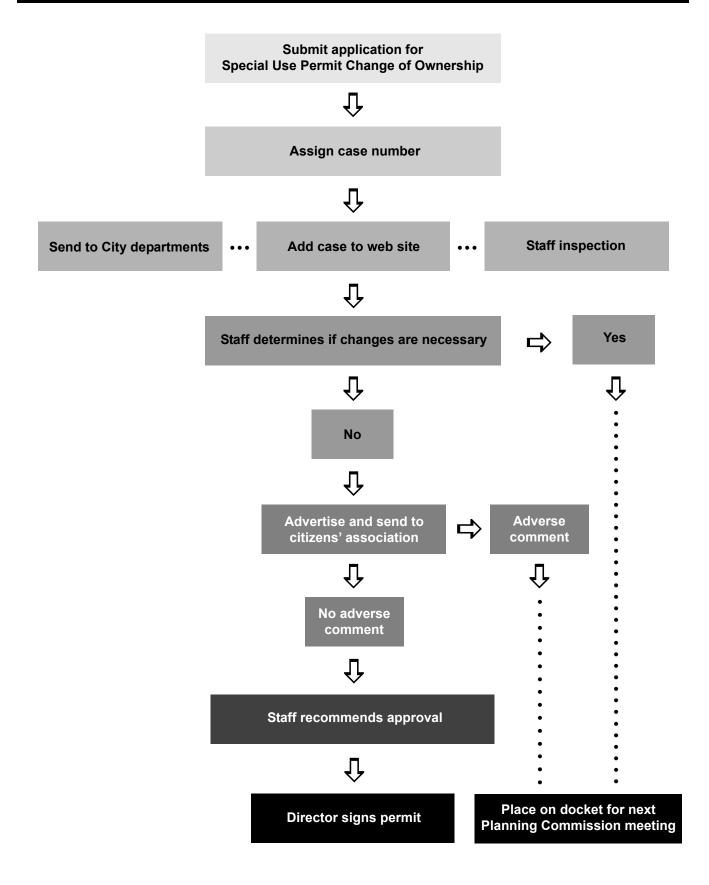
Notice of the application is published in a newspaper of general circulation in the City and is sent to docket subscribers.

# 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.

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# PROCESS FLOW CHART: Change of Ownership SUP



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**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 Conc walk way Flarerbed flowerbed Set year Beach 5/4 わる 405 勤 Hasp 6 Seating E Madison St Asphalt aves PHOR 3 nom one. malput store entrann