



# APPLICATION SPECIAL USE PERMIT

## ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

**Change of Ownership**       **Minor Amendment**

[must use black ink or type]

**PROPERTY LOCATION:** 720 Jefferson Street Alexandria, VA 22314

**TAX MAP REFERENCE:** 080.04-OC-00      **ZONE:** CRMU/L

**APPLICANT**

Name: Nahom Debessay

Address: 7806 Evening Lane Alexandria, VA 22306

**PROPERTY OWNER**

Name: WRIT Limited Partnership

Address: 1775 I Street NW, Suite 1000 Washington, DC 20006

**SITE USE:** Resturant / Cafe

**Business Name:**      **Current:** Abyssinia Mart      **Proposed (if changing):** Cafe du Soleil

**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.

Nahom Debessay

Print Name of Applicant or Agent

7806 Evening Lane

Mailing/Street Address

Alexandria, VA      22306

City and State      Zip Code

*Nahom Debessay*

Signature

703-868-6153

Telephone #      Fax #

cafedusoleilva@gmail.com

Email address

12/18/2024

Date

**DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY**

Application Received: \_\_\_\_\_

Fee Paid: \$ \_\_\_\_\_

Legal advertisement: \_\_\_\_\_

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

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

**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 # SUP2018-0083

Date approved: 09 / 12 / 2018  
month day year

Name of applicant on most recent special use permit Asfaw, Biadgelen

Use Resturant

**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.)**

Coffee house with light breakfast food like Egg Sandwich, Avocado toast, light breakfast items, very simple make. (Existing special use permit SUP2018-0083 attached).

**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)

The business (Cafe du Soleil) requests amendment to the special use permit 2018-0083 to  
to allow the sale and consumption of Beer and wine, on and off premises and change to  
hours of operation.

The request for the transfer of special use permit for the operation of a retail coffee coffee shop. The business, Cafe du Soleil would make and sell coffee, tea and related hot beverage items, juice, casual food (Sandwich, Salads, Crepe, ready made pies and pasties, beer and wine. There is an existing counter, three compartment sinks, hand wash sink and equipment (pastry display case, coffee and espresso machine).

New equipment small refrigerator, Microwave Oven (Turbochef) and salad prep equipment will be add to the space.

4. Is the use currently open for business?  Yes  No  
If the use is closed, provide the date closed. 10 / 31 / 2024  
month day year

5. Describe any proposed changes to the conditions of the special use permit:  
Change to hours of operation and allow the sale of beer and wine on/off premises.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Are the hours of operation proposed to change?  Yes  No  
If yes, list the current hours and proposed hours:  
  
Current Hours: Monday to Sunday Proposed Hours: Monday to Sunday  
7 am to 8 pm 6 am to 10 pm  
\_\_\_\_\_  
\_\_\_\_\_

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: \_\_\_\_\_ Proposed Number of Employees: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.  
No renovation  
\_\_\_\_\_  
Equipment to be added are Turbochef Microwave Oven, Salad prep table / refrigerator, Drink Display case,  
\_\_\_\_\_  
small refrigerator for milk and Juice.  
\_\_\_\_\_

9. Are you proposing changes in the sales or service of alcoholic beverages?  Yes  No  
If yes, describe proposed changes:  
\_\_\_\_\_  
add the sale of Beer and wine on/off premises.  
\_\_\_\_\_  
\_\_\_\_\_

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

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

11. Is off-street parking provided for your customers?  Yes  No  
If yes, how many spaces, and where are they located?  
Garage parking available for patron (20-25 parking space onsite)

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

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:

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

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

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:**

Applicant / Business name: American Real Estate and Investment LLC

DBA: Cafe Du Soleil


Owner / Agent: Nahom Debessay (100% Owner)

7806 Evening Lane Alexandria, VA 22306

703-868-6153

cafedusoleilva@gmail.com

Property Owner: WRIT Limited Partnership

1775 I Street NW. Suite 1000 Washinaton. DC 20006 

### **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:

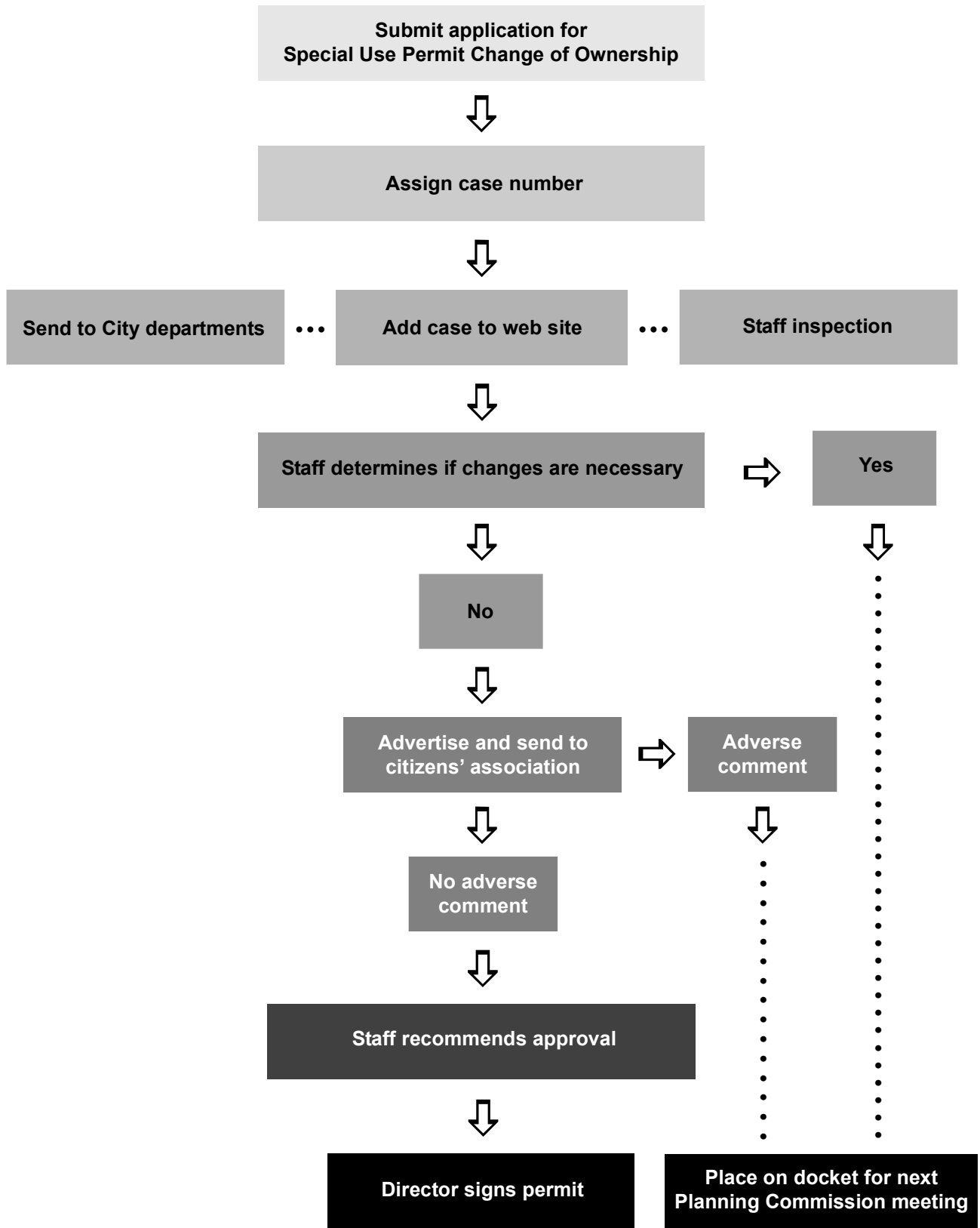
- 1) He/She has received written or oral complaints that the use is in violation of the zoning ordinance;
- 2) at the time the special use permit was approved, opposition was presented to the Planning Commission or City Council; or
- 3) new conditions or amendments to existing conditions are necessary.

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







# SUPPLEMENTAL APPLICATION

## RESTAURANT

**All applicants requesting a Special Use Permit for a restaurant shall complete the following section.**

1. How many seats are proposed?

Indoors: 20

2. Will the restaurant offer any of the following?

Alcoholic beverages

On-premises

Yes  No

Off-premises

Yes  No

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

table service

bar

carry-out

delivery

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

Will delivery drivers use their own vehicles?

Yes

No

Where will delivery vehicles be parked when not in use?

\_\_\_\_\_

# OLD TOWN RESTAURANT POLICY

## Changes to Old Town Small Area Plan Chapter of the Master Plan Adopted by City Council on November 13, 1993

On November 13, 1993, the City Council adopted Resolution No. 1672, which outlines new policy and criteria used in applying the revised Old Town Restaurant Policy. Individuals who apply for a special use permit to operate a restaurant in Old Town must address in their entirety five criteria in order to be considered for a special use permit. An application will not be formally accepted for processing until this questionnaire is completed.

### GOALS OF THE OLD TOWN RESTAURANT POLICY

1. To lessen the on-street parking impact of restaurants in Old Town and adjacent areas;
2. To prevent rowdiness and vandalism from patrons leaving restaurants, particularly in the late evening; and
3. To control the spread of litter in Old Town.

### POLICIES TO ATTAIN THE GOALS OF THE OLD TOWN RESTAURANT POLICY

City Council shall not approve a request for special use permit for any new restaurant, carry-out or fast food establishment or an expansion of an existing restaurant, carry-out or fast food establishment, unless it finds that the request does not significantly impact nearby residential neighborhoods. City Council shall consider the cumulative impact of the proposal and the number of already established restaurants, carry-outs, fast food establishments and the number of food service seats, bar seats and standing service areas in the immediate area. In the case of an expansion or other intensification, the entire operation of the establishment may be taken into account in determining its impact upon the nearby residential neighborhoods. In making that determination, City Council shall consider the following factors:

- The availability of off-street parking.
- The predicted impact of the restaurant on parking supply in the adjacent neighborhood.
- The extent to which the restaurant is open in the late night hours.
- The extent to which alcohol (such as spirits, mixed drinks, wine, and beer) consumption will predominate over food consumption, including consideration of the number of bar seats, if any, and the standing areas in the vicinity of bars.
- The predicted extent of litter generated in nearby neighborhoods.

### CRITERIA TO BE USED TO EVALUATE NEW OR EXPANDED RESTAURANTS

**Parking Management Plan.** The applicant must submit a parking management plan (PMP), which specifically addresses the following issues:

- The parking demand generated by the proposed restaurant.
- The availability of off-street parking for patrons. For the purpose of this policy, availability shall be measured in terms of the number of vacant off-street parking spaces within 500 feet from the entrance to the restaurant.
- How employees who drive will be accommodated off the street at least in the evenings and on weekends.
- The predicted impact of the restaurant on the parking supply at the evening, weekend, and daytime peaks.
- A proposal to reduce the impact of parking created by the restaurant on nearby areas. Acceptable alternatives for reducing parking impacts include, but are not limited to, the following: validated parking or valet parking for patrons, and off-street parking or transit subsidies for employees.

**Parking impacts.** Please answer the following:

1. What percent of patron parking can be accommodated off-street? (check one)
  - 100%
  - 75-99%
  - 50-74%
  - 1-49%
  - No parking can be accommodated off-street
  
2. What percentage of employees who drive can be accommodated off the street at least in the evenings and on weekends? (check one)
  - All
  - 75-99%
  - 50-74%
  - 1-49%
  - None
  
3. What is the estimated peak evening impact upon neighborhoods? (check one)
  - No parking impact predicted
  - Less than 20 additional cars in neighborhood
  - 20-40 additional cars
  - More than 40 additional cars

**Litter plan.** The applicant for a restaurant featuring carry-out service for immediate consumption must submit a plan which indicates those steps it will take to eliminate litter generated by sales in that restaurant.

**Alcohol Consumption and Late Night Hours.** Please fill in the following information.

1. Maximum number of patrons shall be determined by adding the following:
 

_____	20	Maximum number of patron dining seats
+	_____	Maximum number of patron bar seats
+	_____	Maximum number of standing patrons
=	_____	20 Maximum number of patrons
  
2. 4 \_\_\_\_\_ Maximum number of employees by hour at any one time
  
3. Hours of operation. Closing time means when the restaurant is empty of patrons.(check one)
  - Closing by 8:00 PM
  - Closing after 8:00 PM but by 10:00 PM
  - Closing after 10:00 PM but by Midnight
  - Closing after Midnight
  
4. Alcohol Consumption (check one)
  - High ratio of alcohol to food
  - Balance between alcohol and food
  - Low ratio of alcohol to food