

City of Alexandria, Virginia

Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	#2025-00002
Approved by Planning and Zoning:	February 13, 2025
Permission is hereby granted to:	Umiya Alexandria, Inc.
to use the premises located at:	3000, 3006, 3012, and 3012A Duke Street
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

February 13, 2025

Karl Moritz

(by T. LaColla)

Date

Karl Moritz, Director
Department of Planning and Zoning

DATE: February 13, 2025

TO: Tony LaColla, Division Chief, Land Use Services
Department of Planning and Zoning

FROM: Ann Horowitz, Principal Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2025-00002
Administrative Special Use Permit for a Change of Ownership
Site Use: Restaurant, outdoor dining, and valet parking
Applicant: Umiya Alexandria, Inc.
Location: 3000, 3006, 3012, and 3012A Duke Street
Zone: CG/Commercial general

Request

Special Use Permit #2025-00002 is a request for an SUP change of ownership of a restaurant from Vessel Va Operations, LLC to Umiya Alexandria, Inc. The applicant will continue to operate in accordance with the existing SUP conditions.

Background

This site has been historically used for a restaurant and was occupied most recently by Generous George's Positive Pizza & Pasta. The restaurant was originally grandfathered and that status expired with City Council approval of Special Use Permit #1955 for an expansion in December 1986. Generous George's closed in October 2009.

In June 2015, staff approved Special Use Permit #2015-00050 for an automobile sales operation for Jeffrey L. Yates at the adjacent 3020-3030 Duke Street location. The lot contains a small office building and a 36-parking space sales lot.

City Council approved Special Use Permit #2014-00094 in December 2014 for a restaurant use, Yates Pizza Palace, to allow parking more than 500 feet from the business at 3030 Duke Street, and for valet parking. The restaurant was approved for 387 indoor seats, 61 outdoor seats on the roof, and operational hours of 6 a.m. to 1 a.m., daily. On March 16, 2019, City Council approved Special Use Permit #2018-00114 for a restaurant. The approval expiration was extended to July 16, 2022 pursuant to the City Council COVID-19 emergency authorization allowing for extension of SUP tolling periods. Yates Pizza Palace never opened, and staff administratively approved change of ownership SUP #2021-00105 in November 2021 to operate the site as a ghost kitchen-type restaurant, which also did not open. As the site was continually marketed for a restaurant, the applicant, Umiya Alexandria, Inc., was eligible to apply for a change of ownership SUP.

Parking

Section 8-200(A)(17)(a)(i) requires restaurants within the enhanced transit area to provide a minimum of one parking space per 1,000 square feet of floor area. The restaurant use has a floor area of 12,925 square-feet, requiring a minimum of 13 parking spaces. In addition, Section 8-

200(A)(17)(c) states that the first 20 outdoor dining seats are exempt from parking requirements; the remaining balance of 41 approved seats require a minimum of one additional space. The applicant provides 18 spaces on-site in the restaurant parking lot, exceeding the total minimum parking requirement of 14 spaces for the restaurant and outdoor seating. Access to 36 additional parking spaces is available for the valet service at the 3030 Duke Street parking lot.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard at the site. The Clover College Park Civic Association was notified of the application request. Staff did not receive any comments or questions regarding the request.

Staff Action

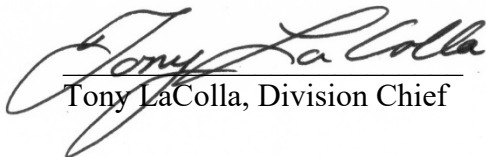
Staff supports the applicant's request for a change of ownership, which would allow the opening of a restaurant at this long-vacant and prominent site along the Duke Street corridor. SUP conditions have been carried forward, with amendments to Conditions #8 and #30 to reflect updated standard condition language.

Staff hereby approves this Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: February 13, 2025

Action: Approved



Tony LaColla, Division Chief

Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2025-00002

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP2018-00114)
2. Condition deleted
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP2018-00114)
4. The maximum number of indoor seats at the restaurant shall comply with the state building code. (P&Z) (SUP2021-00105)
5. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z) (SUP2018-00114)
6. No food, beverages, or other material shall be stored outside, with the exception of materials specified in other conditions. (P&Z) (SUP2018-00114)
7. On and off premises alcohol sales are permitted in compliance with Virginia ABC requirements. (P&Z) (SUP2021-00105)
8. **CONDITION AMENDED BY STAFF:** ~~Customer delivery through the use of two applicant-operated delivery vehicles is permitted. The applicant shall park the delivery vehicles in the parking lot at 3012 and 3012a Duke Street when they are not in use. Delivery vehicles operated and managed by the applicant are permitted. Delivery vehicles must be parked off-street when not in use.~~ (P&Z) (SUP2018-00114)
9. Vehicles shall not idle or park outside of the valet service area on Duke Street. (P&Z) (SUP2018-00114)
10. Valet services staff must exit right onto Roth Street and make a series of right turns on Colvin Street, Sweeley Street, Duke Street and into the valet lot at 3030 Duke Street to park vehicles. (P&Z) (SUP2018-00114)
11. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP2018-00114)
12. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES) (SUP2018-00114)

13. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES) (SUP2018-00114)
14. The valet parking service shall be promoted to patrons, including posting information inside the restaurant and on the website. (P&Z) (T&ES) (SUP2018-00114)
15. The valet parking pick up/drop off area is solely for the use of loading and unloading vehicular passengers and the temporary staging of passenger vehicles prior to locating them within the approved off-street location for storage. (P&Z) (T&ES) (SUP2018-00114)
16. All valet-parked vehicles shall be stored in the approved off-street location. No vehicle in the valet parking program shall be parked or temporarily stored by an attendant on streets or sidewalks. (P&Z) (T&ES) (SUP2018-00114)
17. Sufficient staff and resources shall be provided to operate the valet service safely and effectively within the boundaries of the designated valet parking area. If the Directors of P&Z and T&ES determine that there is inadequate valet staffing, they will require additional staffing and/or resources necessary to comply with this condition. (P&Z) (T&ES) (SUP2018-00114)
18. The valet parking operator shall record the number of vehicles using valet service, keep an ongoing written log and make the log available to the City upon request, in order to track the effectiveness and popularity of the program. (P&Z) (T&ES) (SUP2018-00114)
19. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES) (SUP2018-00114)
20. Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES) (SUP2018-00114)
21. If used cooking oil is stored outside, the drum shall be kept securely closed with a bung (a secure stopper that seals the drum) when not receiving used oil, it shall be placed on secondary containment, and it shall be kept under cover to prevent rainwater from falling on it. (T&ES) (SUP2018-00114)
22. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES) (SUP2018-00114)

23. Kitchen equipment, including floor mats, shall not be cleaned outside, nor shall any cooking residue or wash water be washed into the streets, alleys or storm sewers. (T&ES) (SUP2018-00114)
24. 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. (T&ES) (SUP2018-00114)
25. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES) (SUP2018-00114)
26. Supply deliveries, loading and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES) (SUP2018-00114)
27. Indoor limited live entertainment shall be permitted for restaurant patrons during the hours of 9 a.m. to 1 a.m., daily. Outdoor limited live entertainment shall be permitted in the form of amplified background music or unamplified instrumental performance for restaurant patrons during the hours of 9 am to 11 pm, daily. All entertainment shall be subordinate to the principal function of the restaurant as an eating establishment. Any advertising of the entertainment shall reflect its subordinate nature by featuring food service as well as the entertainment. No admission or cover fee shall be assessed. The restaurant's doors and windows shall remain closed during all indoor live performances. (P&Z) (T&ES) (SUP2018-00114)
28. Condition deleted
29. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES) (SUP2018-00114)
30. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after it has been operational ~~for one year, and then again every three years for compliance with all conditions and may shall~~ docket the matter for consideration by the Planning Commission and City Council if ~~(a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) or the Director has received a request from any person to docket the permit for review, as the result of a complaint that rises to the level of a violation of the permit conditions or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed to offset land use impacts not addressed in the city code.~~ (P&Z) (SUP2021-00105)

31. All patrons must leave the premises one hour after the closing hour. (P&Z) (SUP2021-00105)
32. All windows shall remain transparent. The placement or construction of items that block the visibility through windows of the interior of the commercial space from the street and sidewalk, including but not limited to walls, window film, storage cabinets, carts, shelving, boxes, coat racks, storage bins, and closets, shall be prohibited. This is not intended to prevent retailers from displaying their goods in display cases that are oriented towards the street frontage. (P&Z) (SUP2021-00105)
33. The number of outdoor seats shall be 61 and shall not encroach into the public right-of-way. (P&Z) (SUP2021-00105)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2025-00002. The undersigned also hereby agrees to obtain all applicable licenses and permits required for a restaurant, valet parking, and outdoor dining uses at 3000, 3006, 3012, and 3012A Duke Street.


Applicant Signature

02/14/2025

Date

Fanghuang Lin

Applicant – Printed

02/14/2025

Date