



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 #2018-0036
Approved by Planning and Zoning: May 16, 2018
Permission is hereby granted to: 7-Eleven
to use the premises located at: 3500 King 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.

May 16, 2018
Date

K. Moritz by me
Karl Moritz, Director
Department of Planning and Zoning

DATE: May 16, 2018

TO: Mary Christesen, Acting Division Chief,
Land Use Services
Department of Planning and Zoning

FROM: Femi Adedakun, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2018-0036
Administrative Review for Change of Ownership
Site Use: Convenience Store and Automobile Service Station
Applicant: 7-Eleven
Location: 3500 King Street
Zone: CG/Commercial General

Request

Special Use Permit #2018-0036 is a request to change ownership of an existing convenience store and automobile service Station from Sunoco, Inc. (R&M) to 7-Eleven. No changes to the current operations are proposed. The applicant would continue to sell gasoline and convenience store items such as snacks, candy bars, chips, breakfast bars, pre-packaged sandwiches, coffee, fountain drinks, beer and wine. While the business will be opened 24 hours a day, off-premises alcohol sales would only be available between 6 a.m. and 12 a.m., midnight, pursuant to Virginia ABC requirements.

Background

A gasoline service station has operated at the site as early as 1964. In March 1986, City Council approved SUP #1853 for renovation of the gas station to include a 380-square foot kiosk convenience store, open 24 hours daily. A canopy and five pumps were included in the approved plans. Administrative approval for a change of ownership was granted for SUP#2000-0032. SUP#2004-0047 was administratively approved for a change of ownership from Circle K Stores, Inc. to Mascot Petroleum Co., Inc., which was renamed as Sunoco, Inc. (R&M)

On April 24, 2018, a zoning inspector visited the subject property and found the business to be in violation of Condition #2 prohibiting the display of advertising devices; Condition #7 which requires the maintenance of a functioning intercom system; and Condition #10 and #44 which require that trash and garbage be placed in sealed containers and that litter be picked up twice a day respectively. On May 8, 2018 a warning notice was issued for the recorded violations. A follow up inspection was carried out on May 22, 2018 and the business was found to be in compliance with all SUP conditions.

Parking

Pursuant to Section 8-200(A)(16) of the Zoning Ordinance, within the Enhanced Transit Area, specific commercial uses are required to provide 0.25 spaces for every 1000 square feet of floor area. Based on 1,337 square feet, the applicant is required to provide a minimum of

one parking space for the convenience store. Section 8-200(A)(12) requires automobile service stations to provide one space for each gasoline pump. With six pumps, the applicant is required to provide six parking spaces, which are permitted at the pump stations through SUP#95-0092. The applicant exceeds the total parking requirement of 7 spaces with 17 spaces serving the combined convenience store and service station. As the 17 spaces existed on the lot prior to the amendment of the commercial parking standards in January 18, 2018, the applicant is permitted to maintain the 17 spaces onsite.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, Seminary Hill Association and North Ridge Citizens Association were sent written notifications of the current application. Staff has not received any comments from residents or adjacent businesses.

Staff Action

Staff does not object to the change of ownership request. Staff finds the change of ownership request to be reasonable as the new applicant proposes no changes to the current business operations or SUP conditions. The proposed Change of Ownership ensures a continued supply of demanded services offered by the convenience store and automobile service station. Although SUP violations were recorded during the zoning inspection of April 24, 2018, the business immediately corrected the violation of conditions #2,7,10, 44. Staff has carried over conditions from SUP #2015-0139 and conditions have been amended and added to reflect modern condition language. Finally, staff has deleted Condition #25 (security survey) as it has been satisfied by the previous business owner.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: May 16, 2018
Action: Approved


Mary Christesen, Acting Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2018-0036

The new owner 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. No automobile repair work shall be done on the premises at any time. (P&Z) (SUP #1853)
2. No banners, streamers, flags or similar advertising devices shall be displayed on the premises. (P&Z) (SUP #1853)
3. No vehicle parts, tires or other materials shall be stored or permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP #1853)
4. The applicant shall post "no loitering" signs on the property and strictly enforce this provision. (P&Z) (SUP #1853)
5. The applicant shall be permitted to sell alcoholic beverages. (P&Z) (SUP #2015-0139)
6. An attendant shall be on duty while the gasoline pumping operation is open to the public, whose primary responsibility is the supervision of the pumping of gasoline. This attendant shall be supervised by a manager who shall have overall responsibility for the station. (Code Enforcement) (SUP #1853)
7. An intercom system shall be installed and operated constantly while the gasoline pumping operation is open to the public which shall allow the attendant to audibly monitor the gasoline pumping operations. (Code Enforcement) (SUP #1853)
8. There will be no posters, dispensing racks or other items that will limit the attendant's clear and unobstructed view of the gasoline pumping area. (Code Enforcement) (SUP #1853)
9. Fire extinguishers shall be placed on the site only as required by insurance and then only to the extent required by such insurance. (Code Enforcement) (SUP #1853)
10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP#2000-0032)
11. The station shall be equipped with a clearly identified and easily accessible switch to permit the attendant to shut off power to all dispensing devices in the event of an emergency. (Code Enforcement) (SUP #1853)

12. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #95-0092)
13. No food shall be prepared on the premises for carry-out, and no seats or tables which are designed for the consumption of food or beverages shall be installed on the premises. (P&Z) (SUP #95-0092)
14. At least one trash container shall be located on the property near the entrance to the convenience store for use by the patrons. The container shall not be permitted to overflow and the area around it shall be kept clean. (P&Z) (SUP #95-0092)
15. Condition deleted. (SUP#2000-0032)
16. The station shall be equipped with a control system for the dispensing of gasoline which shall require the attendant to physically activate the gasoline pumps from inside the convenience store. (Code Enforcement) (SUP #95-0092)
17. No parking or encroachment by parked vehicles shall be permitted in the emergency vehicle easement. "No Parking -- Emergency Vehicle Easement" signs shall be posted to the satisfaction of the Fire Marshal prior to issuance of the certificate of occupancy. (P&Z) (SUP #95-0092)
18. Maintain the tree in the landscape area at the southeast corner of the site. (P&Z) (SUP #2015-0139)
19. The applicant shall maintain one Yoshino Cherry tree in the landscape area at the southwest corner of the site and maintain two Japanese holly bushes to the area to the west of the dumpster (P&Z) (SUP #2015-0139)
20. Maintain a 3'-4' high quality open fence and/or maintain a dense hedge along the west property line, southwest of the proposed convenience store. (P&Z) (SUP #2015-0139)
21. Condition deleted.
22. Condition deleted.
23. All fences and landscaping, including landscaping provided on city-right-of way, shall be maintained in good condition. (P&Z) (SUP #95-0092)
24. Condition deleted.
25. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~Applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 to arrange for a security survey of the business and for employee participation in a robbery awareness program.~~ (SUP #2015-0139)

26. Condition deleted. (SUP #2015-0139)
27. Condition deleted. (SUP #2015-0139)
28. Comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained online at https://alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf or by contacting T&ES at 703-746-4065. (T&ES) (SUP #2015-0139)
29. Condition deleted. (SUP #2015-0139)
30. Condition deleted. (SUP #2015-0139)
31. Condition deleted. (SUP #2015-0139)
32. Condition deleted. (SUP #2015-0139)
33. Condition deleted. (SUP #2015-0139)
34. Applicant shall have an on-duty guard in the event that the Chief of Police determines that a guard is needed to keep the peace. (Police) (SUP #95-0092)
35. Applicant shall require employees to park in spaces furthest from the store in order to leave the closer spaces for patrons. (P&Z) (SUP #95-0092)
36. Applicant shall stripe and maintain all parking spaces. (P&Z) (SUP #95-0092)
37. **CONDITION AMENDED 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, which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) 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. (P&Z) (SUP #2015-0139)
38. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP#2004-0047)

39. The applicant shall control 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 and Environmental Services. (T&ES) (SUP#2004-0047)
40. Loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP#2004-0047)
41. Condition deleted. (SUP #2015-0139)
42. Condition deleted. (SUP #2015-0139)
43. 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 crime, loitering, noise, and the underage sales of alcohol. (P&Z) (SUP #2015-0139)
44. Litter on the site and on public rights-of-way and 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. (T&ES) (SUP #2015-0139)
45. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2015-0139)
46. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2015-0139)
47. **CONDITION AMENDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. ~~Within 60 days of SUP approval, the business shall contact the Transportation Planning Division at 703-746-4686 for information on establishing an employee transportation benefits program. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program.~~ (P&Z) (SUP #2015-0139)
48. **CONDITION AMENDED BY STAFF:** The applicant shall replace the pole sign with a monument sign at the time the pole sign is removed, ~~or proposed for an upgrade or prior to May 2025, whichever is earlier.~~ (P&Z) (SUP #2015-0139)
49. The business shall be permitted to operate for 24 hours daily. (P&Z) (SUP #2015-0139)
50. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (P&Z) (SUP #2015-0139)

51. The cash registers shall be positioned such that staff can monitor activity both inside and outside the store. (P&Z) (SUP #2015-0139)
52. The applicant shall maintain high quality, closed- circuit television cameras for the security of patrons, employees, and community residents. (P&Z) (SUP #2015-0139)
53. Windows shall provide open views into the tenant space and not be opaque or otherwise obstructed except with minor, low-height, well-maintained and regularly updated window displays, which shall cover no more than 20% of the window area. (P&Z) (SUP #2015-0139)
54. If a pattern of security-related problems develops, the applicant will meet with City staff to resolve such problems. If said problems persist, the Director may docket this Special Use Permit for review by the Planning Commission and City Council, regardless of whether it is a part of an annual review. (P&Z) (SUP #2015-0139)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2018-0036. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the Convenience Store and automobile service station at 3500 King Street.

Applicant - Signature

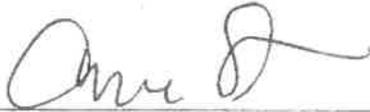
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Applicant – Printed

Date

ATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2018-0036. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the Convenience Store and automobile service station at 3500 King Street.



Applicant - Signature

6/22/18

Date

CONNIE SORIA

Applicant - Printed

6/22/18

Date