



APPLICATION SPECIAL USE PERMIT

ADMINISTRATIVE CHANGE OF OWNERSHIP OR MINOR AMENDMENT

Change of Ownership [] Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 190 South Whiting St., Alexandria, VA 22304

TAX MAP REFERENCE: 047.03-06-03 **ZONE:** OCM (50)

APPLICANT

Name: Landmark Petro Services, Inc.

Address: 190 S. Whiting St., Alexandria, VA 22304

PROPERTY OWNER

Name: Sunoco, LLC

Address: 3801 West Chester Pike, Newtown, PA 19073

SITE USE: Automobile service station

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.

Saad Cheema

Print Name of Applicant or Agent
190 S. Whiting St.

Mailing/Street Address
Alexandria, VA 22304

City and State Zip Code



Signature
703-751-9499 703-567-7981

Telephone # Fax #
Saad1025@gmail.com

Email address
9/6/20

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 # 2019-0014

Date approved: 05 / 07 / 2019
 month day year

Name of applicant on most recent special use permit Sunoco, LLC

Use Automobile Service Station

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 business is located at one corner lot on South Whiting Street and Stevenson Avenue. The lot is approximately 27,166 square feet, and receives approximately 165 feet of frontage on Stevenson Ave and 110 feet of frontage on South Whiting Street. The property contains a total of 20 parking spaces, in addition to the 12 spaces at each gas pump, totaling 32. There are two one-story buildings on the lot. The larger building is approximately 2,401 square feet and consists of retail space as well as three automobile repair bays. The smaller building is approximately 892 square feet, and consists of three automobile repair bays. The site is visited by approximately 1,000 patrons per day. The business currently employs twelve employees. The area surrounding the business contains both commercial and residential uses, including The Northern Virginia Juvenile Detention Center, three residential apartment buildings, two restaurants, and the Global Health College.~~

4. Is the use currently open for business? Yes No

If the use is closed, provide the date closed. _____ / _____ / _____
month day year

5. Describe any proposed changes to the conditions of the special use permit:

None

6. Are the hours of operation proposed to change? Yes No

If yes, list the current hours and proposed hours:

Current Hours:

Proposed Hours:

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.

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?

There are 10 spaces for employees, they are located at Dunya Restaraunt (5951 Stevenson Ave, Alexandria, VA 22304). These are rented based on a monthly agreement with the owner.

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

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:

1) Saad Cheema _____
1705 Braddock dr. _____
Crofton, MD 21114 _____
Shareholder's percentage of stock ownership: 33.333333% _____

2) Riaz Ahmad _____
6206 Heather Glen Way _____
Clarksville, MD 21029 _____
Shareholder's percentage of stock ownership: 33.333333% _____

3) Sajid H. Chaudhry _____
2913 George Howard Way _____
Clarksville, MD 21035 _____
Shareholder's percentage of stock ownership: 33.333333% _____

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:

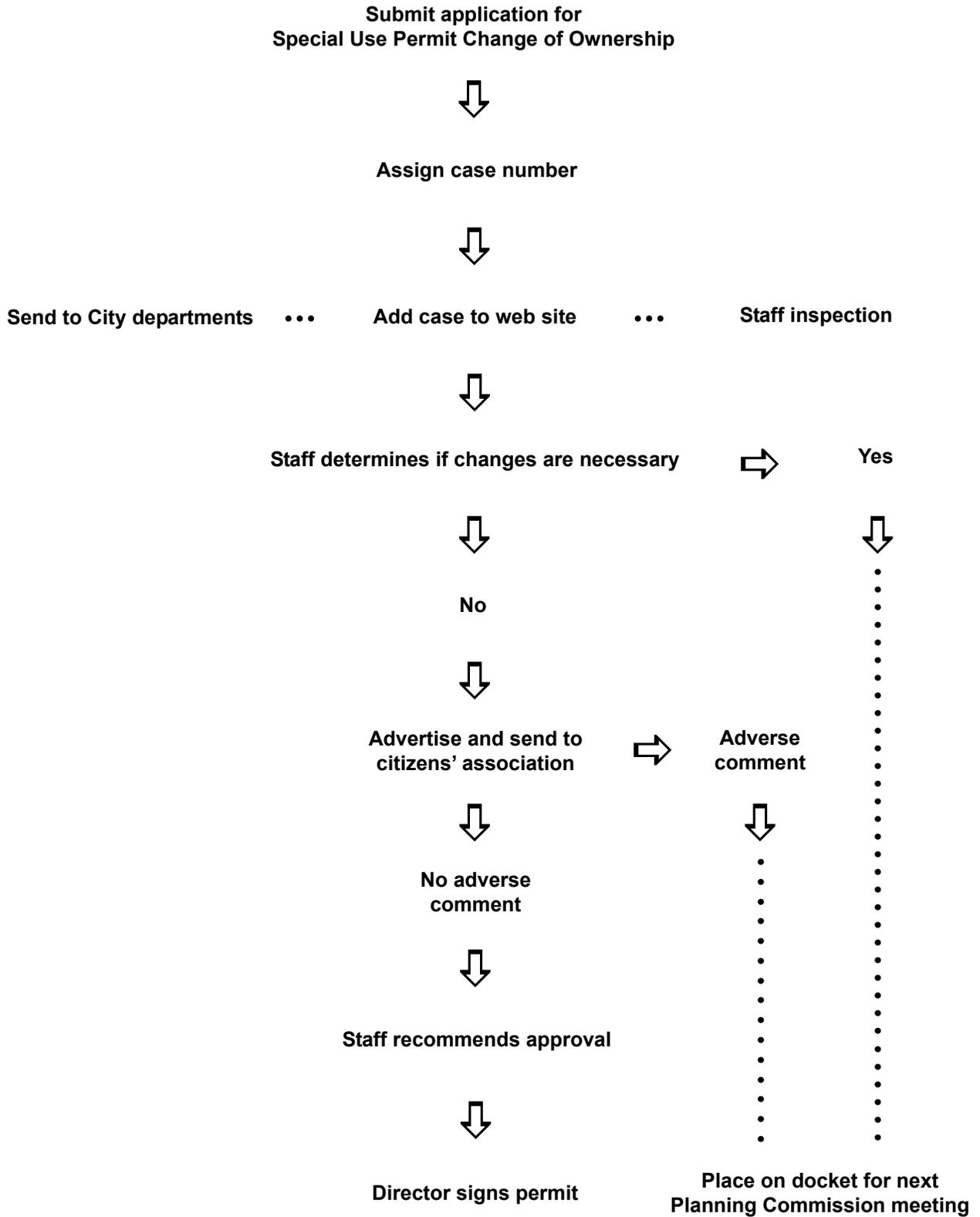
- 1) He/She has received written or oral complaints that the use is in violation of the zoning ordinance;
- 2) at the time the special use permit was approved, opposition was presented to the Planning Commission or City Council; or
- 3) new conditions or amendments to existing conditions are necessary.

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



The Board of Zoning Appeals (BZA) variance permitted a zone transition setback modification to allow construction of the building at the rear property line.

City Council approved SUP #99-0043 and DSUP #99-0009 for the construction of a new building for Mobil Oil (the existing 892 square foot building), to add an automobile repair area with three repair bays. The approvals included a zone transition setback modification from the 25-foot requirement, as the service station site was adjacent to the RCX zone to the east and south. The zone transition setback modifications permitted the new repair service building to be constructed eight feet away from the eastern property line and 11 feet away from the southern property line. Approval was granted after a determination that the commercial use would not impact the Northern Virginia Juvenile Detention Center.

The SUP analysis for this report indicated, however, that this building actually was constructed at a setback between 9.4 feet and 10.5 feet from the property line to the south, slightly closer than the approved 11 feet. The existing setback is compliant along the eastern property line at 11.23 feet (Figure 2). Building permit records associated with the construction of this repair service building do not provide insight into possible reasons that construction was allowed with the non-compliant setback. A pre-existing trash enclosure is also within the transition setback area as a noncomplying structure.

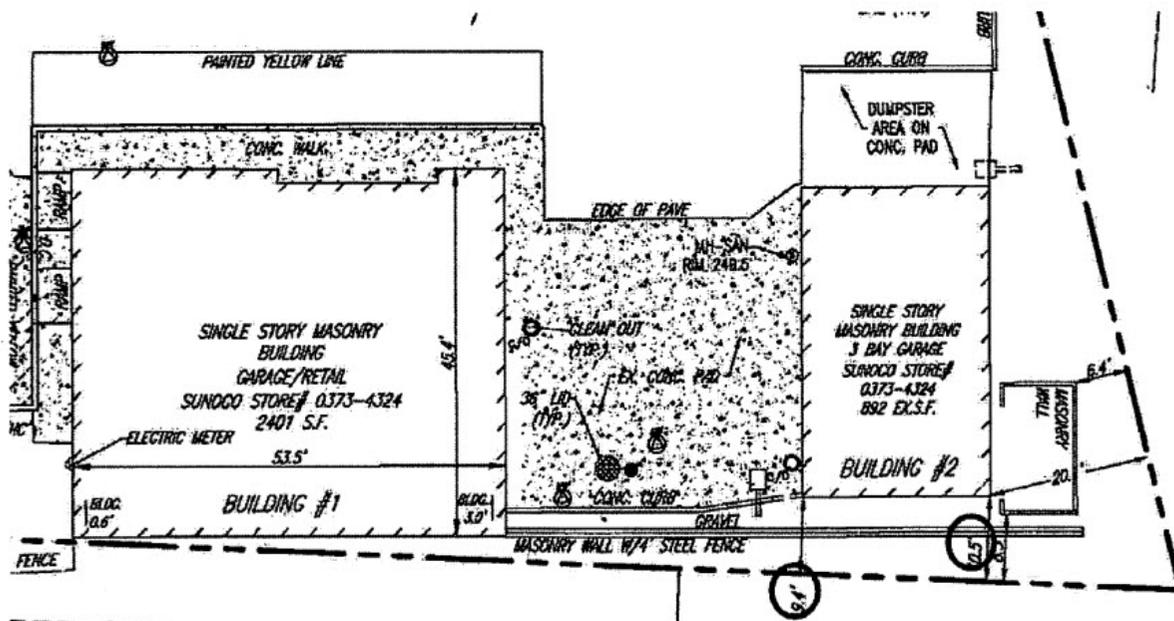
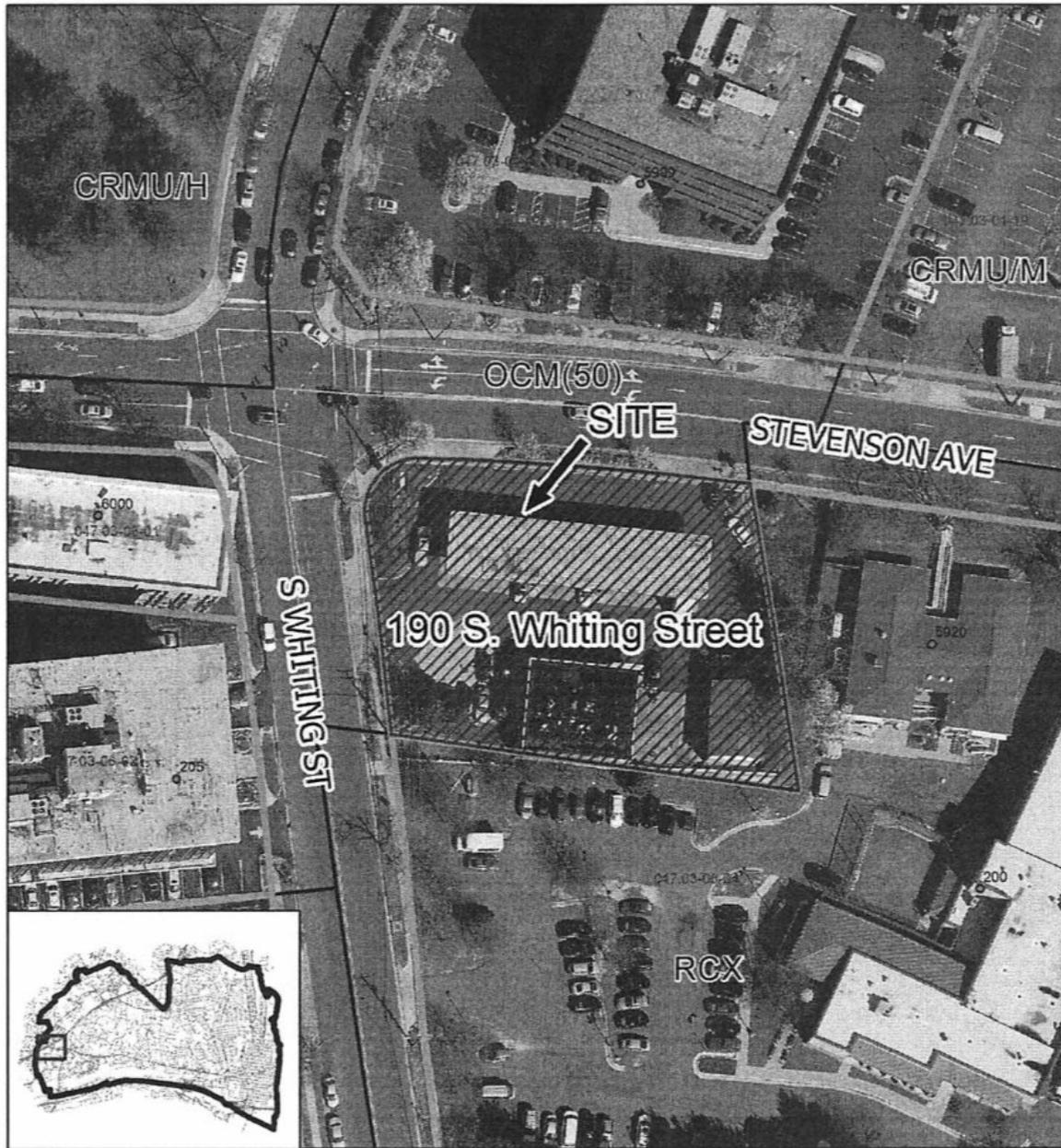


Figure 2: Existing conditions

Building #1 represents the larger building that was constructed at the south property line as approved through BZA #6409 in 1990. Building #2 contains three of the six existing repair bays and is non-complying as to setbacks (circled) to the south, per the SUP #99-0043 approval.

In March 2006, staff administratively approved SUP #2006-0003 to change the ownership of the business from Mobil to Sunoco, Inc., R&M. City Council approved SUP #2015-0071 to expand



Special Use Permit #2019-0014
190 S. Whiting Street

