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 #2020-00073
Approved by Planning and Zoning: November 12, 2020
Permission is hereby granted to: Landmark Petro Services, Inc.
to use the premises located at: 190 South Whiting 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.

November 12, 2020 Karl Moritz (by T. LaColla)
Date Karl Moritz, Director
Department of Planning and Zoning
DATE: November 12, 2020

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

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

SUBJECT: Special Use Permit #2020-00073 Administrative Review for Change of Ownership

Site Use: Automobile Service Station and Zone Transition Modifications
Applicant: Landmark Petro Services, Inc.
Location: 190 South Whiting Street
Zone: OCM(50)/Office commercial medium

Request
Special Use Permit #2020-00073 is a request to change ownership of an SUP for an automobile service station and zone transitions modifications, approved through SUP #2019-0014. The change of ownership is from Sunoco, LLC to Landmark Petro Services, Inc. No other changes to the automobile service station or zone transition modifications are proposed. The applicant will continue operating the automobile service station with six gas pumps and three automobile repair bays. In addition, the applicant will operate a by-right convenience store as part of the automobile service station. The name of the establishment will be changed from Landmark Towers Sunoco to Landmark Sunoco.

Background
An automobile service station has operated at this location since 1965. In November of 1990, the City Council approved construction of the existing 2,401 square foot building, where the convenience store is located, through SUP #2436, Site Plan #90-024 and BZA #6049. The BZA case approved a variance for a zone transition setback modification at the rear of the building. City Council approved SUP #99-0043 and DSUP #99-0009 for the construction of the existing 892 square foot building with three bays, which houses the automobile repair use. 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 for the expansion of the automobile repair building, for zone transition setbacks and for a convenience store with off-premises alcohol sales. As SUP #2015-0071 expired before the automobile repair building was expanded, City Council reapproved the requests through SUP #2019-0014 in May 2019. The convenience store use and off-premises alcohol sales no longer require SUP approval pursuant to TA #2020-0003, which City Council approved in September 2020.

Parking
The subject site requires a total of 10 spaces for the gas pumps, retail, and auto-repair uses. The site contains a total of 25 parking spaces, including 12 located at the gas pumps
and three in the garage bays.

**Community Outreach**
Public notice was provided through eNews, via the City's website, and by posting a placard on the site. There are no community organizations located in the proximity of the subject site. Staff did not receive any comments regarding the proposal for a change of ownership.

**Staff Action**
Staff supports the change of ownership request for an automobile service station and zone transition setback modifications. The business has operated at this location for several years with few resident complaints.

Staff has carried forward the previous conditions from SUP #2019-0014. Conditions referencing the now by-right convenience store have been amended (Conditions 6 and 8) and deleted (Conditions 12, 13, 16-18).

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: November 12, 2020  
Action: Approved

[Signature]

Tony LaColla, Division Chief

Attachments:  
1) Special Use Permit Conditions  
2) Statement of Consent
CONDITIONS OF SPECIAL USE PERMIT #2020-00073

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 business or entity in which the applicant has controlling interest. (P&Z) (SUP #2019-0014)

2. Junked, abandoned, or stripped vehicles shall not be parked or stored outside. (P&Z) (SUP #2019-0014)

3. Vehicle parts, tires, or other materials shall not be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP #2019-0014)

4. Vehicles shall not be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP #2019-0014)

5. Repair work done on the premises shall be restricted to the service bays only. (P&Z) (T&ES) (SUP #2019-0014)

6. **CONDITION AMENDED BY STAFF:** The hours of operation are permitted to be 24 hours a day, seven days a week for the convenience store and gasoline sales. (P&Z) (SUP #2019-0014)

7. The hours of operation for automobile repair service shall be between 7 a.m. and 6 p.m., Monday – Saturday. (P&Z) (SUP #2019-0014)

8. **CONDITION AMENDED BY STAFF:** The hours of operation for the convenience store and the auto repair operation shall be posted at the buildings that contain the uses. (P&Z) (SUP #2019-0014)

9. 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 #2019-0014)

10. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2019-0014)

11. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP #2019-0014)
12. **CONDITION DELETED BY STAFF:** The applicant shall be permitted to sell off-premises alcohol. (P&Z) (SUP #2019-0014)

13. **CONDITION DELETED BY STAFF:** Seats or tables which are designed for the consumption of food or beverages shall not be installed on the premises. (P&Z) (SUP #2019-0014)

14. The applicant shall provide a place for public drop-off of used oil. (P&Z) (SUP #2019-0014)

15. A zone transition modification is granted to allow the automobile repair service building and the addition to be located within 9.62 feet of the east property line and 9.4 feet of the south property line. (P&Z) (SUP #2019-0014)

16. **CONDITION DELETED BY STAFF:** The cash registers shall be positioned such that staff can monitor activity both inside and outside the store. (P&Z) (SUP #2019-0014)

17. **CONDITION DELETED BY STAFF:** The applicant shall maintain high quality, closed circuit television cameras for the security of patrons, employees, and community residents. (P&Z) (SUP #2019-0014)

18. **CONDITION DELETED BY STAFF:** 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 #2019-0014)

19. The free-standing pole sign shall be replaced with a monument sign concurrent with construction and consistent with all applicable zoning regulations. (P&Z) (SUP #2019-0014)

20. All waste products, including, but not limited to, organic compounds (solvents), motor oils, compressor lubricant and anti-freeze shall be disposed of in accordance with all local, state and federal ordinances and regulations and shall not be discharged into the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP #2019-0014)

21. The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065 or at http://alexandriava.gov/Environment under Forms and Publications. (T&ES) (SUP #2019-0014)

22. 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 #2019-0014)

23. **CONDITION AMENDED BY STAFF:** The use must comply with the City’s noise ordinance. No amplified sound shall be audible at the property line. (T&ES) (SUP #2019-0014)

24. 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 #2019-0014)

25. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2019-0014)

26. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact GoAlex at goalex@alexiandria.gov for information on establishing an employee transportation benefits program. (T&ES) (SUP #2019-0014)

27. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES) (SUP #2019-0014)

28. A minor amendment will be required to DSP1999-0009. The amendment shall be released prior to submitting for permits. (T&ES) (SUP #2019-0014)

29. Car washing is not permitted on this property. (T&ES) (SUP #2019-0014)

30. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, 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 #2019-0014)
STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2020-00073. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile service station and zone transition setback modification at 190 South Whiting Street.

[Signature]
Applicant - Signature

11/12/20
Date

[Printed Name]
Applicant – Printed

11/12/20
Date