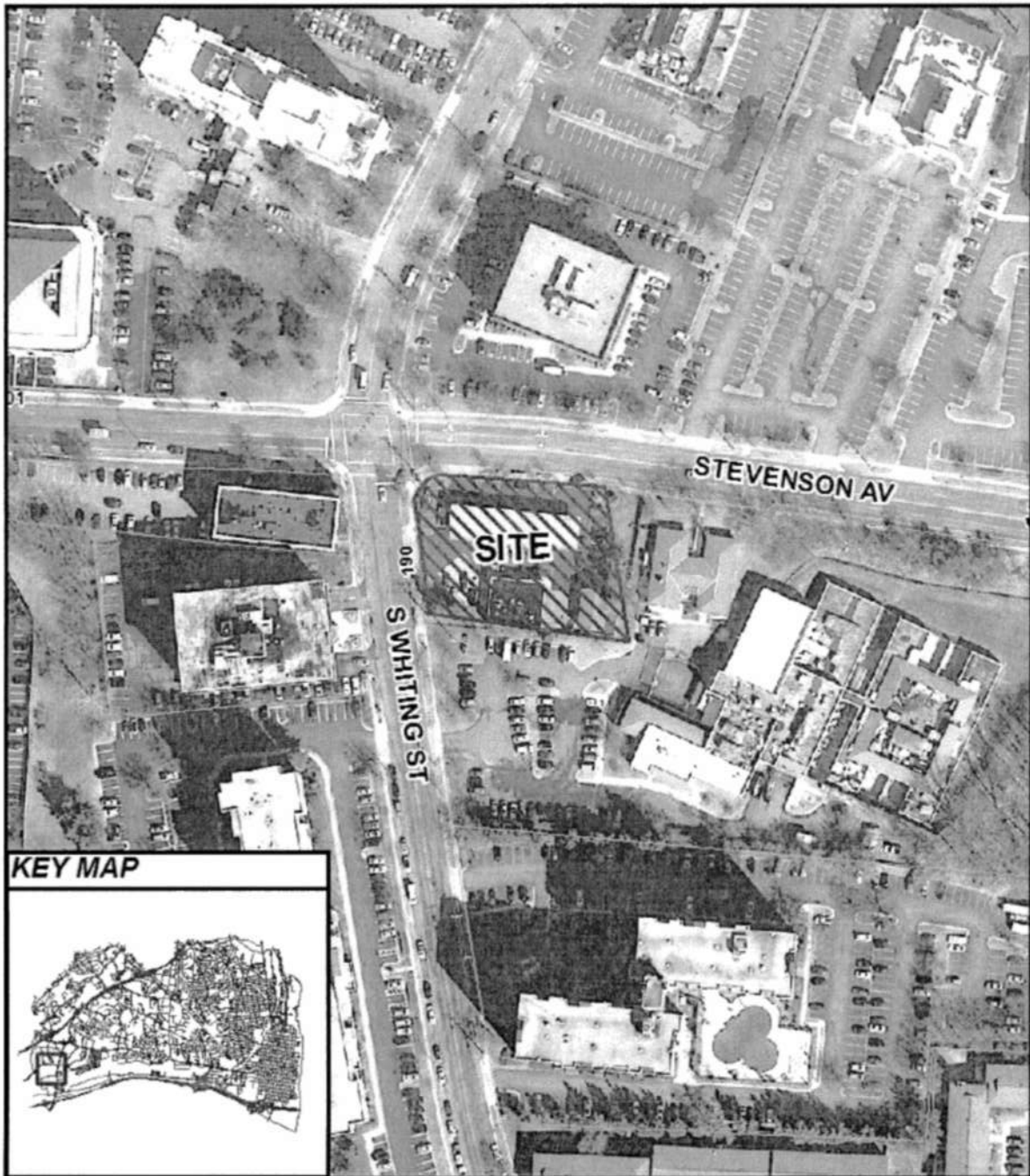


DOCKET ITEM #4
Special Use Permit #2012-0083
190 South Whiting Street
Automobile Service Station and Convenience Store

Application	General Data	
Consideration of a Special Use Permit amendment to convert existing repair bays to a convenience store at an existing automobile service station.	Planning Commission Hearing:	March 5, 2013
	City Council Hearing:	March 16, 2013
Address: 190 South Whiting Street	Zone:	OCM(50)/Office Commercial Medium
Applicant: Sunoco, Inc. (R&M), by M. Catharine Puskar	Small Area Plan:	Landmark/Van Dorn

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov



SUP #2013-0083

3/5/2013



I. DISCUSSION

The applicant, Sunoco, Inc. (R&M) by M. Catharine Puskar, attorney, requests a Special Use Permit amendment to convert existing repair bays to a convenience store at an existing automobile service station at 190 South Whiting Street.

SITE DESCRIPTION

The subject property is a corner lot of record containing approximately 165 feet of frontage on Stevenson Avenue, 110 feet of frontage on South Whiting Street, and a lot size of approximately 27,166 square feet. It is currently improved with two one-story buildings. The larger of the two buildings (2,400 square feet) contains a small retail area and three automobile repair bays. The second, 892 square-foot building contains an additional three automobile repair bays.



The property is surrounded by a mix of commercial, residential and institutional uses. The Northern Virginia Juvenile Detention Facility is located immediately next to the property to the east and south. Two restaurants and the Landmark Towers residential apartment building are located to the north. Commercial office buildings are located to the north and west. Residential apartment buildings are also located nearby to the south. A 7-Eleven convenience store is located about 900 feet to the south at 331 South Whiting Street.

BACKGROUND

An automobile service station has operated at this site with SUP approval since 1965. The main building was constructed in 1990 pursuant to SUP#2436, Site Plan #90-0024 and BZA#6049. The latter case, a variance, was approved by the BZA to allow the main building to be constructed within a required zone transition setback. City Council approved SUP#99-0009, with a zone transition modification, in June 1999 to allow for the construction of the smaller, second building. Most recently, staff administratively approved SUP#2006-0003 in March 2006 to change ownership of the business from Mobil, which had operated here since 1982, to Sunoco.

Staff inspected the business on January 28, 2013 for compliance with existing conditions of SUP#2006-0003 and found that loudspeakers were present at the gasoline pumps and that the amplified sounds from these speakers were audible past the property line, which are violations of Condition #19 of the existing SUP. The applicant has turned off the sound to the speakers. It also seeks an amendment to Condition #19 as part of this request to allow for the continued operation of the loudspeakers at the site at a volume that would not be heard past the property line.

PROPOSAL

The applicant proposes to eliminate the existing automobile repair use at the gas station site and replace it with a convenience store. The second, smaller building on the site will be demolished and replaced by a new fenced dumpster/trash area, a limited amount of new green space, and five parking spaces, four of which are relocated from elsewhere on the site. The service bays in the main building will be reconfigured into a 2,400 square-foot convenience store. The applicant currently operates a small retail area in the main building, which is considered accessory to the gas station. Existing SUP condition language limits the items the applicant can sell there. The applicant proposes to expand the retail sales to the level of a convenience store and to add off-premises alcohol sales, which is currently not allowed under Condition #9 of SUP#2006-0003. Additional elements of the proposal are as follows:

<u>Hours of Operation:</u>	24 hours/day, seven days/week (existing)
<u>Customers:</u>	Approximately 1,000/day
<u>Employees:</u>	Maximum of four employees at any one time
<u>Alcohol:</u>	Off-premises alcohol sales proposed
<u>Noise:</u>	No noise impacts are expected
<u>Trash/Litter:</u>	Trash will be collected from a relocated dumpster/trash area once per week. Employees will monitor site to prevent litter.

PARKING

According to Section 8-200(A)(12) of the Zoning Ordinance, an automobile service station requires one off-street parking space for each gasoline pump. According to Section 8-200(A)(16), a convenience store requires 1.2 off-street parking spaces for every 210 square feet of space. An automobile service station with six gasoline pumps and a 2,400 square-foot convenience store requires a total of 20 off-street parking spaces. The site already exceeds this requirement with 26 off-street parking spaces. One parking space will be added under the applicant's proposal, resulting in a total of 27 off-street spaces.

ZONING/MASTER PLAN DESIGNATION

The property is located in the OCM(50) / Office Commercial Medium zone. Sections 4-903(C) and (G) of the Zoning Ordinance allows automobile repair and convenience store uses in the OCM(50) zone only with Special Use Permit approval.

The property is located within the Landmark/Van Dorn Corridor Plan, approved in 2009. Although neighboring sites are recommended for redevelopment and an extension of South Whiting Street to the Landmark Mall activity center is suggested, the plan does not envision redevelopment of this specific site.

II. STAFF ANALYSIS

Staff does not object to the applicant's proposal to replace the automobile repair use at the site with a convenience store. The expansion of the retail use at the site will provide residents of nearby residential apartments in this largely car-dependent neighborhood an additional option for basic food and convenience items without needing to use a vehicle. The elimination of the repair use also generally reduces the potential for impacts, such as noise and odors, on the surrounding area from the business.

Site Improvements

The applicant is proposing minor improvements to the site as part of this proposal. The building façade will be improved with the introduction of new goose-neck lighting and a stone water table around the front and sides of the building. The second building on the property will be demolished, which will result in a lower FAR and a small increase in green space. Landscaping on the site, which has won an award from the Alexandria Beautification Committee, will be further enhanced to meet the current 25% crown coverage requirement as part of the required minor site plan amendment. Staff has also included this landscaping requirement as Condition #20 in this report.

Off-Premises Alcohol

Staff objects to the request to allow off-premises alcohol sales. The Police Department has raised public safety concerns about alcohol sales here that staff believes necessitate the continuation of the existing prohibition on alcohol contained in Condition #9.

The Police Department has for many years objected to off-premises alcohol sales at convenience stores located at gas stations. Police is concerned that off-premises alcohol at such establishments, which are likely to have a greater number of motorists as customers than other convenience stores, could encourage drinking and driving. Staff has found only one gas station and convenience store, approved by DSUP in November 2012 at 5740 Edsall Road but not yet built, in which alcohol sales has been permitted. The Exxon/Tiger Mart at 2320 Jefferson Davis Highway, the Shell at 2922 Duke Street, the Sunoco at 3500 King Street, and the Exxon at 4550 Kenmore Avenue are all examples of gas stations with convenience stores that are explicitly prohibited from offering off-premises alcohol sales. Staff sees no reason in this case to change the approach it has taken at virtually all gas stations/convenience stores in the City on the matter of alcohol sales.

Furthermore, according to Police, the neighborhood has a higher than average crime rate that would be exacerbated by the introduction of alcohol sales. The nearby 7-Eleven at 331 South Whiting Street ranks high in terms of calls for service when compared to other 7-Eleven locations in the City. Crime statistics also demonstrate that the most common call for service at the nearby 7-Eleven and other convenience stores in the City is larceny, with the theft of alcohol represents a significant portion of these larceny cases.

Condition Language

Staff has included several condition changes in this report for consistency with today's standard

condition language, including new trash/litter conditions. Conditions #5, 6 and 12 are clearly relevant only to the automobile repair use and have been amended or deleted. Condition #11 limiting the sale of non-service station items to only candy and snack items has also been removed. The applicant has also requested that Condition #19 be amended to allow loudspeakers already present at the gasoline pumps to remain in operation. Amplified sounds, including those coming from the speakers, would continue to be prohibited past the property line under the applicant's request. Staff believes that, out of concern for nearby residences, loudspeakers should be prohibited here consistent with standard SUP condition language in approvals throughout the City. It recommends that Condition #19 not be amended to allow loudspeakers.

Subject to the condition language found in Section III of this report, staff recommends approval of the Special Use Permit request.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. **CONDITION AMENDED BY STAFF:** ~~That~~ 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) (~~SUP-2436~~)
2. **CONDITION AMENDED BY STAFF:** ~~That~~ No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z) (~~SUP-2436~~)
3. **CONDITION AMENDED BY STAFF:** ~~That~~ No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (~~SUP-2436~~)
4. **CONDITION AMENDED BY STAFF:** ~~That~~ No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (~~SUP-2436~~)
5. **CONDITION AMENDED BY STAFF:** ~~That~~ No automobile repair work ~~be done outside~~ shall be allowed on the property. (P&Z) (T&ES) (~~SUP-2436~~)
6. **CONDITION DELETED BY STAFF:** ~~That repair work done on the premises be restricted to the service bays only.~~ (P&Z)(~~SUP-2436~~)
7. **CONDITION AMENDED BY STAFF:** ~~That~~ The hours of operation ~~be~~ are permitted to be 24 hours a day, seven (7) days a week, as requested by the applicant. (P&Z) (~~SUP-2436~~)
8. **CONDITION AMENDED BY STAFF:** Signage shall be limited to advertising the general business conducted on the premises. ~~That~~ No banners, streamers, flags or similar advertising devices shall be displayed on the premises, but signs advertising the general

business conducted on the premises may be displayed on the premises, in accordance with ~~Section 7-6-173 of the City Code~~. (P&Z) (T&ES) (SUP 2436)

9. **CONDITION AMENDED BY STAFF:** That The applicant shall not sell alcoholic beverages. (P&Z) (SUP 2436)
10. **CONDITION AMENDED BY STAFF:** ~~That~~ No seats or tables shall be installed on the premises which are designed for the consumption of food or beverages. (P&Z) (SUP 2436)
11. **CONDITION DELETED BY STAFF:** ~~That sales from the facility for non-service station items be limited to cigarettes, candy, gum, bread, milk, sodas and other similar snack items. (P&Z)(SUP 2436)~~
12. **CONDITION DELETED BY STAFF:** ~~That the applicant provide a place for public drop-off of used oil. (P&Z)(SUP 2436)~~
13. **CONDITION DELETED BY STAFF:** ~~A zone transition modification is granted to allow the new service building to be located within 8' of the east property line and 11' of the south property line. (P&Z)(SUP99-0043)~~
14. **CONDITION DELETED BY STAFF (COMPLETED) (SUP#2006-0003)**
15. **CONDITION AMENDED BY STAFF:** 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 ~~and~~ or regulations and ~~shall not be discharged into~~ to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP2006-0003)
16. **CONDITION AMENDED BY STAFF:** 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 ~~Division~~ Office of Environmental Quality at 703-519-3400 ext. 166 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (SUP2006-0003)
17. 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#2006-0003)
18. **CONDITION DELETED BY STAFF (See Condition #5):** ~~No repair work shall be done outside. (T&ES) (SUP#2006-0003)~~
19. **CONDITION AMENDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES) (SUP#2006-0003)

20. **CONDITION ADDED BY STAFF:** The applicant shall install additional landscaping at the site consistent with the *City of Alexandria Landscape Guidelines* to achieve minimum 25% crown coverage to the satisfaction of the Director of Planning & Zoning. (P&Z)
21. **CONDITION ADDED BY STAFF:** 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. (P&Z)
22. **CONDITION ADDED BY STAFF:** No food, beverages, or other material shall be stored outside. (P&Z)
23. **CONDITION ADDED BY STAFF:** 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)
24. **CONDITION ADDED BY STAFF:** Litter on the site and on public right-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up by the applicant at least twice a day, and more often if necessary, to prevent an unsightly and unsanitary accumulation on such day that the business is open to the public. (T&ES)
25. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
26. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
27. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit after the convenience store 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)

STAFF: Joanna Anderson, Acting Deputy Director, Department of Planning and Zoning;
Nathan Randall, Urban Planner.

Staff Note: In accordance with Section 11-506(C) of the Zoning Ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a Special Use Permit by City Council or the Special Use Permit shall become void.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 Car wash discharges resulting from a commercial operation shall not be discharged into a storm sewer. If this is anticipated to be provided in the future, it will require a change in the operation from what is presented in the application. It is recommended that the car washes be done at a commercial car wash facility. (T&ES)
- R-1 Carry forward from SUP2006-0003:
5. **Amended by Staff:** ~~That~~ No automobile repair work ~~be done outside~~ shall be allowed on the property. (P&Z) (T&ES) (SUP2436)
15. **Amended By Staff:** 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 ~~and~~ **or** regulations and ~~shall not be discharged into~~ **to** the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP2006-0003)
16. **Amended By Staff:** 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 ~~Division~~ **Office** of Environmental Quality at ~~703-519-3400 ext. 166~~ **703-746-4065 or at** [http://alexandriava.gov/Environment under Forms and Publications](http://alexandriava.gov/Environment%20under%20Forms%20and%20Publications). (T&ES) (SUP2006-0003)
17. 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) (SUP2006-0003)
19. **Amended By Staff:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2006-0003)
- R-2 **Added By Staff:** 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)
- R-3 **Added By Staff:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

R-4 **Added By Staff:** The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)

C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form.

C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

Code Enforcement:

F-1 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Plan Review Services Division Chief at ken.granata@alexandriava.gov or 703-746-4193.

C-1 Building and trades permits are required for this project. Five sets of *construction documents* sealed by a *Registered Design Professional* that fully detail the construction as well as layout and schematics of the mechanical, electrical and plumbing systems shall accompany the permit application(s).

C-2 A Certificate of occupancy shall be obtained prior to any building change of occupancy.

Health:

1. An Alexandria Health Department Permit is required for all regulated facilities. A permit shall be obtained prior to operation, and is not transferable between one individual or location to another.
2. Plans shall be submitted to the Health Department through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction. There is a \$200.00 plan review fee payable to the City of Alexandria.
3. Plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food and Food Handling Code of the City of Alexandria. Plans shall include a menu of food items to be

offered for service at the facility and specification sheets for all equipment used in the facility, including the hot water heater.

4. Facilities engaging in the following processes may be required to submit a HACCP plan: Smoking as a form of food preservation; curing food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-chill, or sous-vide; operating a molluscan shellfish life-support system; and sprouting seeds or beans.
5. A Certified Food Manager shall be on-duty during all operating hours.
6. The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
7. Wood flooring in eating areas shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent. In many cases, original wooden flooring in historical structures may not be suitable for food service facilities.

Parks and Recreation:

F-1 No comments received

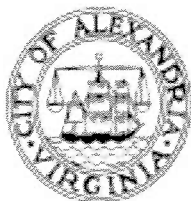
Police Department:

F-1 The applicant is seeking an “ABC Off” license only. The Police Department does not recommend the “ABC Off” license for the following reasons:

- Proximity to the Shelter Care / Juvenile Detention Center
- Anticipated rise in calls for service
- Historically, Gas / Service Stations have been denied “ABC Off” licenses

R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a security survey for the business.

R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-746-6838 regarding a robbery readiness program for all employees.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2012-0083

PROPERTY LOCATION: 190 S. Whiting Street

TAX MAP REFERENCE: 047.03-06-03

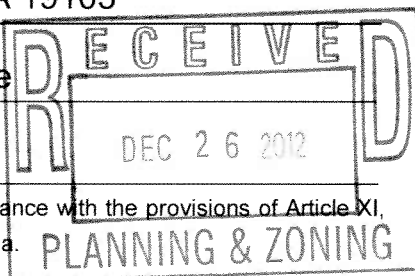
ZONE: OCM(50)

APPLICANT:

Name: Sunoco, Inc. (R&M)

Address: 1735 Market Street, Suite LL, Philadelphia, PA 19103

PROPOSED USE: service station and convenience store



☒ **THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Sunoco, Inc. (R&M)

By: M. Catharine Puskar, Attorney/Agent

Print Name of Applicant or Agent
Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

2200 Clarendon Boulevard, 13th Floor

Mailing/Street Address

Arlington, VA

22201

City and State

Zip Code

M. Catharine Puskar 12/26/12

Signature

SM

Date

703-528-4700

703-525-3197

Telephone #

Fax #

cpuskar@arl.thelandlawyers.com

Email address

ACTION-PLANNING COMMISSION: _____ **DATE:** _____

ACTION-CITY COUNCIL: _____ **DATE:** _____

SUP # 2012-0083

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 190 S. Whiting Street, I hereby
(Property Address)
grant the applicant authorization to apply for the service station and convenience store use as
(use)
described in this application.

Name: Don LORE Phone: 610 833-3594
Please Print
Address: 10 INDUSTRIAL HWY LESTER, PA 19029 Email: DLORE@SUNOCO INC. COM
Signature: Donald N. Lore Date: DECEMBER 26, 2012

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ Required floor plan and plot/site plan attached.

☐ Requesting a waiver. See attached written request.

2. The applicant is the (check one):

☒ Owner

☐ Contract Purchaser

☐ Lessee or

☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

REVISED

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. See Attached		
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 190 S. Whiting Street (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. See Attached		
2.		
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity below and "None" in the corresponding fields)**

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. See Attached		
2.		
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

12/26/12
Date

DOUGLAS N. LORE
Printed Name

Donald N. Lore
Signature
For Sunoco, INC.

Ownership and Disclosure Statement Attachment

Applicant: Sunoco, Inc. (R&M)
10 Industrial Highway
Lester, PA 19029

Breakdown of Applicant Ownership

Applicant Sole Shareholder: ETP Holding Corporation

ETP Holding Corporation
3738 Oak Lawn Avenue
Dallas, TX 75219

Energy Transfer Equity, L.P.
Energy Transfer Partners, L.P.

Energy Transfer Partners, L.P.
3738 Oak Lawn Avenue
Dallas, TX 75219

Energy Transfer Partners L.P. is a master limited partnership consisting of millions of limited partners/investors and publicly traded on the NYSE.

Energy Transfer Equity LP
3738 Oak Lawn Avenue
Dallas, TX 75219

Energy Transfer Equity LP is a master limited partnership consisting of millions of limited partners/investors and publicly traded on the NYSE.

None of the above entities has a business or financial relationship with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

SUP # 2012-0083

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☐ **Yes.** Provide proof of current City business license N/A

☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)**

See Attached Narrative Description

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

3. Narrative Description

Sunoco, Inc. (R&M) (the "Applicant") requests approval of an amendment to SUP #2006-0003 for property identified as Tax Map Reference 047.03-06-03 and located at 190 S. Whiting Street (the "Subject Property") to allow for modifications to an existing gasoline service station.

The Subject Property has been the subject of a number of prior Special Use Permits. An automobile service station was originally constructed on the Subject Property in 1965. Special Use Permit SUP #2436 was approved to allow expansion of the station. Site Plan SP #90-024 was approved to allow construction of the current building. A variance identified as BZA #6094 was approved to modify zone transition setback requirements to allow placement of the building at the rear property line. On June 12, 1999, the City Council approved Special Use Permit #99-0043 to allow modifications and additions to the service station. On March 24, 2006, Special Use Permit #2006-0003 was approved administratively to allow a change in ownership to Sunoco, Inc., the current owner and Applicant.

The Subject Property is currently developed with a gasoline service station with six (6) fuel pumps, service bays, and a small retail area that is accessory to the service station use. The Applicant has been updating and rebranding service stations throughout Northern Virginia to modernize and improve its properties. With this station, the Applicant proposes to modify the station primarily to convert the existing service bays within the main building to retail use. More specifically, the Applicant proposes to convert the existing service bays to a convenience store, add signage to the convenience store building to modernize and improve its appearance, remove the detached garage building to allow for a dumpster enclosure, and modify the existing parking area to allow for the addition of three (3) parking spaces. The building façade will also be updated to complement the existing building's conversion from service use to convenience store use. The Applicant proposes to disturb no more than 2,500 square feet of land area. Additionally, the modifications result in a reduction of floor area due to the removal of the small detached garage building from the Subject Property.

The proposed modifications will update and improve an existing service station. The proposal will allow for a larger retail area that will offer a wider range of products to better serve existing customers. No additional floor area is proposed and no changes to the current canopy and pump configuration are proposed. The proposed improvements to the gas station will allow the Applicant to better serve existing customers on a site that has been developed as a gas station for almost fifty (50) years.

USE CHARACTERISTICS**4.** The proposed special use permit request is for (*check one*):

- ☐ a new use requiring a special use permit,
☐ an expansion or change to an existing use without a special use permit,
☒ an expansion or change to an existing use with a special use permit,
☐ other. Please describe: _____

5. Please describe the capacity of the proposed use:**A.** How many patrons, clients, pupils and other such users do you expect?

Specify time period (i.e., day, hour, or shift).

Approximately 1,000 per day
_____**B.** How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

No more than four (4) at any one time
_____**6.** Please describe the proposed hours and days of operation of the proposed use:

Day:

24 hours a day, 7 days a week

_____Hours:

_____**7.** Please describe any potential noise emanating from the proposed use.**A.** Describe the noise levels anticipated from all mechanical equipment and patrons.N/A

_____**B.** How will the noise be controlled?N/A

8. Describe any potential odors emanating from the proposed use and plans to control them:

None

9. Please provide information regarding trash and litter generated by the use.

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

Cardboard, glass, paper, cans, and plastic.

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

A 3-yard container per week.

- C. How often will trash be collected?

Once per week.

- D. How will you prevent littering on the property, streets and nearby properties?

Staff will monitor the property.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☒ Yes. ☐ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

Aside from petroleum products which will be handled and stored in accordance
with state and federal regulations, no hazardous materials will be stored on site.

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

N/A

12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?

N/A

ALCOHOL SALES

13.

- A. Will the proposed use include the sale of beer, wine, or mixed drinks?

☒ Yes ☐ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

Tenant will secure ABC license for off-premises sale of beer and wine.

PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:

14 Standard spaces
0 Compact spaces
1 Handicapped accessible spaces.
12 Other. (At Gas Pumps)

<p align="center">Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

- B. Where is required parking located? (check one)
- ☒ on-site
- ☐ off-site

If the required parking will be located off-site, where will it be located?

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

☐ Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? 1

<p align="center">Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____</p> <p>Does the application meet the requirement?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
--

- B. Where are off-street loading facilities located? Loading will take place to the east of the
convenience store building.
- C. During what hours of the day do you expect loading/unloading operations to occur?
Varies
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
Daily
16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?
Street access is adequate

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No
- Do you propose to construct an addition to the building? ☐ Yes ☒ No *
- How large will the addition be? _____ square feet.
- *Applicant proposes to convert existing service bays to convenience store use. No additional gross floor area is proposed beyond what currently exists.
18. What will the total area occupied by the proposed use be?
2,401 sq. ft. (existing) + _____ sq. ft. (addition if any) = 2,401 sq. ft. (total)
19. The proposed use is located in: (check one)
- ☒ a stand alone building
- ☐ a house located in a residential zone
- ☐ a warehouse
- ☐ a shopping center. Please provide name of the center: _____
- ☐ an office building. Please provide name of the building: _____
- ☐ other. Please describe: _____

End of Application



APPLICATION - SUPPLEMENTAL

AUTOMOBILE-ORIENTED USES

Supplemental information to be completed by applicants requesting special use permit approval of an automobile-oriented use (e.g., automobile repair garage, car wash, auto or trailer sales).

1. What type of automobile oriented use do you propose?

- ☐ automobile or motor vehicle parking or storage lot.
☐ automobile or trailer rental or sales.
☒ automobile service station.
☐ automobile repair, including car wash.
☐ other: _____

2. What types of repairs do you propose to perform?

None

3. How many of each of the following will be provided?

- 0 _____ hydraulic lifts or racks
 0 _____ service pits
 0 _____ service bays

4. How many vehicles will be parked on-site at any one time. Please provide information on the type (i.e., for sale, customers, employees, or repairs)?

Up to 27 customers and employees may be parked on site at any one time.

5. Will a loudspeaker or intercom system be used outside of the building? _____ Yes ☒ No

Please note: All repair work must occur within an enclosed building.

Nathan Randall

From: Mariska, Sara <smariska@arl.thelandlawyers.com>
Sent: Thursday, February 14, 2013 9:42 AM
To: Nathan Randall
Cc: Puskar, M. Catharine
Subject: Sunoco - S. Whiting Street

Hi Nathan,

I'm writing to make a couple of clarifications about the pending special use permit amendment for Sunoco, Inc. (R&M) (the "Applicant") at 190 S. Whiting Street.

1. The Applicant is requesting to modify Condition 9 to allow alcohol sales.
2. The Applicant is requesting to modify Condition 19 to allow outdoor loudspeakers.
3. The Applicant is adding only one (1) parking space to the site which will result in a total of twenty-seven (27) parking spaces on the property. Five (5) spaces to the west of the convenience store will be re-striped, five (5) spaces along the eastern property line will be relocated to be immediately east of the convenience store, and one (1) parallel parking space will be striped along the eastern property line. The Applicant proposes no changes to the twelve (12) parking spaces at the fuel pumps or the four (4) parking spaces along the northern property line.

Should you have any questions, or need any additional information, please do not hesitate to contact me. I am hopeful that we can review the draft development conditions prior to the Staff Report being finalized.

Thanks,

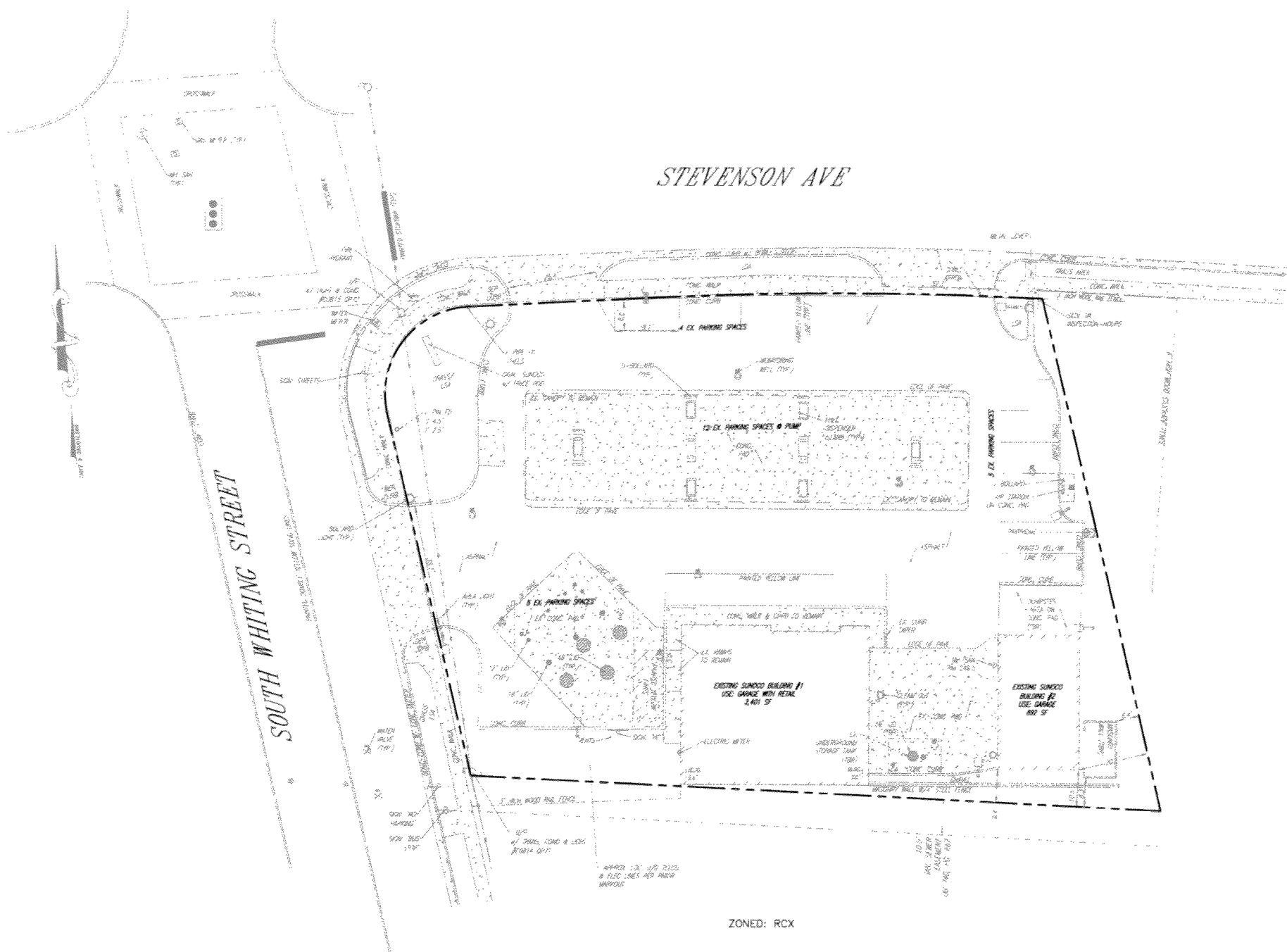
Sara V. Mariska, Esq.

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.

2200 Clarendon Boulevard, Suite 1300 | Arlington, VA 22201

Phone: (703) 528-4700, Ext. 5419 | Fax: (703) 525-3197

smariska@arl.thelandlawyers.com



LOCATION MAP
SCALE: NONE



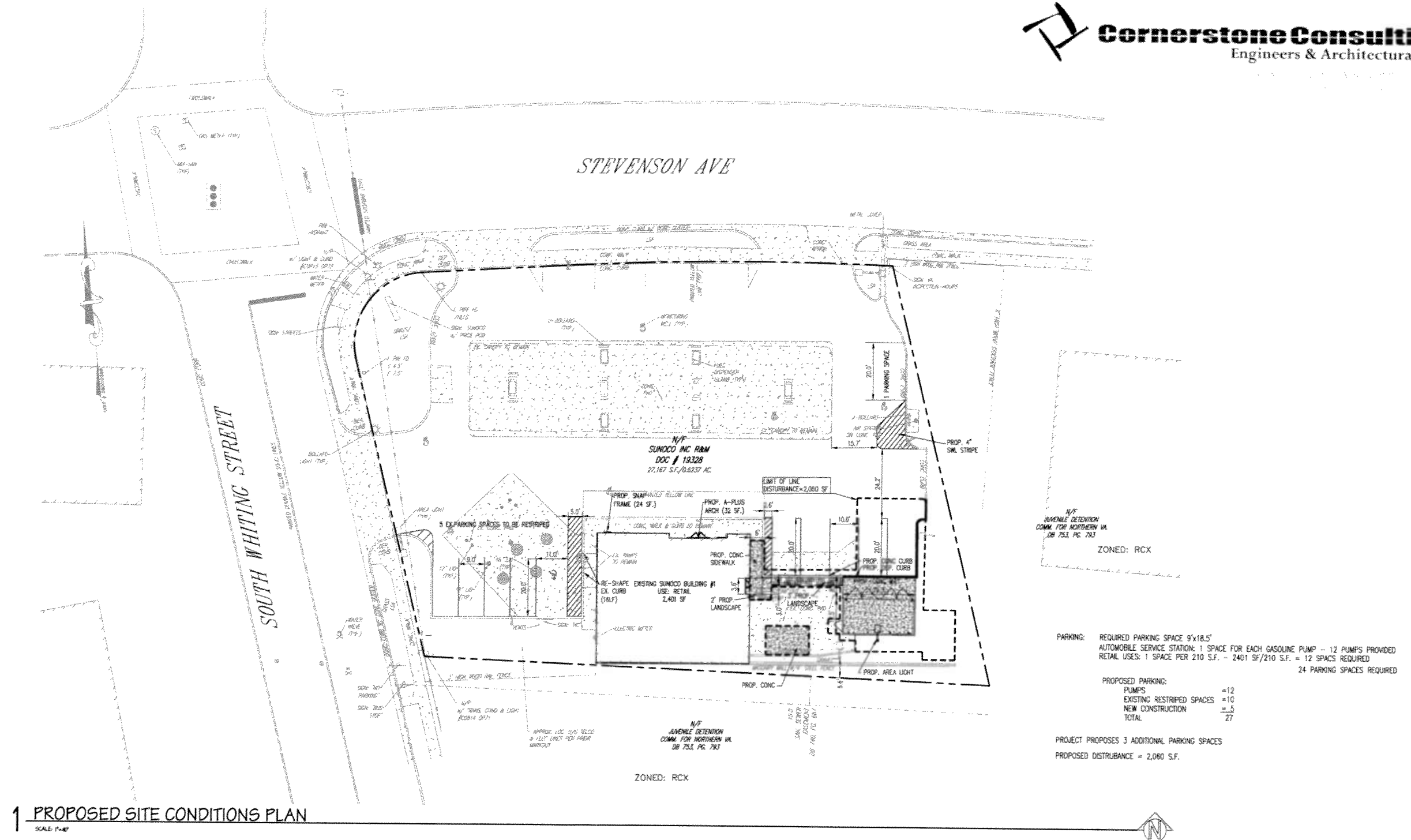
VICINITY MAP
SCALE: NONE

1 EXISTING SITE CONDITIONS PLAN
SCALE: 1"=40'



Sunoco Retail Store

190 South Whiting Street - City of Alexandria



Sunoco Retail Store
190 South Whiting Street - City of Alexandria

24

SP-2

• Wiederholungsfragen



DUNS#: 0373-4324

Sup 2012-0083

Architectural floor plan of a building layout. The plan includes the following rooms and areas:

- OFFICE**: Located in the upper left corner.
- UTILITY #1**: Located below the office.
- REST ROOM**: Located in the upper center.
- UTILITY #2**: Located to the right of the rest room.
- BEER CAVE**: Located on the right side, containing a bar and stools.
- WALK IN COOLER**: Located on the right side, below the beer cave.
- SALES**: A large open area in the center.
- CASHIER**: Located on the left side, near the entrance.

Key features and dimensions include:

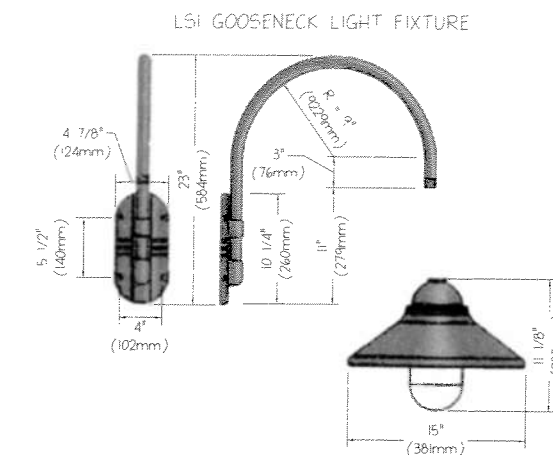
- Entrances**: Two main entrances on the left side, one labeled "INSTALL NEW (2) 1'x3'x1/2\"
- Counters**: Multiple counters are shown, including "COUNTER @ 30\"
- Dimensions**: Numerous dimensions are provided for walls, openings, and furniture placement, such as "8'-7 1/2\"
- Notes**: Several notes provide additional information, such as "EXISTING COLUMN TO REPAIR (TYP.)" and "NEW CONC. BLDG. APRON (SEE SITE PLAN)".



28

BP-1

16 December 2012



(FACING STEVENSON AVE)

3 PROPOSED FINISHES



190 South Whiting Street - City of Alexandria

29

EL-1

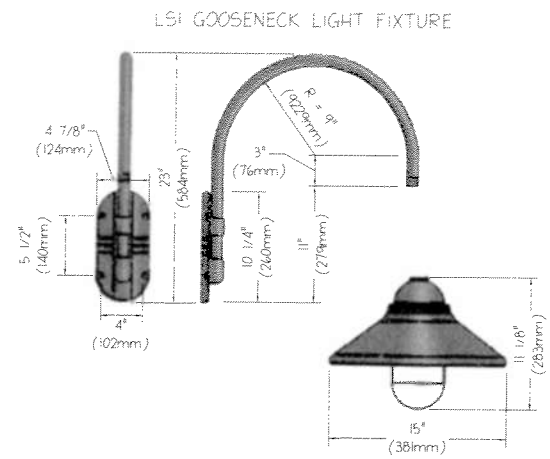
15 November 2012

DUNS#: 0373-4324

SUP 2012-0083



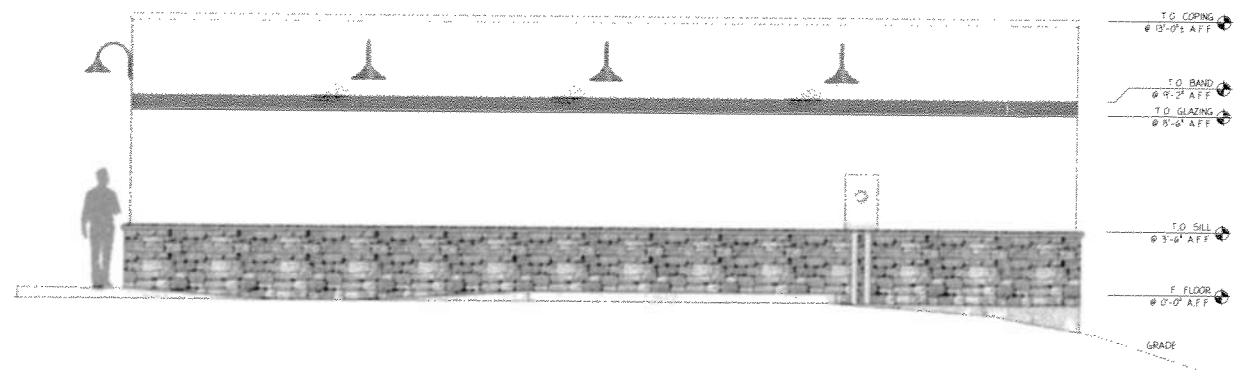
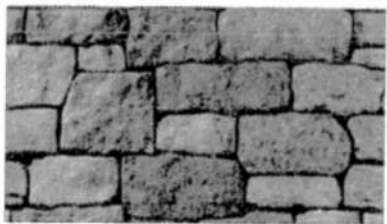
1 EXISTING WESTERN ELEVATION
SCALE: NONE



EIFS DRYVIT: 'NATURAL WHITE' #103



EL DORADO STONE: 'MOONLIGHT' ROUGH CUT



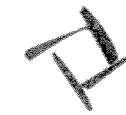
2 PROPOSED WESTERN ELEVATION
SCALE: 1/4"=1'-0"

3 PROPOSED FINISHES
SCALE: NONE

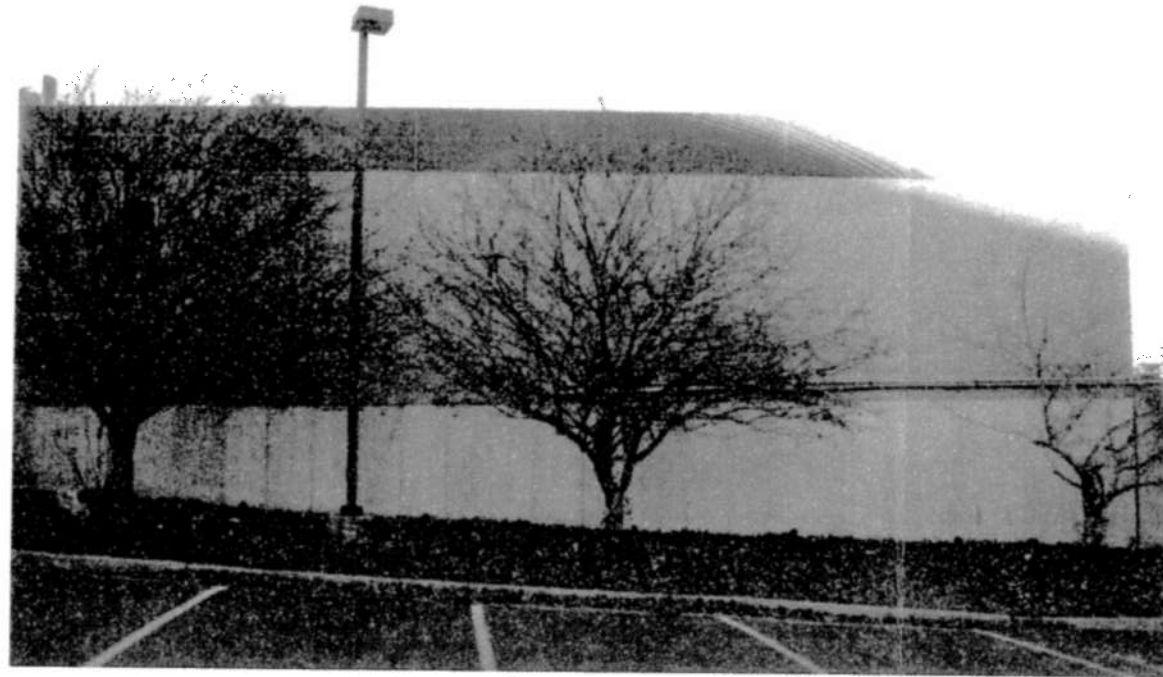


Sunoco Retail Store
190 South Whiting Street - City of Alexandria

SUP 2012-0083

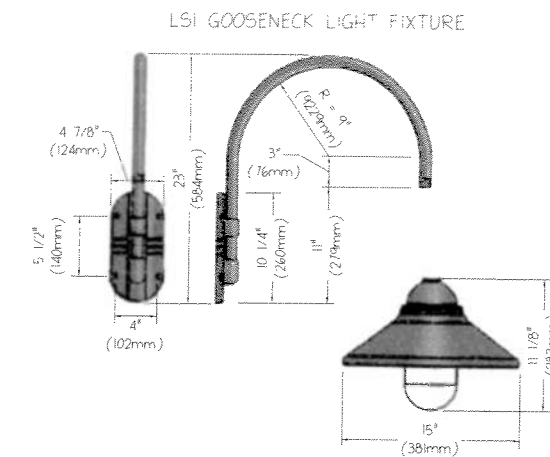


Cornerstone Consulting
Engineers & Architectural, Inc.

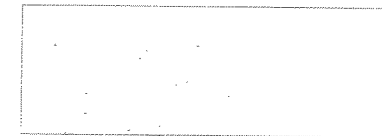
[illegible]

1 EXISTING SOUTHERN ELEVATION
SCALE: NONE

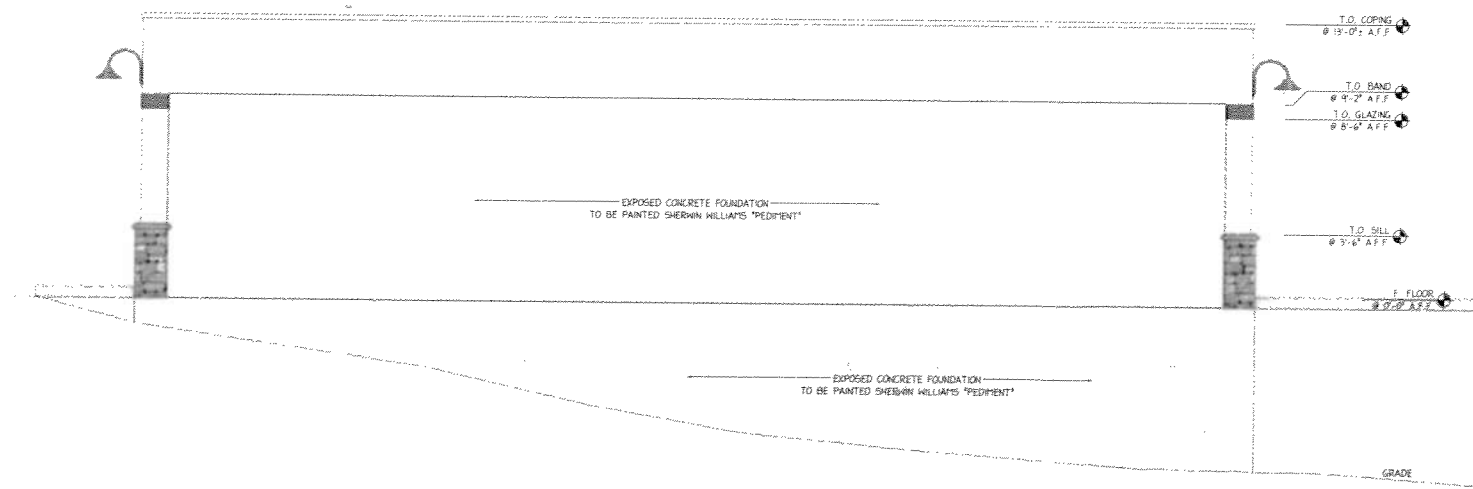
SCALE: NONE



EIFS DRYVIT: 'NATURAL WHITE' #103



EL DORADO STONE: 'MOONLIGHT' ROUGH CUT



2 PROPOSED SOUTHERN ELEVATION

SCALE: $1/4^{\circ}\text{N}^{\circ}-0^{\circ}$

3 PROPOSED FINISHES

SCALE NO. _____

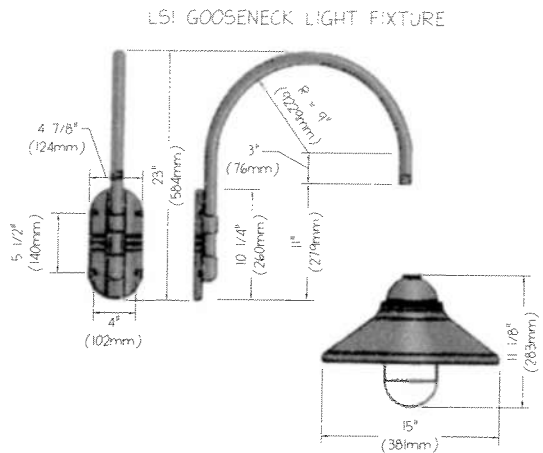


Sunoco Retail Store

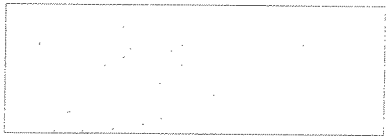
190 South Whiting Street - City of Alexandria



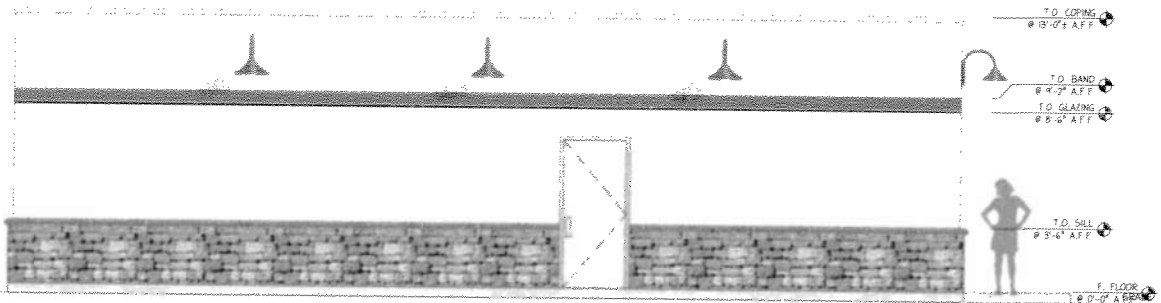
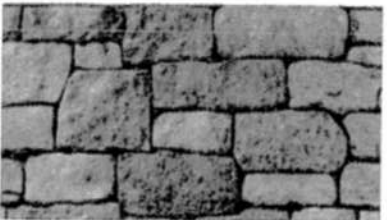
1 EXISTING EASTERN ELEVATION
SCALE: NONE



EIFS DRYVIT: 'NATURAL WHITE' #103



EL DORADO STONE: 'MOONLIGHT' ROUGH CUT

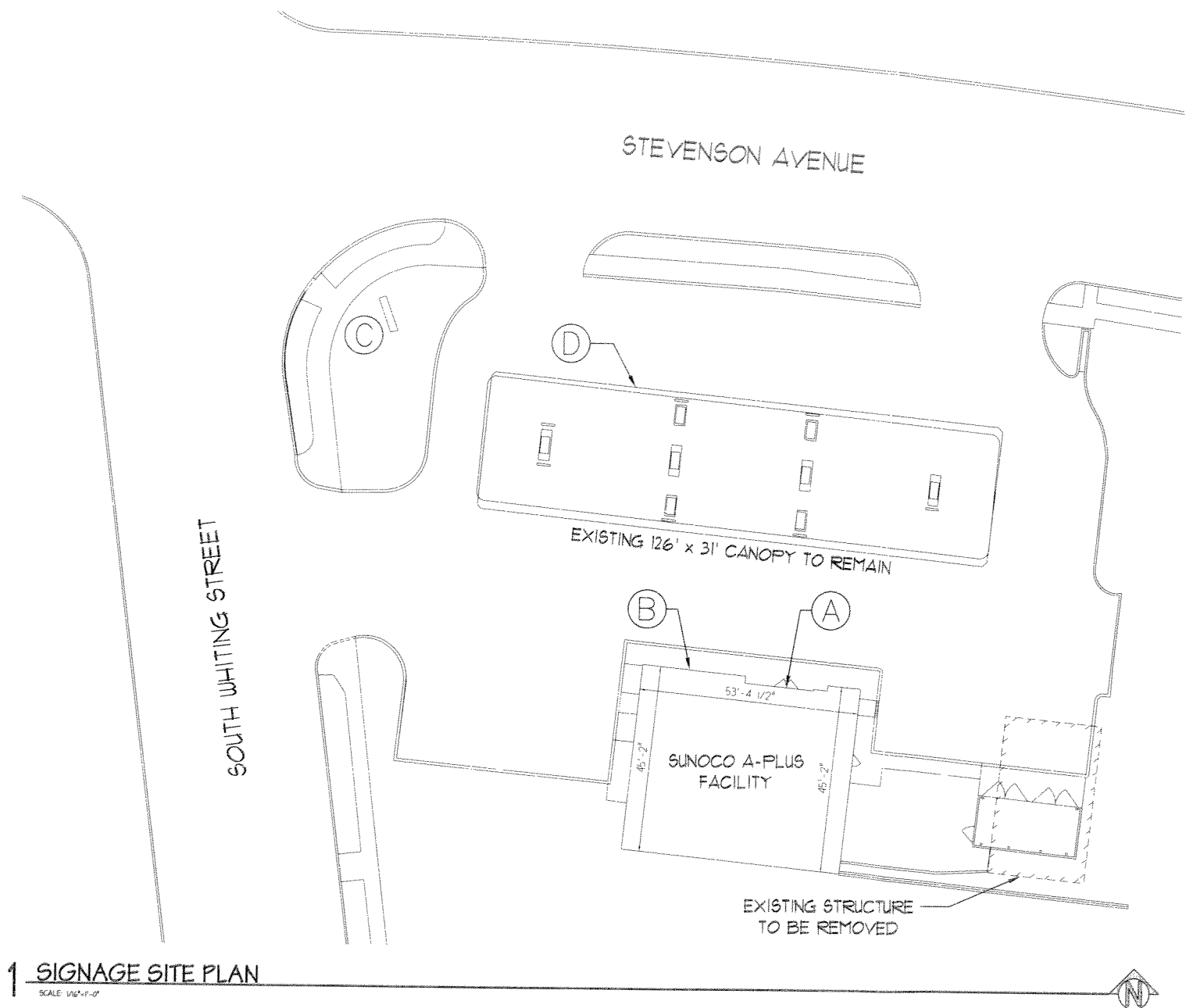


2 PROPOSED EASTERN ELEVATION
SCALE: 1/4"=1'-0"

3 PROPOSED FINISHES
SCALE: NONE



Sunoco Retail Store
190 South Whiting Street - City of Alexandria

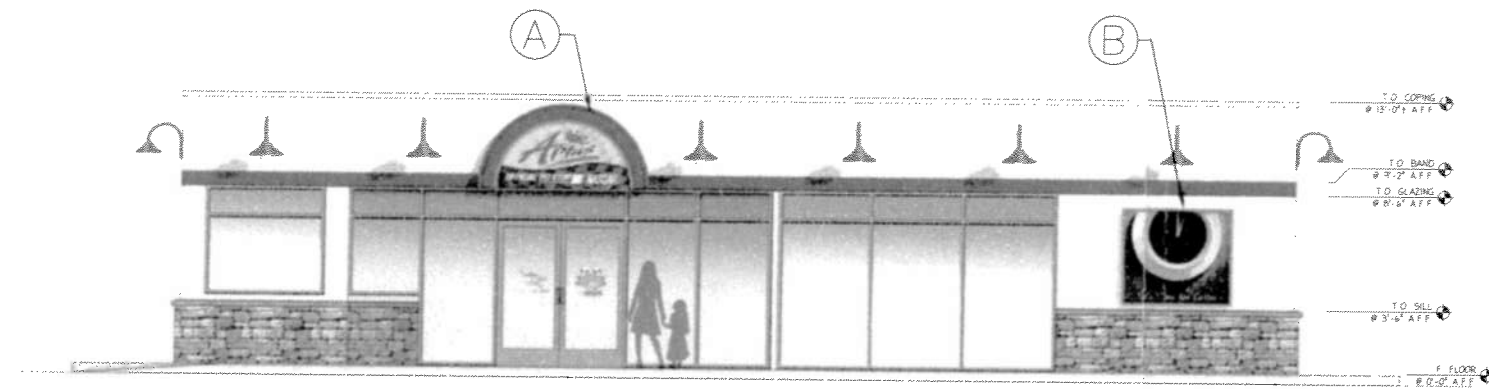


SIGNAGE & GRAPHICS TABLE				
PROPOSED BUILDING-MOUNTED SIGNAGE				
MARK	DESCRIPTION	AREA (SF.)	QTY.	SUB-TOTAL SIGNAGE
(A)	8' A-PLUS ARCH SIGNAGE (Illuminated)	32	1	32
(B)	SNAP FRAME SIGNAGE (Illuminated)	24	1	24
TOTAL PROPOSED BUILDING SIGNAGE (SQUARE FEET)				56
EXISTING SIGNAGE TO REMAIN				
MARK	DESCRIPTION			
(C)	FREESTANDING SIGN			
(D)	FUELING CANOPY			



Sunoco Retail Store
190 South Whiting Street - City of Alexandria

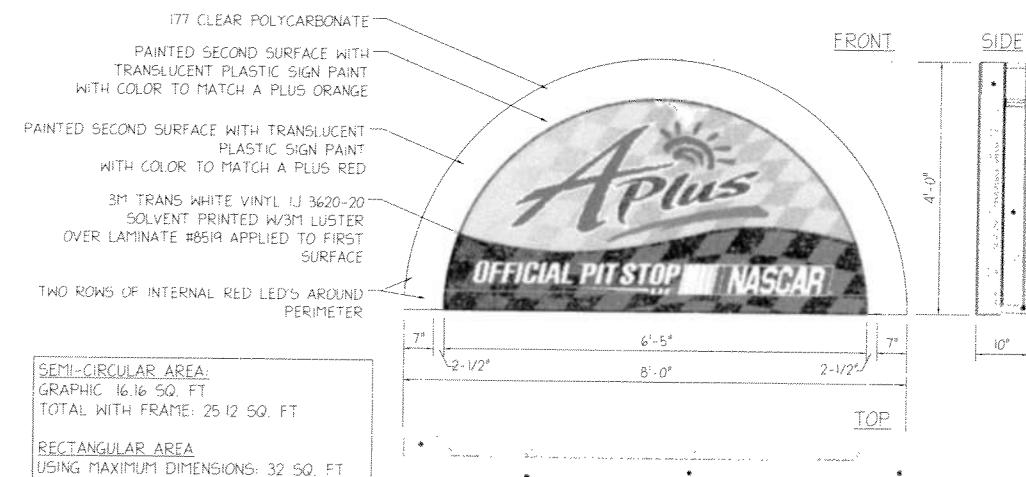
Sub 2012-0083



1 PROPOSED NORTHERN ELEVATION

SCALE: 1/8"=1'-0"

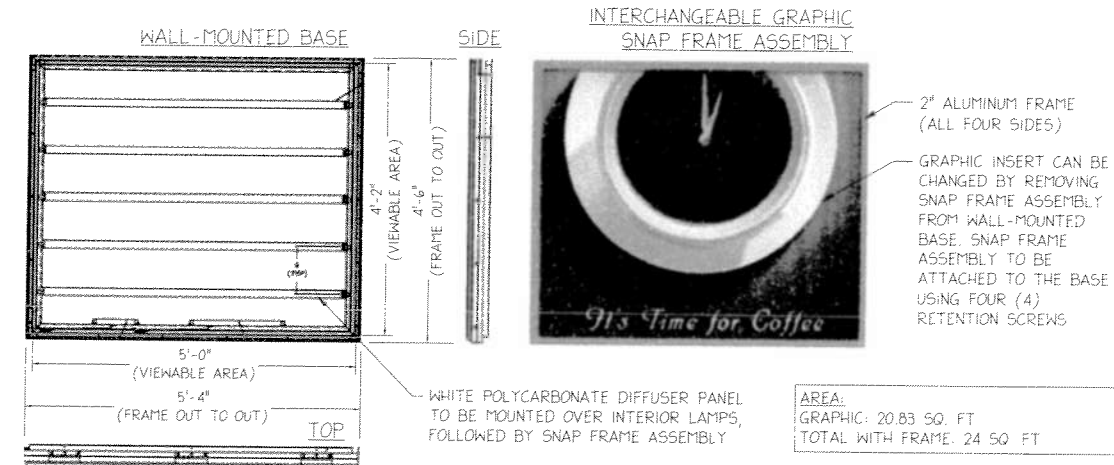
(FACING STEVENSON AVE)



2 BUILDING ARCH

SCALE: NONE

A



3 INTERCHANGEABLE GRAPHIC SNAP FRAME SIGN

SCALE: NONE

B



Sunoco Retail Store
 190 South Whiting Street - City of Alexandria

34

SG-2

19 December 2012

DETAILS: 0373.4324

SUP 2013-008