



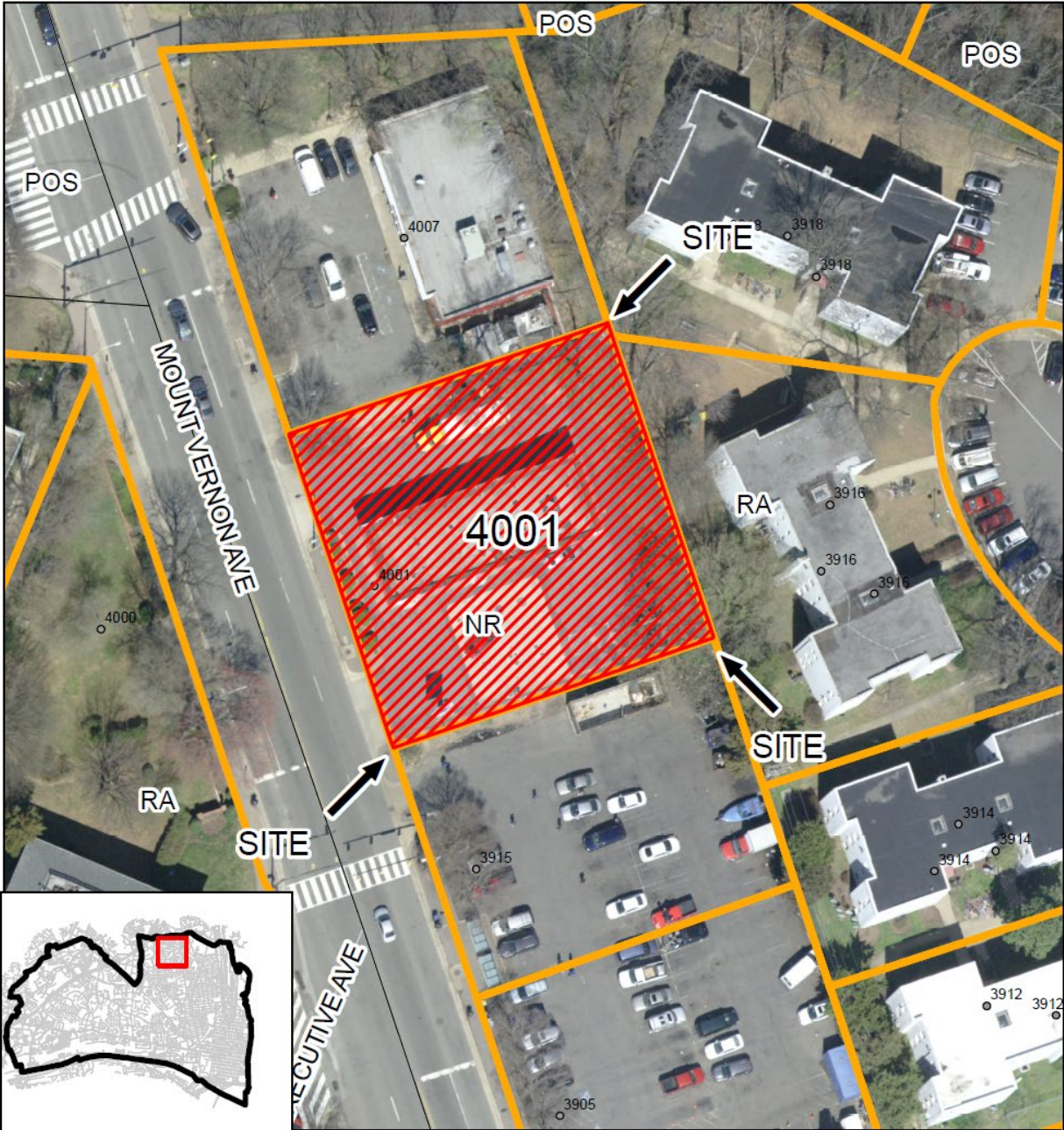
Special Use Permit #2025-00007
4001 Mount Vernon Avenue
Exxon

Application	General Data	
Public hearing and consideration of a Special Use Permit for a 10-year-review for a nonconforming automobile service station to assess the compatibility of the use with other uses in the area and with area redevelopment (amending SUP #2025-00001)	Planning Commission Hearing:	April 1, 2025
	City Council Hearing:	April 26, 2025
Address: 4001 Mount Vernon Avenue	Zone:	NR / Neighborhood Retail (Arlandria)
Applicant: City Of Alexandria, Department of Planning & Zoning	Small Area Plan:	Arlandria-Chirilagua

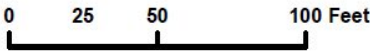
Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Mavis Stanfield, mavis.stanfield@alexandriava.gov
Ann Horowitz, ann.horowitz@alexandriava.gov

PLANNING COMMISSION ACTION, APRIL 1, 2025: On a motion by Commissioner Manor, seconded by Commissioner Ramirez, the Planning Commission voted to recommend approval of SUP #2025-00007. The motion carried on a vote of 7-0 on the Consent Calendar.



SUP#2025-00007
4001 Mount Vernon Avenue



I. DISCUSSION

Staff requests that City Council conduct a 10-year review for the compatibility with area uses and the redevelopment potential of a nonconforming automobile service station, as required in Condition #15 of SUP #2025-00001.

SITE DESCRIPTION



Figure 1: Front of business at 4001 Mount Vernon Avenue

The subject property is one lot of record with 132 feet of frontage along Mount Vernon Avenue, a depth of 130 feet, and a lot area of approximately 17,000 square feet. The lot is developed with a 120-square foot kiosk and canopy covering gasoline pump islands. There are no repair bays at this location (Figure 1).

The property is surrounded by a mix of commercial and residential uses. The 24 Express convenience store is located immediately to the north. A surface parking lot, a building with a Tiger Mart and bakery and other retail uses, and the Mount Vernon Village Center are located to the south. Residential apartments are located to the east on Bruce Street and to the west in the Presidential Greens residential complex (Figure 2).



Figure 2: Site Context

USE BACKGROUND

A gasoline service station has operated at this location since at least 1941. In 1974, City Council approved SUP#983 to replace a service station building with the existing kiosk, canopy, and pump islands. The subject use became noncomplying in 1992 when the property was rezoned to CL,

since automobile service stations were prohibited in the zone. When the property was rezoned to NR in 2003, it became a nonconforming use.

Changes of ownership were approved in 2002 and 2010. City Council reviewed SUP#2013-0008 in May 2013, consistent with a 10-year review SUP condition, and approved its operation for another 10 years.

Special Use Permit #2013-0078 was approved administratively on November 25, 2013 for a change of ownership from Roshan Enterprises, Inc. to 786 Noble, LLC by Sayed Howaida. No other changes to the business were proposed.

On February 12, 2025, staff administratively approved SUP #2025-00001 for a change of ownership from 786 Noble, LLC by Sayed Howaida, to MJ United, Inc., the present-day business owner. No other changes to the business were proposed. Staff recognized that the use would require docketing for an additional review period and, therefore, placed the SUP on the Planning Commission and City Council April agendas.

An SUP inspection conducted on January 16, 2025, revealed that the gas station operation was fully compliant with the conditions of SUP #2013-0078. No complaints or violations about the operation of the business have been received or issued in the past five years.

AREA REDEVELOPMENT BACKGROUND

Three development projects have been considered in the area of the automobile service station since the last SUP review in 2013. On March 14, 2020, City Council approved Development Special Use Permit #2019-00016 to construct a 10,717 square foot mixed-use building with four residential units, ground floor retail and associated site improvements, and a request for a special use permit for an increase in height for property located on West Glebe Road southeast of the intersection with Russell Road. The site is across the street from St. Rita's school and in the former Safeway site (226 and 228 West Glebe Road). The project is presently under construction.

Redevelopment projects have been proposed for the Mount Vernon Village Center, south of the current application property. In 2021, Concept Development Site Plan #2020-0001 proposed construction of a mixed-use development on this site with 624 residential dwelling units and retail uses. This application has not progressed to date.

On July 5, 2022, City Council approved CDD #2022-00002, DSUP #2022-10012 and TMP SUP #2022-00033 to amend the previously approvals (DSUP#2021-10024, TMP SUP#2021-00063 and CDD#2021-00005) for the construction of a 474-unit affordable and workforce housing development with 38,312 square feet of commercial retail, two-levels of underground parking, and related site improvements for property located at the northwest corner of the intersection of South Glebe Road and Mount Vernon Avenue (3606 Mount Vernon Avenue). The site is under construction.

SUP REVIEW

Condition #15 of SUP #2025-00001 directs City Council to review the automobile service station for compatibility with other uses in the area and with redevelopment anticipated in the Arlandria-Chirilagua Small Area Plan, adopted in 2022.

In the recently approved administrative SUP for a change of ownership, the applicant proposed to continue operating the existing automobile service station with no changes. The business functions as a gas station with a small retail kiosk. Limited retail sales of convenience items are offered for sale at the kiosk, such as motor oil, beverages, and food items. Although approved to be open 24 hours/day, the current hours of operation of the business are 5 a.m. to 12 midnight, daily. The gas station maintains eight gasoline pumps and serves roughly 500-600 customers each day. Staff observed a high level of activity at the gas pumps and in the store during multiple site visits. The property is maintained in good condition and is attractively landscaped along the Mount Vernon Avenue frontage.

The current business owner has stated he is happy to know he may be able to operate for another 10 years, should City Council assign another 10-year review. He noted his 27 years of gas station experience and the importance of the business as the only gas station in the neighborhood. The continued operation of this gas station is his sole source of income.

PARKING

According to Sections 8-200(A)(12) and 8-200(A)(16)(a)(1) of the Zoning Ordinance, one off-street parking space for every gasoline pump and 0.25 spaces for every 1,000 square feet of retail area are required. The automobile service station, with eight gasoline pumps, and 120 square feet of floor area, is therefore required to provide nine off-street parking spaces. The applicant exceeds this requirement with the provision of eight off-street parking spaces directly at the gas pumps and one handicapped space.

ZONING/MASTER PLAN DESIGNATION

The property is located in the NR / Neighborhood Retail (Arlandria) zone, having been rezoned from C-2 to CL in 1992 and from CL to NR in 2003. The use was deemed noncomplying in 1992, since automobile service stations are not allowed in the CL zone. Once the property was rezoned to NR, which also does not permit automobile service stations, the use became nonconforming. Section 12-200 of the Zoning Ordinance, which governs nonconforming uses, states that nonconforming uses may continue to lawfully exist for an established period of time.

The property is located within the Arlandria-Chirilagua Small Area Plan (SAP), which designates the property for residential, commercial and institutional uses. The automobile service station qualifies as a commercial use. The Arlandria-Chirilagua SAP encourages complementary land uses to support a vital, distinctive and walkable neighborhood, and a variety of neighborhood residential supportive uses, such as grocery stores, retail, pharmacies, medical offices, laundromats, churches, social services, daycare, schools, recreation centers, and meeting spaces. The plan underscores the benefits of the area's existing walkability and bikeability and

recommends continuing to prioritize these modes of travel to attain a higher proportion of non-automobile transportation.

II. STAFF ANALYSIS

Staff supports the continuation of the automobile service station operation with a 10-year review given that the business remains compatible with nearby businesses and staff does not anticipate redevelopment of the site within 10 years.

Although an Arlandria-Chirilagua Plan goal is to encourage walking and biking, the automobile service station use, in the meantime, provides a neighborhood serving retail use given that it is the only gas station within the SAP boundaries. The use appears to generally complement other existing neighborhood serving businesses given that staff has not received complaints about the gas station or has been the subject of City enforcement.

Staff has not been recently contacted about redevelopment of the subject property or other sites nearby. And realized redevelopment in the SAP area is limited to two sites. Given the few redevelopment projects in the past 10 years, staff does not anticipate redevelopment in the short or medium-term. Additionally, the automobile service station site is not an ideal candidate for redevelopment since it is relatively small, is located in a floodplain, and would require consolidation with adjacent, separately-owned properties before redevelopment could occur.

Nonetheless, redevelopment of the site from a nonconforming automobile-oriented use to one more compatible with the Arlandria-Chirilagua plan is still an important goal. Staff therefore recommends an amended Condition #15 to require City Council review of the Special Use Permit approval in another 10 years. This approach allows for 10 more years of operation, which is reasonable given current redevelopment realities.

Lastly, staff added Condition #29 which requires chemicals, detergents or cleaners stored outside to be kept in an enclosure with a roof.

In conclusion, staff believes that the use is compatible with existing neighborhood uses and redevelopment of the site is not likely to occur in the next 10 years, recommending the continued operation of the nonconforming automobile service station subject to the conditions contained in Section III of this report.

III. RECOMMENDED CONDITIONS

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

1. Condition deleted. (SUP 2002-0091)
2. Condition deleted. (SUP 2002-0091)

3. Condition deleted. (SUP 2025-00001)
4. This Special Use Permit shall be granted to the applicant or to any business or entity in which the applicant has a controlling interest only. (P&Z) (SUP 2002-0091)
5. Condition deleted. (SUP 2002-0091)
6. Condition deleted. (SUP 2002-0091)
7. The applicant shall maintain in good condition an enclosure to screen the dumpster to the satisfaction of the Director of the Department of Planning and Zoning. (P&Z) (SUP#2013-0008)
8. The hours of operation may be up to 24 hours a day, seven days a week. (P&Z) (SUP 2002-0091) (SUP#2013-0008)
9. 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)
10. 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 2002-0091)
11. 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#2013-0008)
12. 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 2002-0091)
13. No material shall be disposed of by venting into the atmosphere. (T&ES) (SUP 2002-0091)
14. The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all SUP provisions and requirements, as part of that training. (P&Z) (SUP 2002-0091)
15. **CONDITION AMENDED BY STAFF:** ~~This Special Use Permit shall be reviewed by the Director of Planning & Zoning five years from approval in order to assess the compatibility of the use with other uses in the area and with redevelopment anticipated in the Arlandria Small Area Plan. The Director shall docket the Special Use Permit for~~

~~Planning Commission and City Council review if the use is determined to be incompatible with surrounding uses or with anticipated redevelopment. Notwithstanding the staff review,~~ City Council shall review the Special Use Permit ten years from approval in April 2035 in order to assess the compatibility of the use with other uses in the area and with redevelopment anticipated in the Arlandria-Chirilagua Small Area Plan. (P&Z) (SUP#2013-0008)

16. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after it has been operational, and then again every three years for compliance with all conditions and may docket the matter for consideration by the Planning Commission and City Council if 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; or the Director has determined that new or revised conditions are needed to offset land use impacts not addressed in the city code. (P&Z) (SUP#2025-00007)
17. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP#2010-0001)
18. 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#2010-0001)
19. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP#2025-00001)
20. Condition deleted. (SUP 2025-00001)
21. 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#2013-0008)
22. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2013-0008)
23. No repair work shall be allowed on the premises. (P&Z)(T&ES) (SUP#2013-0008)
24. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z) (SUP#2013-0008)
25. Condition deleted. (SUP 2025-00001)
26. Alcohol sales shall be allowed on the premises in compliance with Virginia ABC requirements. (P&Z) (SUP#2025-00001)
27. The applicant shall maintain landscaping on the property. (P&Z) (SUP#2025-00001)

28. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (P&Z) (SUP#2025-00001)
29. **CONDITION ADDED BY STAFF:** Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

STAFF: Tony LaColla, AICP, Division Chief, Land Use Services, Department of Planning and Zoning;
Ann Horowitz, Principal Planner
Mavis Stanfield, Urban Planner

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 Chemicals, detergents or cleaners stored outside the building shall be kept in an enclosure with a roof. (T&ES)

Code Enforcement:

If no construction work and no change of occupancy, no building permit is required. Amending the existing CO could be done for change of ownership.

Fire:

No comments.

Health:

- C-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, corporation or location to another. Permit application and fee are required.
- C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and 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- fee must be paid separate from any other departmental fees.
- C-3 Construction plans shall comply with Alexandria City Code, Title 11, Chapter 2, The Food Safety 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.
- C-4 A Food Protection Manager shall be on-duty during all operating hours.
- C-5 The facility shall comply with the Virginia Indoor Clean Air Act and the Code of Alexandria, Title 11, Chapter 10, Smoking Prohibitions.
- C-6 In many cases, original wooden floors, ceilings and wall structures in historical structures may not be suitable for food service facilities. Wood materials shall be finished in a manner that is smooth, durable, easily-cleanable, and non-absorbent.
- C-7 Facilities engaging in the following processes may be required to submit a HACCP plan and/or obtain a variance: Smoking as a form of food preservation; curing/drying food; using food additives to render food not potentially-hazardous; vacuum packaging, cook-

chill, or sous-vide; operating a molluscan shellfish life-support system; sprouting seeds or beans; and fermenting foods.

- C-8 Starting on 1/1/2023, The Virginia Department of Agriculture and Consumer Services (VDACS) is the point of contact for the following type of establishments: grocery stores, convenience stores, ice cream stores, wine shops, or bakeries. The divisions of Food Safety can offer further guidance. Please use the following contact information:

VDAC's Food Safety Program

804.786.3520

804.371.7792

foodsafety@vdacs.virginia.gov

Parks and Recreation:

No comments.

Police Department:

No comments.