DOCKET ITEM #7
Special Use Permit #2015-0139
3500 King Street
Sunoco, Inc.

Application	**General Data**	
Public hearing and consideration for an amendment to SUP#2004-0047 to permit off-premises alcohol sales at an existing convenience store and automobile service station.	**Planning Commission Hearing:**	March 1, 2016
	City Council Hearing:	March 12, 2016
Address: 3500 King Street	**Zone:**	CG/Commercial General
Applicant: Sunoco, Inc. (R&M)	**Small Area Plan:**	Fairlington/Bradlee

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: Ann Horowitz, ann.horowitz@alexandriava.gov

Special Use Permit #2015-0139
3500 King Street

N

I. DISCUSSION

The applicant, Sunoco, Inc. (R&M) requests an amendment to SUP#2004-0047 to permit off-premises sales of alcohol at a convenience store and automobile service station at 3500 King Street.

SITE DESCRIPTION

The subject site is located on one corner lot of record at 3500 King Street. The lot frontages measure approximately 153 feet on King Street, 58 feet on Quaker Lane and 200 feet on West Braddock Road. The subject parcel has an area of 18,169 square feet and is developed with a 1,337 square foot, one story commercial building with 6-gasoline pumps that can accommodate up to 12 vehicles.

Located at the intersection of King Street, Quaker Lane, and West Braddock Road, the subject building is surrounded by commercial, institutional, and residential uses. A Verizon store, barber shop, and Safeway grocery store, and the Bradlee Shopping Center border the property to the east. Lindsay Lexus automobile sales and service, Shell gasoline station, a RadioShack and Sprint store, a dry cleaners, and an outdoor garden center operate to the west. Episcopal High School is located to the south and the South Fairlington neighborhood in Arlington County is located to the north. Trees buffer the school and neighborhood properties from the commercial uses at this intersection.

BACKGROUND

A gasoline service station has operated at the site as early as 1964. In March 1986, City Council approved SUP #1853 for renovation of the gas station to include a 380-square foot kiosk convenience store, open 24 hours daily. A canopy and five pumps were included in the approved plans.

City Council granted Special Use Permit #95-0092 with a site plan (SIT #95-0017) on September 16, 1995 for the redevelopment of the existing gas station and convenience store. The kiosk was demolished and the convenience store that currently exists at the site was constructed. The canopy was reconstructed and six pumps were installed. A technical parking reduction was also granted, permitting the required six parking spaces for the automobile service station to be located at the spaces alongside the six gasoline pumps.

Administrative approval for a change of ownership was granted for SUP#2000-0032. SUP #2004-0047 was administratively approved for a change of ownership from Circle K Stores, Inc. to Mascot Petroleum Co., Inc., which has been renamed as Sunoco, Inc. (R&M)

Code inspection revealed rodent infestation in 2012. The business operator contracted with an extermination company to mitigate the issue and the use was found to be code compliant. In May 2015, Code Administration reported tall grass on the property, and the condition was immediately remedied. The business owner removed streaming flags in the right-of-way after receiving a Zoning warning ticket for this violation in June 2012. A recent Zoning inspection revealed compliance with all SUP conditions.

PROPOSAL

Sunoco, Inc. (R&M) proposes an amendment to Condition 5 of SUP #2004-0047 to permit off-premises alcohol sales at its existing convenience store and gasoline station. Beer and wine would be added to the convenience store inventory and displayed in existing refrigerator units. Off-premises alcohol sales would be available between 6 a.m. and 12 a.m., midnight, and refrigerator units would be locked when sales are not permitted, in accordance with Virginia ABC regulations. No other changes are proposed.

The applicant will continue to sell gasoline and convenience store items such as snacks, candy bars, chips, breakfast bars, pre-packaged sandwiches, coffee, and fountain drinks. The convenience store is monitored by a 24-hour security system that includes five in-store video cameras. Additional operational details are:

Hours of operation:	24 hours a day
Customers:	Approximately 800 per day
Employees:	Five employees per day
Noise:	Noises typically associated with a retail business and gasoline station are expected.
Odors:	No odors emanate from the business
Trash:	Typical solid waste from convenience stores and gasoline stations such as office supplies, expired merchandise, receipts, and food waste. Trash is collected twice a week.
Litter:	Employees would survey property for litter at least once per shift.

ZONING/MASTER PLAN DESIGNATION

The subject site is located in the CG/Commercial General Zone which requires special use permit approval for convenience store and automobile service station uses. The site is also located within the Fairlington/Bradlee Small Area Plan which supports automobile-oriented retail and service establishments in the CG zone.

PARKING

Pursuant to Section 8-200(A)(16) of the Zoning Ordinance, a retail use is required to provide 1.2 spaces for every 200 square feet of floor area. Based on 1,337 square feet, the applicant is required to provide nine parking spaces for the convenience store. Section 8-200(A)(12) requires automobile service stations to provide one space for each gasoline pump. With six pumps, the applicant is required to provide six parking spaces, which are permitted at the pump stations through SUP#95-0092. The applicant exceeds the total parking requirement of 15 spaces with 17 spaces serving the combined convenience store and service station.

II. STAFF ANALYSIS

Staff supports the applicant's proposal for an amendment to Condition 5 to permit off-premises alcohol sales at the existing Sunoco convenience store and automobile service station at 3500 King Street. Permitting off-premises sales of beer and wine at the applicant's business would be consistent with SUP approvals for several convenience stores throughout the City. Neighborhood impacts have not resulted from off-premises alcohol sales at these convenience stores. The addition of off-premises sales is also expected to support the applicant's future business growth, in line with its existing Sunoco convenience stores that sell off-premises alcohol at other locations. Although the convenience store is combined with the automobile service station use, staff believes that this should not impact request approval given that the purchase of off-premises alcohol sales at this location would be similar to purchases at stand-alone convenience stores. In addition, the Police Department has stated it has no objections to the proposal.

To provide consistency with SUP conditions for convenience stores, staff has added conditions to this report which regulate off-premises alcohol sales and promote security. Employee training on the prevention of crime, loitering, noise, and underage sales of alcohol is required along with training on all SUP conditions, as stated in amended Condition 43. Regarding security measures, the continued strategic placement of the cash register to ensure that indoor and outdoor activity is monitored is included in Condition 51, and the continued use of the store security system is required in Condition 52. Condition 53 requires that windows must remain clear of obstructions to ensure a clear view into the store. Nonetheless, if recurrent security related issues result, the applicant must resolve these with staff or through a docketed review before the Planning Commission and City Council, as mandated in Condition 54.

Several conditions have been deleted, amended, and added in this report. Conditions related to redevelopment of the site Condition 22, 24, 26, 27, 29-33 have been deleted as they were

satisfied after construction. Staff has also deleted Condition 21 given that the recently constructed commercial building, containing the barbershop and the Verizon store, obscures the rear wall of the convenience store, eliminating the aesthetic need to enhance it with ivy. Landscaping must be maintained at this prominent corner lot through the amendments to Conditions 18, 19, and 20. The applicant also is required to install a monument sign when it chooses to remove or upgrade the existing pole sign, as added by staff in Condition 48.

In conclusion, staff considers the applicant's request to sell off-premises alcohol as reasonable, particularly, with the addition of standard SUP conditions for existing convenience stores related to off-premises alcohol sales. Subject to the conditions contained 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. No automobile repair work shall be done on the premises at any time. (P&Z) (SUP #1853)

2. No banners, streamers, flags or similar advertising devices shall be displayed on the premises. (P&Z) (SUP #1853)

3. No vehicle parts, tires or other materials shall be stored or permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP #1853)

4. The applicant shall post "no loitering" signs on the property and strictly enforce this provision. (P&Z) (SUP #1853)

5. **CONDITION AMENDED BY STAFF:** The applicant shall ~~not~~ be permitted to sell alcoholic beverages. (P&Z) ~~(SUP #1853)~~

6. An attendant shall be on duty while the gasoline pumping operation is open to the public, whose primary responsibility is the supervision of the pumping of gasoline. This attendant shall be supervised by a manager who shall have overall responsibility for the station. (Code Enforcement) (SUP #1853)

7. An intercom system shall be installed and operated constantly while the gasoline pumping operation is open to the public which shall allow the attendant to audibly monitor the gasoline pumping operations. (Code Enforcement) (SUP #1853)

8. There will be no posters, dispensing racks or other items that will limit the attendant's clear and unobstructed view of the gasoline pumping area. (Code Enforcement) (SUP #1853)

9. Fire extinguishers shall be placed on the site only as required by insurance and then only to the extent required by such insurance. (Code Enforcement) (SUP #1853)

10. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (P&Z) (SUP#2000-0032)

11. The station shall be equipped with a clearly identified and easily accessible switch to permit the attendant to shut off power to all dispensing devices in the event of an emergency. (Code Enforcement) (SUP #1853)

12. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP #95-0092)

13. No food shall be prepared on the premises for carry-out, and no seats or tables which are designed for the consumption of food or beverages shall be installed on the premises. (P&Z) (SUP #95-0092)

14. At least one trash container shall be located on the property near the entrance to the convenience store for use by the patrons. The container shall not be permitted to overflow and the area around it shall be kept clean. (P&Z) (SUP #95-0092)

15. Condition deleted. (SUP#2000-0032)

16. The station shall be equipped with a control system for the dispensing of gasoline which shall require the attendant to physically activate the gasoline pumps from inside the convenience store. (Code Enforcement) (SUP #95-0092)

17. No parking or encroachment by parked vehicles shall be permitted in the emergency vehicle easement. "No parking -- Emergency Vehicle Easement" signs shall be posted to the satisfaction of the Fire Marshal prior to issuance of the certificate of occupancy. (P&Z) (SUP #95-0092)

18. **CONDITION AMENDED BY STAFF:** ~~Plant an additional~~ Maintain the tree in the landscape area at the southeast corner of the site. ~~to the satisfaction of the Director of P&Z and the City Landscape Architect.~~ (P&Z) ~~(SUP #95-0092)~~

19. **CONDITION AMENDED BY STAFF:** The applicant shall ~~plant~~ maintain one Yoshino Cherry tree in the landscape area at the southwest corner of the site and ~~add~~ maintain two Japanese holly bushes to the area to the west of the dumpster. ~~to the satisfaction of the Director of Recreation, Parks and Cultural Activities.~~ (P&Z) ~~(SUP#2000-0032)~~

20. **CONDITION AMENDED BY STAFF:** ~~Install~~ Maintain a 3'-4' high quality open fence and/or ~~plant~~ maintain a dense hedge along the west property line, southwest of the proposed convenience store~~,~~. ~~to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Activities.~~ (P&Z) ~~(SUP#2000-0032)~~

21. **CONDITION DELETED BY STAFF:** ~~The applicant shall plant English Ivy, along the rear wall of the convenience store to help soften the appearance of this windowless, split face block wall and shall maintain the existing Euonymus and new Ivy plantings, to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Activities. (P&Z) (SUP#2000-0032)~~

22. **CONDITION SATISFIED AND DELETED BY STAFF**: ~~The applicant shall provide an as-built landscaping plan to the satisfaction of the Directors of Planning and Zoning and the Recreation, Parks and Cultural Activities. (P&Z) (SUP#2000-0032)~~

23. All fences and landscaping, including landscaping provided on city-right-of way, shall be maintained in good condition. (P&Z) (SUP #95-0092)

24. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~Provide contribution to the City's Housing Trust Fund of $.50 per gross square foot of proposed building, payable at the time of receipt of the certificate of occupancy for the proposed convenience store. (Housing) (SUP #95-0092)~~

25. **CONDITION AMENDED BY STAFF:** Applicant shall contact the ~~Crime Prevention~~ Community Relations Unit of the Alexandria Police Department at ~~703-838-4520~~ 703-746-6838 to arrange for a security survey of the business and for employee participation in a robbery awareness program. ~~(Police) (SUP#2004-0047)~~

26. **CONDITION SATISFIED THROUGH SIT #95-0017 AND DELETED BY STAFF:** ~~Submit specifications for site lighting, including fixture types, mounting height, amount of lumens produced, and calculations verifying that the site meets 1 lumen per square foot. (T&ES) (SUP #95-0092)~~

27. **CONDITION SATISFIED THROUGH SIT #95-0017 AND DELETED BY STAFF:** ~~Upgrade the existing street light located just west of the entrance at the southeast portion of the site to a 14,000 L high pressure sodium vapor fixture. (T&ES) (SUP #95-0092)~~

28. **CONDITION AMENDED BY STAFF:** ~~This facility shall operate in compliance with the City of Alexandria Best Management Practices Manual for Automotive Related Industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166. (T&ES) (SUP2004-00047)~~ Comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained online at https://alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf or by contacting T&ES at 703-746-4065. (T&ES)

29. **CONDITION SATISFIED THROUGH SIT #95-0017 AND DELETED BY STAFF:** ~~All construction within the right-of-way shall meet City design standards. (T&ES) (SUP #95-0092)~~

30. **CONDITION SATISFIED THROUGH SIT #95-0017 AND DELETED BY STAFF:** ~~Install a manhole between the existing storm sewer inlet and the proposed BMP structure. (T&ES) (SUP #95-0092)~~

31. **CONDITION SATISFIED THROUGH SIT #95-0017 AND DELETED BY STAFF:** ~~Tie roof drains into the storm sewer. (T&ES) (SUP #95-0092)~~

32. **CONDITION SATISFIED THROUGH SIT #95-0017 AND DELETED BY STAFF:** ~~Provide a pavement profile for the emergency vehicle easement. (T&ES) (SUP #95-0092)~~

33. **CONDITION SATISFIED THROUGH SIT #95-0017 AND DELETED BY STAFF:** ~~Increase the western most driveway radius on W. Braddock Road to 15' and redesign the entrance to be perpendicular to W. Braddock Road. All existing driveway entrances shall be shown on the final site plan. (T&ES) (SUP #95-0092)~~

34. Applicant shall have an on-duty guard in the event that the Chief of Police determines that a guard is needed to keep the peace. (Police) (SUP #95-0092)

35. Applicant shall require employees to park in spaces furthest from the store in order to leave the closer spaces for patrons. (P&Z) (SUP #95-0092)

36. Applicant shall stripe and maintain all parking spaces. (P&Z) (SUP #95-0092)

37. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) ~~(SUP#2004-0047)~~

38. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP#2004-0047)

39. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP#2004-0047)

40. Loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP#2004-0047)

41. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health) (SUP#2004-0047)~~

42. **CONDITION DELETED AND REPLACED WITH CONDITIONS 45 AND 47:** ~~The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP#2004-0047)~~

43. **CONDITION AMENDED 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, and on how to prevent crime, loitering, noise, and the underage sales of alcohol. (P&Z) ~~(SUP#2004-0047)~~

44. **CONDITION 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)

45. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)

46. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

47. **CONDITION ADDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact the Transportation Planning Division at 703-746-4686 for information on establishing an employee transportation benefits program. (P&Z)

48. **CONDITION ADDED BY STAFF:** The applicant shall replace the pole sign with a monument sign at the time the pole sign is removed or proposed for an upgrade. (P&Z)

49. **CONDITION ADDED BY STAFF:** The business shall be permitted to operate for 24 hours daily. (P&Z)

50. **CONDITION ADDED BY STAFF:** Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (P&Z)

51. **CONDITION ADDED BY STAFF:** The cash registers shall be positioned such that staff can monitor activity both inside and outside the store. (P&Z)

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

53. **CONDITION ADDED 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)

54. **CONDITION ADDED BY STAFF:** If a pattern of security-related problems develops, the applicant will meet with City staff to resolve such problems. If said problems persist, the Director may docket this Special Use Permit for review by the Planning Commission and City Council, regardless of whether it is a part of an annual review. (P&Z)

STAFF: Alex Dambach, Division Chief, Land Use Regulatory Services,
Department of Planning and Zoning;
Ann Horowitz, 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.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

Previous Conditions:

1. No automobile repair work shall be done on the premises at any time. (P&Z) (SUP #1853)

26. Submit specifications for site lighting, including fixture types, mounting height, amount of lumens produced, and calculations verifying that the site meets 1 lumen per square foot. (T&ES) (SUP #95-0092)

27. Upgrade the existing street light located just west of the entrance at the southeast portion of the site to a 14,000 L high pressure sodium vapor fixture. (T&ES) (SUP #95-0092)

28. **CONDITION AMENDED BY STAFF:** ~~This facility shall operate in compliance with the City of Alexandria Best Management Practices Manual for Automotive Related Industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166. (T&ES) (SUP2004-00047)~~ Comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained online at https://alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf or by contacting T&ES at 703-746-4065. (T&ES)

29. All construction within the right-of-way shall meet City design standards. (T&ES) (SUP #95-0092)

30. Install a manhole between the existing storm sewer inlet and the proposed BMP structure. (T&ES) (SUP #95-0092)

31. Tie roof drains into the storm sewer. (T&ES) (SUP #95-0092)

32. Provide a pavement profile for the emergency vehicle easement. (T&ES) (SUP #95-0092)

33. Increase the western most driveway radius on W. Braddock Road to 15' and redesign the entrance to be perpendicular to W. Braddock Road. All existing driveway entrances shall be shown on the final site plan. (T&ES) (SUP #95-0092)

38. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP2004-00047)

39. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP2004-00047)
40. Loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP2004-00047)

42. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP2004-00047)

New Conditions:

1. **CONDITION 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)

2. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)

3. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

City Code Requirements:

1. 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) (SUP2004-00047)

2. **NEW CODE REQUIREMENT ADDED BY STAFF:** 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). 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. (T&ES)

Code Enforcement
C-1 No comments

Fire

C-1 If approved, owner shall contact Fire Prevention office to determine if the fire prevention permits require updating. Contact Russell Furr @ 703-746-4247 to discuss.

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.

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.

Parks and Recreation

No comments received

Police Department

F-1 No objection

REVISED

APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2015-0139

PROPERTY LOCATION: 3560 King St. Alexandria, VA 22302

TAX MAP REFERENCE: 032.01-01-05 **ZONE:** Commercial General

APPLICANT:

Name: Sunoco, Inc. (R+M)

Address: One Meridian Blvd. Ste 2A01 Wyomissing, PA 19610

PROPOSED USE: Convenence store w/ gas Sales
Alcohol license

☒ **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.

Nathan Schmalhofer
~~Erika Bradley~~
Print Name of Applicant or Agent

Erika Brady
Signature

10/8/15
Date

One Meridian Blvd. Ste 2A01
Mailing/Street Address

610-9852619 ~~610-9852644~~
Telephone #

877-326-1931
Fax #

Wyomissing, PA 19610
City and State Zip Code

~~consomplance@sunocinc.com~~
Email address
nathan.schmalhofer@sunoco.com

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

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

SUP #_____

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 3500 King St. Alexandria 22302 (Property Address), I hereby grant the applicant authorization to apply for the Special permit (use) use as described in this application.

Name: Sheryl Hess (Please Print) Phone: 610-988-2644

Address: One Meridian Blvd. Ste 2A01 Wyomissing, PA 19610 Email: rmscompliance@sunocoinc.com

Signature: _____ Date: 11/4/15

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.

   [X] Required floor plan and plot/site plan attached.

   [ ] Requesting a waiver. See attached written request.

2. The applicant is the *(check one)*:
   [X] 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.

Sunoco, Inc owns 100% of Sunoco, Inc. (R+M)

Sara Brandt Vorel

REVISED

From: SCHMALHOFER, NATHAN J <NATHAN.SCHMALHOFER@sunoco.com>
Sent: Wednesday, December 09, 2015 11:17 AM
To: Sara Brandt Vorel
Cc: GILES, LORRAINE L
Subject: RE: Special Use Permit for Coop 7658

There was a name change from Mascot Petroleum Co. Inc to Sunoco, Inc. (R&M) prior to 2009. So that should be the name on this application moving forward.

Nathan Schmalhofer
Retail Compliance Supervisor
Temp Field Auditing Supervisor
P: 610-988-2619
C: 610-927-7585

From: GILES, LORRAINE L
Sent: Wednesday, December 09, 2015 11:12 AM
To: SCHMALHOFER, NATHAN J <NATHAN.SCHMALHOFER@sunoco.com>
Subject: Special Use Permit for Coop 7658
Importance: High

Nathan,

Yesterday, I attended a meeting for the Special Use Permit for Coop 7658. During the meeting a few different questions came up and I need clarification from either yourself or Sheryl pertaining to the correct name that should be on the Permit Application.

On the City Boards records the name on file for how we currently exist is: Mascot Petroleum Co. Inc. however, on the application filed by Erika she has listed Sunoco, Inc. (R & M). The City of Alexandria wants to know if we are also requesting to change the name since what we submitted is different then what is currently on file. I told them I'd get back with clarification today. Please respond with the answer to this question but the rest of the questions below, I have already handled.

They needed to verify parking spots since on the application we put 8-9 and they needed exact number which is 10 plus 1 handicap. They also were not aware that we had 24 hour security surveillance by CMF so they stated that that would be helpful to know when it's presented to the board so, they asked me to add and addendum to the application in which I did. They also wanted Erika's name updated with who'd be responsible for this application since Erika has moved on to a new position so, I am giving them your information and lastly they wanted the store layout to represent where there are cameras inside the store so that this is presented during the next board meeting.

Thank you,

Lorraine L. Giles
Sr. Area Operations Manager

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

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. Sunoco, Inc	3801 West Chester Pike Newtown Sq. PA 19073	100%
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 3500 King St. Alexandria, VA 22302 (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. Sunoco, Inc	3801 West Chester Pike Newtown Square, PA 19073	100 %
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 the12-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 and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, click here.

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.)
~~Sunoco, Inc~~ ~~None~~ Sunoco, Inc	NONE	NONE
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.

11/3/15 Erica Bradley

Date Printed Name Signature

SUP #_____

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

[ ] **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.)

The location currently operates as a convenient store w/ gas sales. Would like to add alcohol sales to this location. Currently the location is open 24/7 for both fuel and store sales, we would like to sell alcohol during all times permitted by Virginia law. We would use the existing refrideration space and shelving to accommodate those products which would include the major beer and wine brands such as Miller, Coors, Anheuser busch, E-J Gallo, Constellation Brands and others as determined by consumer interest and our marketing team. This location currently sees 800 or more customers daily selling mostly fuel, cigarettes, and convenience snack products/beverages. Currently, our other locations with beer or beer/wine sales have those products account for 25% of their sales. Present examples are non-cook items such as snack type foods, candy bars, chips, breakfast bars, soda and water for examples.

SUP #_____

USE CHARACTERISTICS

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

[X] 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).

Approx. 800 per day

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

Approx. 7 - on staff Approx 5 per day

6. Please describe the proposed hours and days of operation of the proposed use:

Day: 24/7 Hours:

Gas Station, Convenience Store and alcohol sales would be 24/7 unless otherwise stipulated by local ordinances.

7. Please describe any potential noise emanating from the proposed use.

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

Minimal. No more than currently operating with.

B. How will the noise be controlled?

SUP #_____

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

Potential odors from food waste and multiple trash pick up will prevent potential odors.

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)

Office supplies, expired merchandise, receipts, food waste.

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

Approx. 10 bags a day depending upon food waste traffic.

C. How often will trash be collected?

Twice a week

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

Per Sinco policy, our property will be surveyed for litter at least once per shift.

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

[ ] Yes. [X] No. – Not as related to alcohol sales

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

SUP #_____

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

[X] Yes. [ ] No.

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

General all purpose cleaner. - Apter

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

Sinoco has Central Monitoring Facility where store is monitored constantly.

ALCOHOL SALES

13.

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

[X] 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.

Off-premise sales only by ABC.

REVISED

SUP # _____

PARKING AND ACCESS REQUIREMENTS

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

revised per email

10 ~~8-9~~ Standard spaces

_____ Compact spaces

1 Handicapped accessible spaces.

_____ Other.

Planning and Zoning Staff Only
Required number of spaces for use per Zoning Ordinance Section 8-200A_____
Does the application meet the requirement? [ ] Yes [ ] No

B. Where is required parking located? *(check one)*

[X] 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? 0

Planning and Zoning Staff Only
Required number of loading spaces for use per Zoning Ordinance Section 8-200_____
Does the application meet the requirement? [ ] Yes [ ] No

SUP #_____

B. Where are off-street loading facilities located? N/A

C. During what hours of the day do you expect loading/unloading operations to occur?
late morning/early afternoon.

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?
~~3-4 per week~~ or more as needed. All (6 gasoline deliveries) loading and unloading is preferred to occur directly in front of the store. Grocery deliveries 2x/week, vendor Deliveries 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?

N/A

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? [X] Yes [ ] No

Do you propose to construct an addition to the building? [ ] Yes [X] No

How large will the addition be? _____ square feet.

18. What will the total area occupied by the proposed use be?

Approx. 1377 sq. ft. (existing) + 0 sq. ft. (addition if any) = 1377 sq. ft. (total)

19. The proposed use is located in: *(check one)*

[X] 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

REVISED 12/8/15

The Sunoco, Inc company operated stores are affiliated with a 24 hour in-house security system which is referred to as Central Monitoring ~~System~~ Facility or CMF for short.
All employees have immediate access and the stores are on a live feed to the CMF system.

The Alcohol doors are locked and secured every day at midnight and sales do not resume until 6am each day.

Sara Brandt Vorel

REVISED

From: SCHMALHOFER, NATHAN J <NATHAN.SCHMALHOFER@sunoco.com>
Sent: Tuesday, December 01, 2015 3:17 PM
To: Sara Brandt Vorel
Cc: Ann Horowitz
Subject: RE: Missing Information: Special Use Permit for Sunoco Inc

Sara,

For the food, we are really only talking about possibly pre-packaged sandwiches and hot dogs. They would both be delivered weekly on our regular grocery order and delivered frozen or refrigerated. We would store both product in a refrigerator until ready for use. They are all dated with expiration dates as per manufacturer guidelines. The hot dogs would be cooked on a roller grill. We cook them behind a sign that lets customers know they are cooking and not ready for consumption. They are cooked until they have an internal temperature of 165 degrees and then held with a minimum internal temperature of 140 degrees. Our employees verify temps twice daily to ensure for proper food safety. There would not be any tables for seats added to the location.

There would need to be no renovations to accommodate this service merely a counter top rearrangement to include the roller grill. I will work on getting a site schematic for you. Does this need to be a detailed survey or can it be a basic layout document?

Nathan Schmalhofer
Retail Compliance Supervisor
Temp Field Auditing Supervisor
P: 610-988-2619
C: 610-927-7585

From: Sara Brandt Vorel [mailto:Sara.BrandtVorel@alexandriava.gov]
Sent: Monday, November 30, 2015 9:12 AM
To: SCHMALHOFER, NATHAN J <NATHAN.SCHMALHOFER@sunoco.com>
Cc: GILES, LORRAINE L <LORRAINE.GILES@sunoco.com>; Ann Horowitz <ann.horowitz@alexandriava.gov>
Subject: RE: Missing Information: Special Use Permit for Sunoco Inc

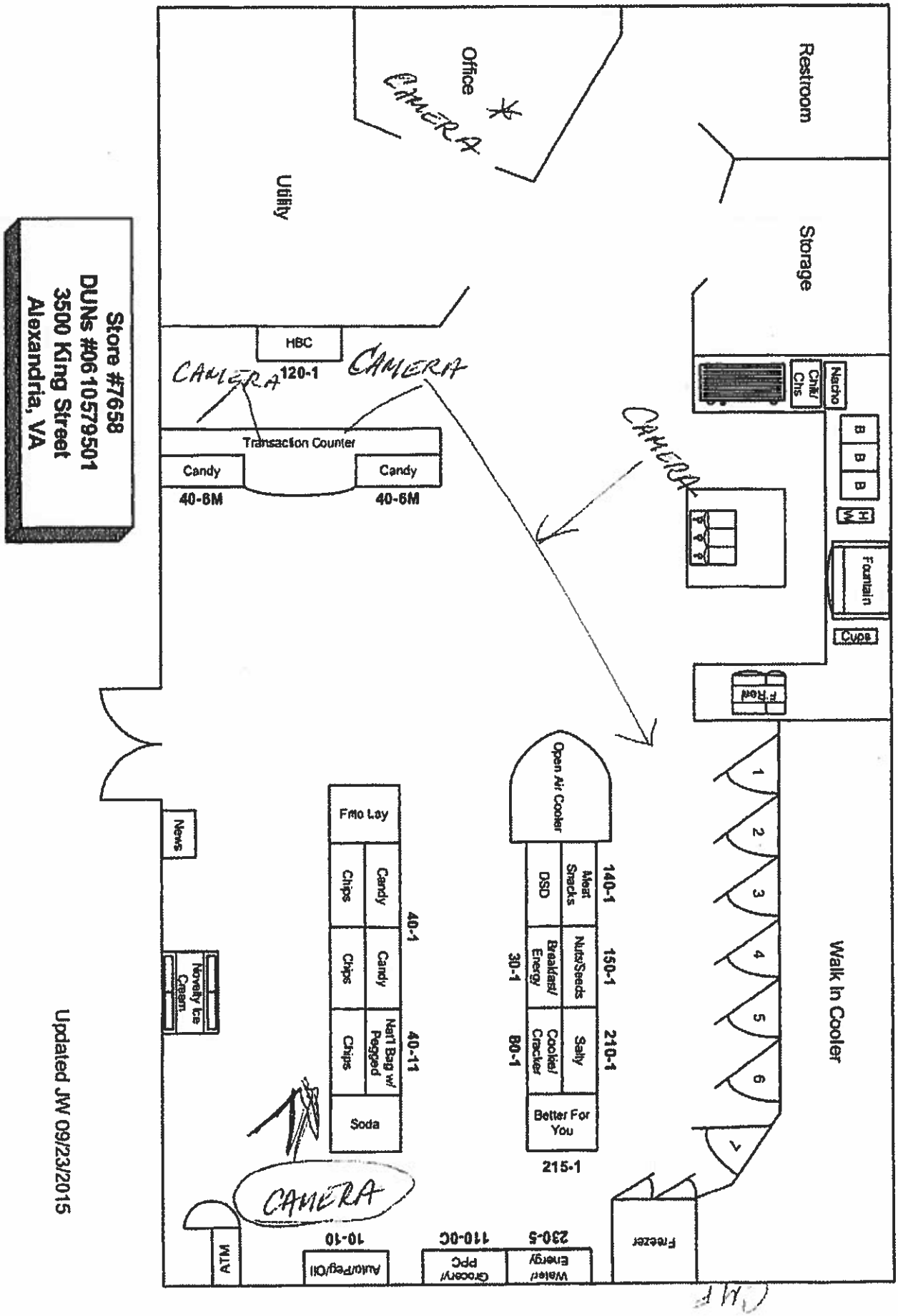
Hi Nathan,

Thank you for providing Lorraine's email- much appreciated.

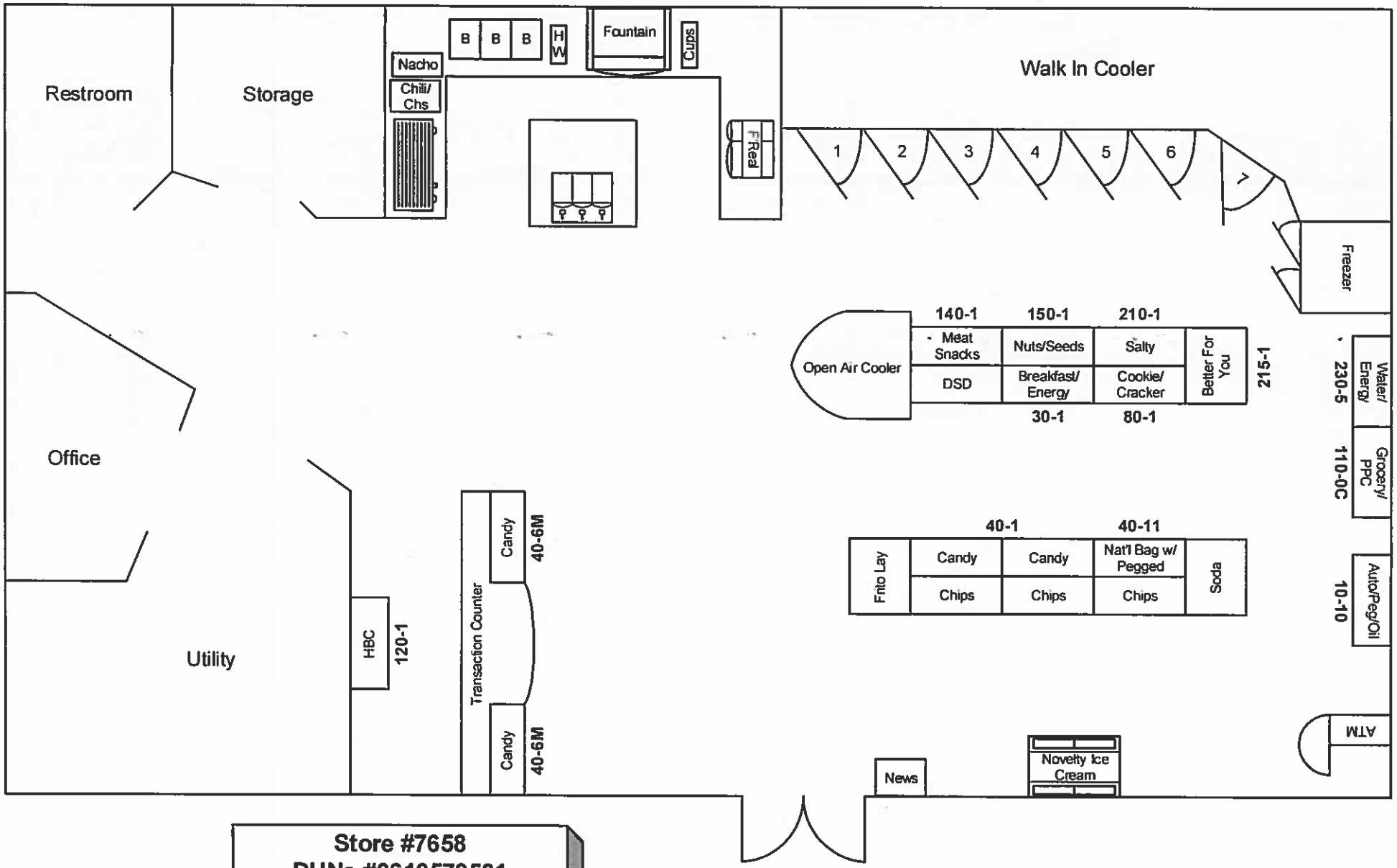
I'm happy to add a request to your existing SUP application for prepared/take-out food but could you provide some additional context? If you could send me a paragraph or two with an overview of the type of foods, how will the food be stored/displayed (refrigerator, hot lamps?), how will the food be brought to the store (made on site, delivered once/twice/etc a week?), describe efforts to ensure the food remains safe and up to code, will there be any planned renovations to the interior space to construct space for the food sales? Basically, please describe the ideal food operations that would operate at this site to contextualize our analysis.

Thanks,
Sara

Sara Brandt-Vorel
Urban Planner
City of Alexandria
Department of Planning and Zoning



Updated JW 09/23/2015



Store #7658
DUNs #0610579501
3500 King Street
Alexandria, VA

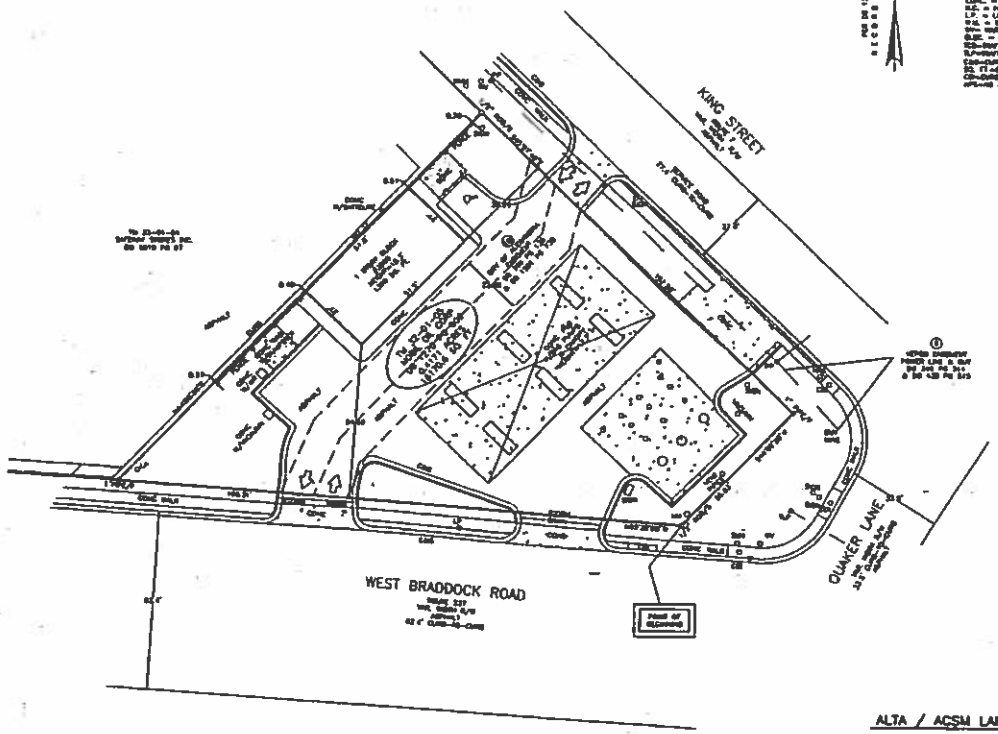
Updated JW 09/23/2015

SCHEDULE "B" ITEMS

[illegible]

STATEMENT OF ENCROACHMENTS

[illegible]



LEGEND

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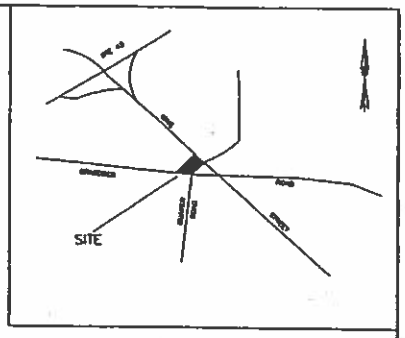


VICINITY MAP

NOT TO SCALE

LEGAL DESCRIPTION

[illegible]

GENERAL NOTES

[illegible]

SURVEY PREPARED BY:

CHARLES H. FLEET & ASSOCIATES, P.C.

[illegible]

ALTA / ACSM LAND TITLE SURVEY

of

TOSCO MARKETING COMPANY

3500 KING STREET

ALEXANDRIA, VIRGINIA

FEBRUARY 1, 2000

[illegible]

ZONING DATA

[illegible]

UTILITY STATEMENT

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

SCALE 1" = 30'

SURVEY PREPARED UNDER THE SUPERVISION OF:

"ALTA / ACSM LAND TITLE SURVEY"

"ALTA/AS-BUILT SURVEY"

1	2/14/00	FOR COMMENT	

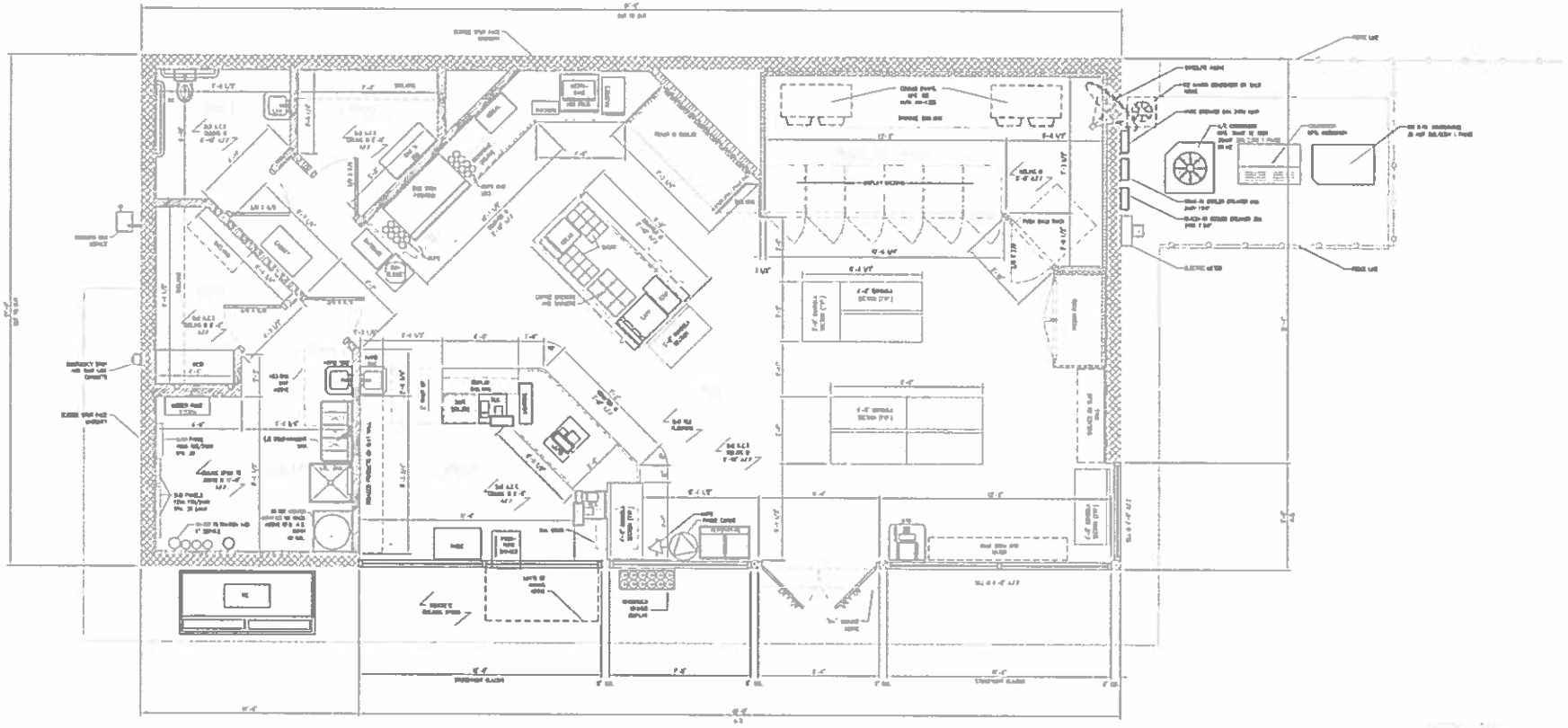
TOSCO MARKETING COMPANY

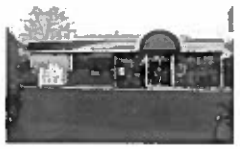
3500 KING STREET
ALEXANDRIA, VIRGINIA

2705153

SCALE	1"=30'	DWG/REV'S	
DATE	2/14/00	APPROVED	
DRN. BY	WCL		
SURVEY	WCL		

SHEET 1 OF 1





SUNOCO, INC.
Retail Engineering
Exton, PA

LOCATION

PROJECT NO.

Coop7658 Alexandria VA 1

Coop7658 Alexandria VA 2

Coop7658 Alexandria VA 3

Coop7658 Alexandria VA 4

Coop7658 Alexandria VA 5

Cash-Registers 12/9/2015 12:12:43 PM

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12/9/2015 12:11:50 PM, Reg. #2, Transact
12/9/2015 12:11:50 PM, Reg. #2, Item Add
12/9/2015 12:12:12/9/2015 12:12:25 PM, R
12/9/2015 12:12:25 PM, Reg. #2, Transact
12/9/2015 12:12:25 PM, Reg. #2, Drawer C
12/9/2015 12:12:27 PM, Reg. #2, Drawer C
12/9/2015 12:12:44 PM, Reg. #2, Drawer C
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Inputs 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 Outputs 1 2 3 4 5 6 7 8