



## ***DOCKET ITEM #2***

***Special Use Permit #2015-0071***

***190 South Whiting Street - Automobile Service Station and Convenience Store (Sunoco)***

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### **CONSENT AGENDA ITEM**

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

<b>Application</b>	<b>General Data</b>	
Public hearing and consideration of a request for an amendment to Special Use Permit #2006-0003 to expand an existing automobile service station, for a zone transition setback modification, to add a convenience store, and for off-premises alcohol sales.	<b>Planning Commission Hearing:</b>	September 8, 2016
	<b>City Council Hearing:</b>	September 17, 2016
<b>Address:</b> 190 South Whiting Street	<b>Zone:</b>	OCM(50)/Office Commercial Medium
<b>Applicant:</b> Sunoco, Inc. (R&M), by M. Catharine Puskar	<b>Small Area Plan:</b>	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:** Ann Horowitz, [ann.horowitz@alexandriava.gov](mailto:ann.horowitz@alexandriava.gov)



**Special Use Permit #2015-0071**  
**190 South Whiting Street**



## I. DISCUSSION

The applicant, Sunoco, Inc. (R&M) by M. Catharine Puskar, attorney, requests an amendment to Special Use Permit #2006-0003 to expand an existing automobile service station, for a zone transition setback modification, to add a convenience store, and for off-premises alcohol sales.

### SITE DESCRIPTION

The subject property is a corner lot of record measuring 165 feet on Stevenson Avenue, 110 feet on South Whiting Street, and a lot size of approximately 27,166 square feet. Two one-story buildings occupy the site. One of the buildings measures 2,401 square feet and contains an accessory retail area and three automobile repair bays. A second 892 square-foot building contains three automobile repair bays. Six gasoline pumps are located in front of the buildings. A pole sign advertising the business is located at the corner of South Whiting Street and Stevenson Avenue.



*Figure 1: Existing Sunoco automobile service station*

A mix of commercial, residential and institutional uses surround the subject site. The Northern Virginia Juvenile Detention Center, a residential institution, is sited to the east and south in the RCX (Medium Density Apartment) zone. Office buildings border the property to the north and west. Three residential apartment buildings, two restaurants and the Global Health College are located in the immediate vicinity.

### BACKGROUND

Since 1965, an automobile service station has operated at this site with SUP approval. Mobil Oil Corporation became the operator in 1982 and received City Council approval in November 1990 to construct a new building on the site (the existing 2,401 square foot building) through SUP #2436, Site Plan #90-024, and BZA #6049. The Board of Zoning Appeals (BZA) variance permitted a zone transition setback modification to allow construction of this building at the rear property line.

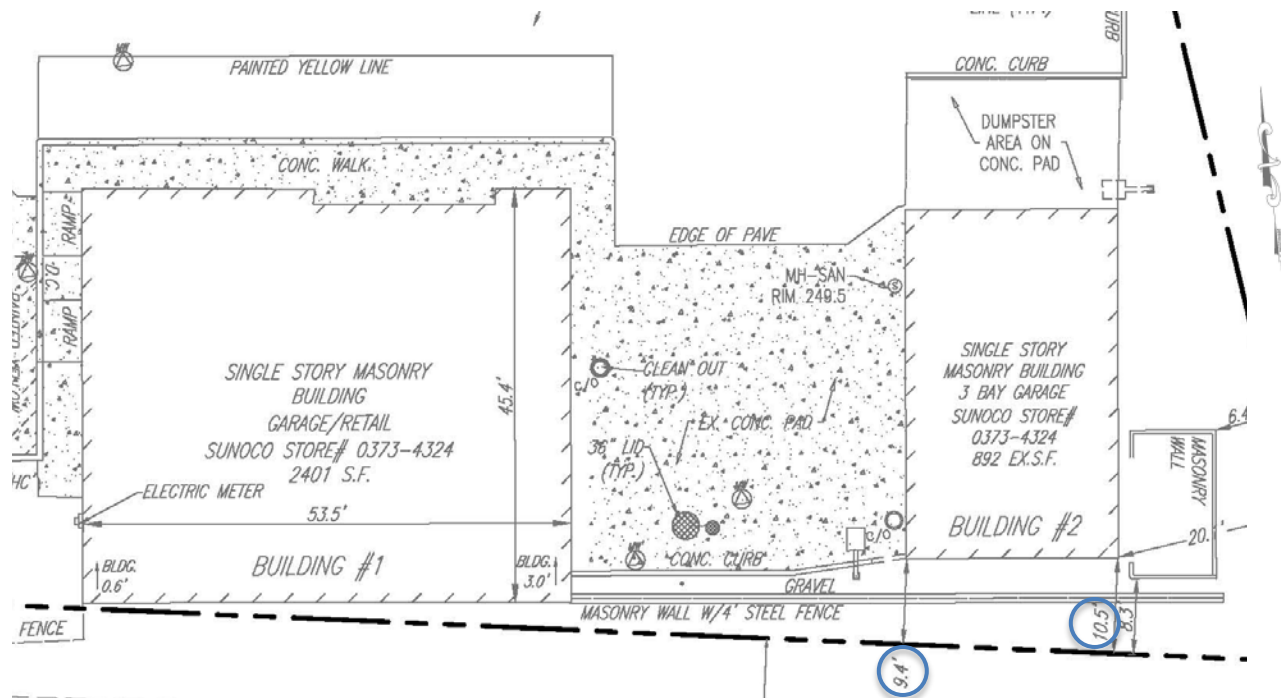
City Council approved SUP #99-0043 and DSUP #99-0009 in June 1999 for the construction of a new building for Mobil Oil (the existing 892 square foot building), to add an automobile repair area with three repair bays. The approvals included a zone transition setback modification from the 25-foot requirement, as the service station site was adjacent to the RC (High Density Apartment) zone to the east and south. The zone transition setback modifications permitted the



new repair service building to be constructed 8 feet away from the east property line and 11 feet away from the south property line. Approval was granted after determinations that the commercial use would not impact the Northern Virginia Juvenile Detention Center; the previous approval permitted construction of the larger building at the rear property line to the south; and the additional repair building was proposed at the most appropriate location on the lot.

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

In March 2006, staff administratively approved SUP#2006-0003 to change the ownership of the business from Mobil to Sunoco, Inc., R&M. A recent SUP Zoning inspection revealed violations of Conditions 3 and 19 for the accumulation of auto parts outside a dumpster and the presence of a loud speaker on the premises, respectively. The applicant immediately remedied the violations and the business was compliant with all SUP conditions.



**Figure 2: Existing conditions**

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

PROPOSAL

Sunoco, Inc., R&M requests approval to amend the existing Special Use Permit to modify an existing automobile service station by adding a convenience store that sells off-premises alcohol and by expanding the smaller automobile repair service building. The addition to this building would require approval for a zone transition setback modification of 8.35 feet as this proposed new area has not been subject to the previous setback modification approvals (SUP #99-0043, DSUP #99-0009). Retroactive approval of the non-compliant setback at the south property line of 9.4 feet, from the previously approved 11 feet, is also incorporated into this SUP request to bring the repair service building into zoning compliance (Figure 3).

The convenience store would operate in the larger, 2,401 square foot building that currently contains the accessory retail portion of the automobile service station and three of the six repair bays. A broader selection of snack, ready-made food, and drinks would be offered for sale. For security purposes an Interactive Remote Intervention System (IRIS) would be installed, which includes six security cameras inside the convenience store and four cameras on the exterior of the building. Exterior cameras would monitor the parking and fueling areas. IRIS connects to Sunoco's Central Monitoring Facility which is operational 24 hours a day and seven days a week for security purposes.

The smaller, 892-square foot building would be expanded by 32.9% to centralize the functions of the existing automobile repair business into one building. An addition of 294 square feet on the north side of the existing building would result in a total building area of 1,186 square feet. The added space would accommodate a cashier desk, customer waiting area, and a bathroom to supplement the three existing repair bays. The repair garage would operate from 7 a.m. to 6 p.m., Monday – Saturday. Modernization of the buildings' exteriors and signage, also, would accompany the proposed changes at the site.

A summary of the automobile service station and convenience store operation follows:

Hours of Operation: 24 hours/day, seven days/week (existing for retail sales)  
7 a.m. and 6 p.m., Monday – Saturday (existing for repair service)

Customers: Approximately 1,000/day

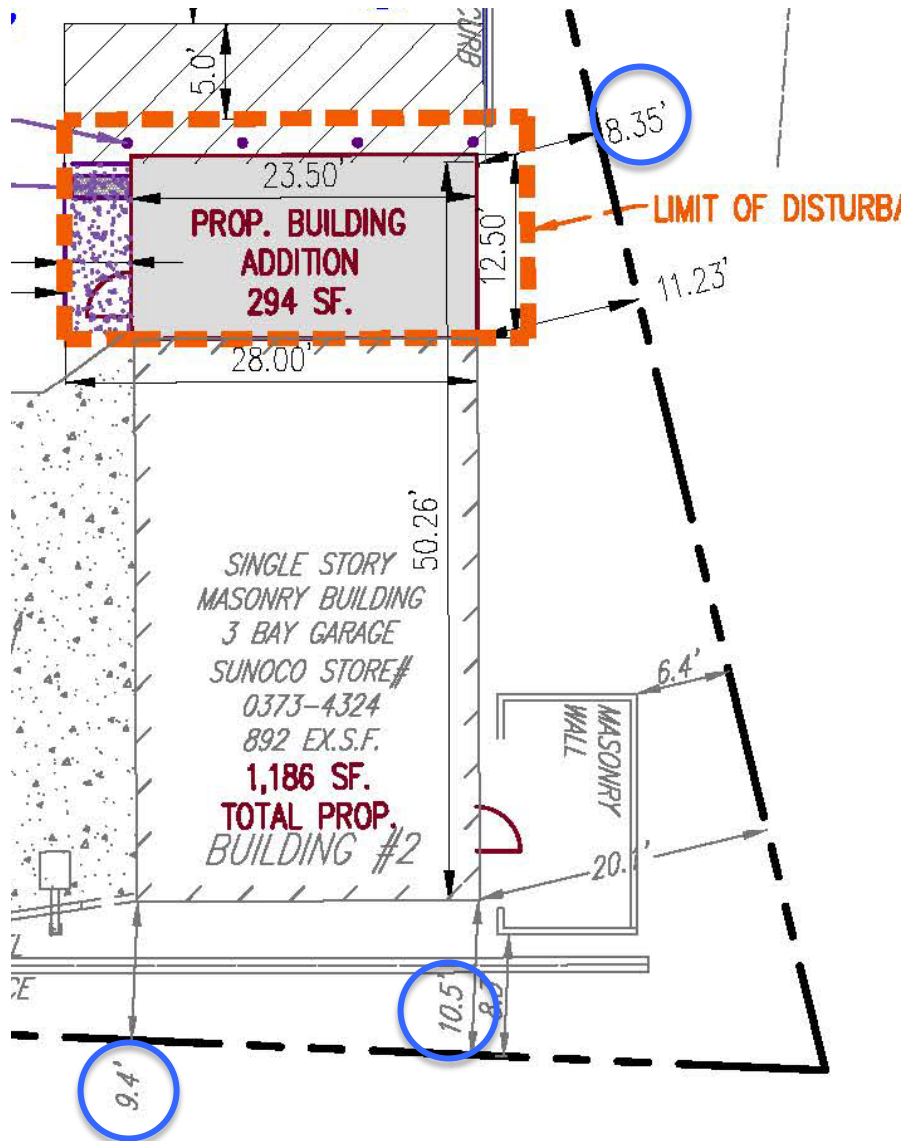
Employees: Maximum of five employees at any one time

Repair Bays: Three (Six existing)

Alcohol: Off-premises alcohol sales proposed

Noise: No new noise impacts are expected

Trash/Litter: Trash will be collected from a relocated trash disposal area once per week or as needed. Employees will monitor site to prevent litter.



**Figure 3: Proposed plan for addition to the automobile repair facility**  
The proposed zone transition setback modifications are circled. The setback requested at the eastern property line applies to the proposed addition. Retroactive approval is requested for the non-complying setbacks at the south property line.

### 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. An automobile repair business must provide one space for every 400 square feet, pursuant to Section 8-200(A)(17). Section 8-200(A)(16) requires a convenience store to provide 1.2 off-street parking spaces for every 210 square feet of space. Therefore, the applicant must provide a total of 23 spaces: six spaces for the automobile service station; three spaces for the 1,186 square foot automobile repair business; and 14 spaces for the 2,401 square foot convenience store. The site exceeds this requirement with 29

off-street parking spaces which includes three at the repair bays and 12 at the gasoline pumps.

#### 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 allow automobile service station and convenience store uses in the OCM(50) zone only with Special Use Permit approval. Although Section 11-511(A)(2)(i)(e) allows up to 33% additional floor area with administrative SUP approval, the expansion of the automobile repair building has been incorporated into the docketed review for the convenience store with off-premises alcohol sales. Section 11-416(C) allows site plan modifications through Special Use Permit approval/

The property is located within the Landmark/Van Dorn Small Area Plan which designates the property for commercial use. It is also located in the Landmark/Van Dorn Corridor Plan area. The subject lot is not identified as an area of redevelopment in the corridor plan.

## **II. STAFF ANALYSIS**

Staff supports the applicant's proposal to amend SUP ##2006-0003 for a modest addition to the existing automobile service use in the smaller building with modifications to the zone transition setbacks; to add a convenience store; and to sell off-premises alcohol. The request would allow the applicant the opportunity to expand its business with a larger retail area and to improve the functionality of the operation by relocating the automobile repair and retail uses into distinct buildings. The addition of the convenience store with a wider range of products would provide nearby apartment dwellers with an option to purchase quick-service food items within walking distance of their residences. Further, the property redevelopment proposal would likely reduce noise impacts on the Northern Virginia Juvenile Detention Center as the number of repair bays would be reduced from six to three.

The applicant would also have the opportunity to augment sales with permission to sell off-premises beer and wine. Staff and Police do not anticipate negative impacts as off-premises alcohol sales is a common feature of convenience stores in the City. This practice has been regulated by standard SUP conditions that limit single servings and sizes of containers and require the applicant to train employees on the prevention of alcohol sales to minors during SUP condition training sessions. Conditions reflecting these requirements are included in this report as Condition 30 and Condition 22, respectively. The applicant's request to sell off-premises beer and wine at the convenience store portion of the business is consistent with previous approvals, including the applicant's recent City Council approval of SUP #2015-0139 on March 12, 2016 for the sale of off-premises alcohol at the combination automobile service station and convenience store located at 3500 King Street. Similar to SUP #2015-0139, staff and Police have included a six-month SUP review as part of standard Condition 36 to assess compliance of the overall operation, including the conditions related to off-premises alcohol sales.

Although security concerns are generally associated with convenience stores, staff believes that the applicant's proposal to add 10 security cameras that are monitored 24 hours a day, seven days a week, contributes to a sound security plan, and is included in Condition 32. Further, staff

has incorporated several conditions to ensure that added security measures are a part of the business operation. Window display and signage must provide clear views into the convenience store as stated in Condition 33. The position of the cash registers for active monitoring of the premises is required in Condition 31 and employee training on the prevention of crime and loitering is regulated in Condition 22. Nevertheless, 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 required in Condition 35.

Staff also supports the zone transition setback modifications for the relatively small addition to the repair service building and for the existing setback at the south property line as these would not create further impacts on the Northern Virginia Juvenile Detention Center. The proposed 8.35-foot setback is compliant with the existing 8-foot approved setback at the eastern property line. The placement of the addition at the north side of the building would improve the visual appeal of the operation given that it would replace the existing screened dumpster and trash area that is visible from Stevenson Avenue. Although the building setbacks do not comply with the approved setback modification of 11 feet at the south, staff believes that the impingement of 1.6 feet is minimal and does not intensify impacts on the neighboring facility as the larger retail service building is located almost nine feet closer to the property line. Staff has not received complaints related to residential impacts of the automobile service station use due to the location of its buildings.

Aesthetic appearance and maintenance of the site are regulated through a number of conditions included in this SUP report. Condition 24 regulates the proper storage of trash; Condition 25 requires the regular monitoring of litter; and Condition 3 restricts the visible storage of vehicle parts. In response to City Council's recent approval of Text Amendment #2016-0002 on June 18, 2017 concerning signs, the existing, non-complying pole sign must be replaced with a monument sign within seven years of SUP approval, pursuant to Section 9-402(C) and as stated in Condition 42.

In addition, several conditions have been carried forward from SUP #2006-0003. Some have been generally amended to reflect modern standard condition language. Staff has also added conditions that have become standard for present-day SUP uses. These relate to employee parking (Condition 26), employee use of public transportation (Condition 27), time limitations of loading and unloading (Condition 28), and the posting of hours of operation (Condition 21).

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 j~~Junked, abandoned, or stripped vehicles shall not be parked or stored outside. (P&Z) (~~SUP-2436~~)
3. **CONDITION AMENDED BY STAFF:** ~~That no v~~Vehicle parts, tires, or other materials shall not be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (~~SUP-2436~~)
4. **CONDITION AMENDED BY STAFF:** ~~That no v~~Vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (~~SUP-2436~~)
5. **CONDITION AMENDED BY STAFF:** ~~That no a~~Automobile repair work shall not be done outside. (P&Z) (~~T&ES~~) (~~SUP-2436~~)
6. **CONDITION AMENDED BY STAFF:** ~~That r~~Repair work done on the premises shall be restricted to the service bays only. (P&Z)(~~SUP-2436~~)
7. **CONDITION AMENDED BY STAFF:** ~~That The~~ The hours of operation be are permitted to be 24 hours a day, seven (7) days a week, ~~as requested by the applicant for the convenience store and gasoline sales.~~ (P&Z) (~~SUP-2436~~)
8. **CONDITION AMENDED BY STAFF:** ~~That no b~~Banners, streamers, flags or similar advertising devices shall not 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~~ The applicant shall not be permitted to sell alcoholic beverages. (P&Z) (~~SUP-2436~~)
10. **CONDITION AMENDED BY STAFF:** ~~That no s~~Seats or tables shall not 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 AMENDED BY STAFF:** ~~That t~~The applicant shall provide a place for public drop-off of used oil. (P&Z)(~~SUP-2436~~)
13. **CONDITION AMENDED BY STAFF:** A zone transition modification is granted to allow the ~~new~~ automobile repair service building and the addition to be located within 8' of the east property line and ~~44~~49.4' of the south property line. (P&Z) (~~SUP99-0043~~)
14. Condition deleted by staff (completed). (SUP#2006-0003)

15. All waste products, including, but not limited to, organic compounds (solvents), motor oils, compressor lubricant and anti-freeze shall be disposed of in accordance with all local, state and federal ordinances and regulations and shall not be discharged into the sanitary or storm sewers or be discharged onto the ground. (T&ES) (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~~ 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. **DUPLICATE CONDITION DELETED BY STAFF (See Condition #5):** ~~No repair work shall be done outside. (T&ES) (SUP#2006-0003)~~
19. 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 hours of operation for the automobile service station shall be between 7 a.m. and 6 p.m., Monday – Saturday.
21. **CONDITION ADDED BY STAFF:** The hours of operation for the convenience store and the auto repair operation shall be posted at the buildings that contain the uses.
22. **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, and on how to prevent crime, loitering, noise, and the underage sales of alcohol. (P&Z)
23. **CONDITION ADDED BY STAFF:** No food, beverages, or other material shall be stored outside. (P&Z)
24. **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)
25. **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)

26. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)
27. **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 Local Motion at [localmotion@alexandriava.gov](mailto:localmotion@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)
28. **CONDITION ADDED BY STAFF:** No activities related to loading, unloading and delivery to this store shall be carried out between 11 pm and 7 am. (T&ES)
29. **CONDITION ADDED BY STAFF:** A minor amendment will be required to DSP1999-00009. The amendment shall be released prior to submitting for permits. (T&ES)
30. **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) (Police)
31. **CONDITION ADDED BY STAFF:** The cash registers shall be positioned such that staff can monitor activity both inside and outside the store. (P&Z)
32. **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)
33. **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)
34. **CONDITION ADDED BY STAFF:** The free-standing pole sign shall be replaced with a monument sign no later than June 18, 2023. (P&Z)
35. **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)
36. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit after the use has been operational for six months and again at 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; (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) (Police)

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

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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:

- R-1 That no vehicles be displayed, parked, or stored on a public right-of-way. (P&Z)(SUP 2436)
- R-2 That no repair work be done outside. (P&Z) (T&ES) (SUP 2436)
- R-3 That repair work done on the premises be restricted to the service bays only. (P&Z)(SUP 2436)
- R-4 That no banners, streamers, flags or similar advertising devices be displayed on the premises, but signs advertising the general business conducted on the premises may be displayed in accordance with Section 7-6-173 of the City Code. (P&Z) (T&ES)(SUP 2436)
- R-5 All waste products, including, but not limited to, organic compounds (solvents), motor oils, compressor lubricant and anti-freeze shall be disposed of in accordance with all local, state and federal ordinances and regulations and shall not be discharged into the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP2006-00003)
- R-6 **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)~~
- R-7 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) (SUP2006-00003)
- R-8 **DUPLICATE CONDITION DELETED BY STAFF (See Condition #5):** ~~No repair work shall be done outside. (T&ES) (SUP#2006-0003)~~
- R-9 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP2006-00003)
- R-10 **ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking. (T&ES)
- R-11 **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 Local Motion at [localmotion@alexandriava.gov](mailto:localmotion@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES)

- R-12 **ADDED BY STAFF:** A minor amendment will be required to DSP1999-00009. The amendment shall be released prior to submitting for permits. (T&ES)
- R-13 **ADDED BY STAFF:** No activities related to loading, unloading and delivery to this store shall be carried out between 11 pm and 7 am.
- 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). 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](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)
- 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) (SUP2006-00003)
- F-1 With the minor amendment to the site plan DSP1999-00009, ensure that the accessible parking space complies with all Code requirements, including but not limited to the 2012 Virginia Construction Code Section 1106.5 regarding provision of van accessible parking space(s). (T&ES, Code)

Code Enforcement:

- F-1 The following comments are for site plan review only. Once the applicant has filed for a building permit and additional information has been provided, code requirements will be based upon the building permit plans and the additional information submitted. If there are any questions, the applicant may contact Charles Cooper, Plan Review Division at [Charles.cooper@alexandriava.gov](mailto:Charles.cooper@alexandriava.gov) or 703-746-4197.
- C-1 Demolition, building and trades permits are required for this project. Six 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) The building official shall be notified in writing by the owner if the registered design professional in the responsible charge is changed or is unable to continue to perform the duties.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 A Certificate of Occupancy is required prior to occupancy.

- C-4 Required means of egress shall be maintained at all times during construction, demolition, remodeling or alterations and additions to any building.
- C-5 Waste materials shall be removed in a manner which prevents injury or damage to persons, adjoining properties and public rights-of-way.
- C-6 Where a structure has been demolished or removed, if left vacant the lot shall be filled and maintained to the existing grade.
- C-7 Construction equipment and materials shall be stored and placed so as not to endanger the public, the workers or adjoining property for the duration of the construction project, materials and equipment shall not be placed or stored so as to obstruct access to fire hydrants, standpipes, fire or police alarm boxes, catch basins or manholes,
- C-8 During Construction sites shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible for the street or road fronting the property.
- C-9 The temporary use of streets or public property for the storage or handling of materials or of equipment required for construction or demolition, and the protection provided to the public shall comply with provisions of the applicable governing authority and the building code.
- C-10 Property line easements must be resolved/ submitted prior to the issuance of a building permit to begin construction.

Fire:

- F-1 No comments or concerns but fire prevention permit will probably need to be modified to account for change in operation.

Health:

*Food Facilities*

- 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 The applicant is seeking an “ABC Off” license only. The Police Department has no objections to the sale of alcohol off premise subject to the following conditions:
- R-1 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.
- R-2 The Director of Planning and Zoning shall review the Special Use Permit after the use has been operational for six months and again at 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; (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed.



REVISED

## APPLICATION

# SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2015-0071

PROPERTY LOCATION: 190 S. Whiting Street

TAX MAP REFERENCE: 047.03-06-03

ZONE: OCM(50)

**APPLICANT:**

Name: Sunoco, Inc. (R&M)

Address: 3801 West Chester Pike, Newtown Square, PA 19073

PROPOSED USE: Amendment to existing special use permit for an existing auto repair and service station to add a 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.

Revised 3/31/2016, 6/16/2016

M. Catharine Puskar, Attorney/Agent

Print Name of Applicant or Agent  
Walsh, Colucci, Lubeley, & Walsh PC  
2200 Clarendon Blvd., Suite 1300

Mailing/Street Address

Arlington, VA 22201

City and State

Zip Code

*MC Puskar by ref*

Signature

6/11/2015

Date

703-528-4700

Telephone #

703-525-3197

Fax #

cpuskar@thelandlawyers.com

Email address

ACTION-PLANNING COMMISSION: \_\_\_\_\_ DATE: \_\_\_\_\_

ACTION-CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

SUP # 2015-0071

**REVISED****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, convenience store and auto repair use as  
 (use)  
 described in this application.

Name: Donald N. Lore for Sunoco, Inc. Phone: 610-721-0525  
 Please Print 3801 WESTCHESTER PIKE  
 Address: 18 Industrial Hwy., Lester PA 19028 NEWTON SQ. PA 19073 Email: donald.lore@sunoco.com  
 Signature: Donald N Lore Date: 3/29/16  
For Sunoco, Inc

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.

See attached

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## OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

**REVISED**

2015-0071

**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 180 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.

3/29/16  
Date

DONALD N. LORE  
Printed Name

Donald N. Lore for Sunoco, Inc  
Signature

2015-0071

**REVISED****Ownership and Disclosure Statement Attachment**

Applicant: Sunoco, Inc. (R&M)  
~~10 Industrial Highway~~ 3801 WEST CHESTER PIKE  
~~Lester, PA 19029~~ NEWTOWN SQUARE, PA 19073

**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.*

- ☐ **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 single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There is no 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 a 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, six (6) 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. The Applicant proposes to modify the station by converting the existing service bays within the main building to retail use and to renovate the detached repair garage building.

More specifically, the Applicant proposes to convert the existing service bays in the main building to a convenience store, add signage to the convenience store building to modernize and improve its appearance, renovate the existing detached garage and add architectural improvements with a 294 square foot addition, and modify the existing parking area. The renovation and addition to the detached garage will allow the Applicant to add a bathroom and cashier/waiting area for the auto repair customers as these areas are currently within the main building proposed to be converted to the convenience store. The renovation will retain the three (3) existing service bays, replace the existing roof with a gabled metal roof and add additional glass to the portion of the building closest to Stevenson Avenue where the waiting area will be located. The façade of the main building will also be updated to complement the conversion from service use to convenience store use. The Applicant proposes to disturb no more than 2,500 square feet of land area.

The proposed modifications will update and improve an existing service station. The proposal will allow for the retention of the auto repair service use and a larger retail area that will offer a wider range of products to better serve existing customers. 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).

Convenience store/service station: No more than five (5) 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.

Noise levels will comply with the noise ordinance requirements

B. How will the noise be controlled?

Noise levels will be monitored by staff.



**REVISED**

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

None

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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 or as needed.

---

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

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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:

Petroleum products will be handled and stored in accordance with state and federal regulations. The Applicant will comply with SUP2006-0003 Condition #15 stating "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 regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground."

**REVISED**

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:

Petroleum products will be handled and stored in accordance with state and federal regulations. The Applicant will comply with SUP2006-0003 Condition #15 stating "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 regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground."

12. What methods are proposed to ensure the safety of nearby residents, employees and patrons? An Interactive Remote Intervention System (IRIS) will be installed. The IRIS system includes security cameras inside and outside the store to monitor fueling and parking areas as well as sales area inside. The system is connected to Sunoco's Central Monitoring Facility (CMF) for 24 hour, 7 days a week monitoring.

## 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.

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

<u>13</u>	Standard spaces
<u>0</u>	Compact spaces
<u>1</u>	Handicapped accessible spaces.
<u>15</u>	Other. (12 pump spaces and 3 service spaces)

Does the application meet the requirement?  
☐ Yes ☐ No

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

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.

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

A. How many loading spaces are available for the use? 0

☐ Yes    ☐ No

- B. Where are off-street loading facilities located? N/A, no loading space required for the new retail use  
as it is less than 2,500 sf in area.
- 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? 294 square feet.  
 \*Applicant proposes to convert existing service bays in the main building to the convenience store use and construct an addition to the existing service garage.
18. What will the total area occupied by the proposed use be?  
2,401 + 892 sq. ft. (existing) + 294 sq. ft. (addition if any) = 3587 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

**REVISED**

## 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?

No changes proposed to existing repairs performed.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

- 3 hydraulic lifts or racks  
0 service pits  
3 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 29 customers and employees may be parked on site at any one time.

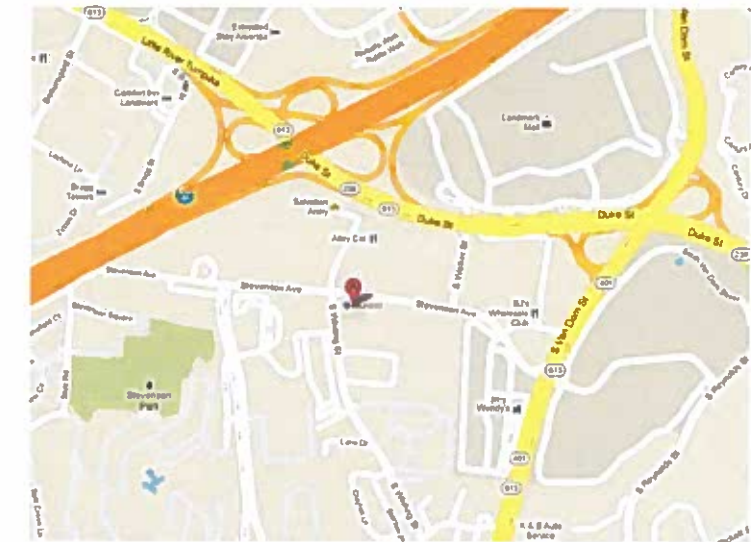
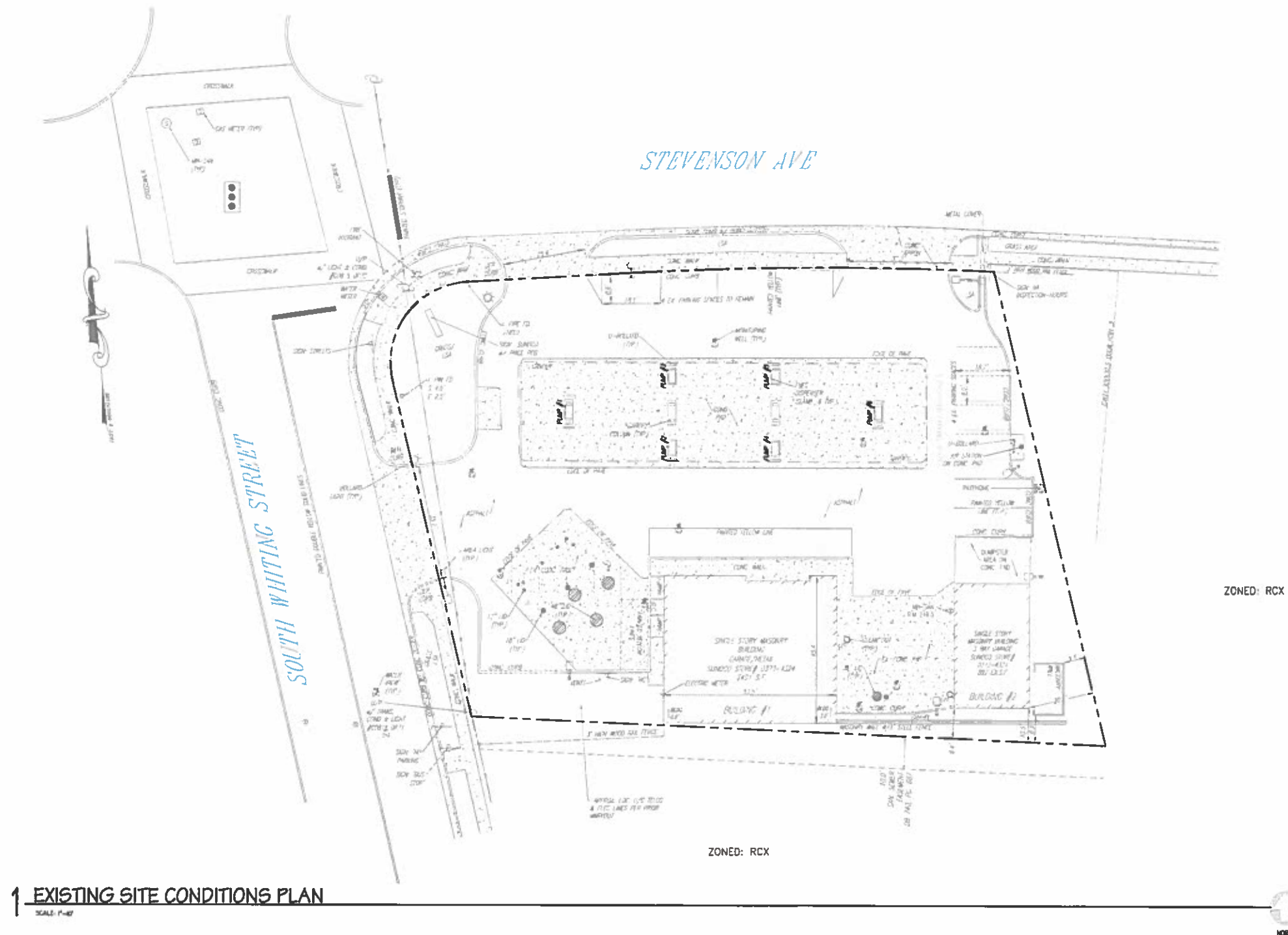
\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

5. Will a loudspeaker or intercom system be used outside of the building? X Yes        No  
 There will be speakers at the pumps, however they will not be audible at the property line.

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



**Cornerstone Consulting**  
Engineers & Architectural, Inc.  
1176 N. Irving St., Allentown, PA 18109  
Ph (610) 820-8200, Fax: (610) 820-3706



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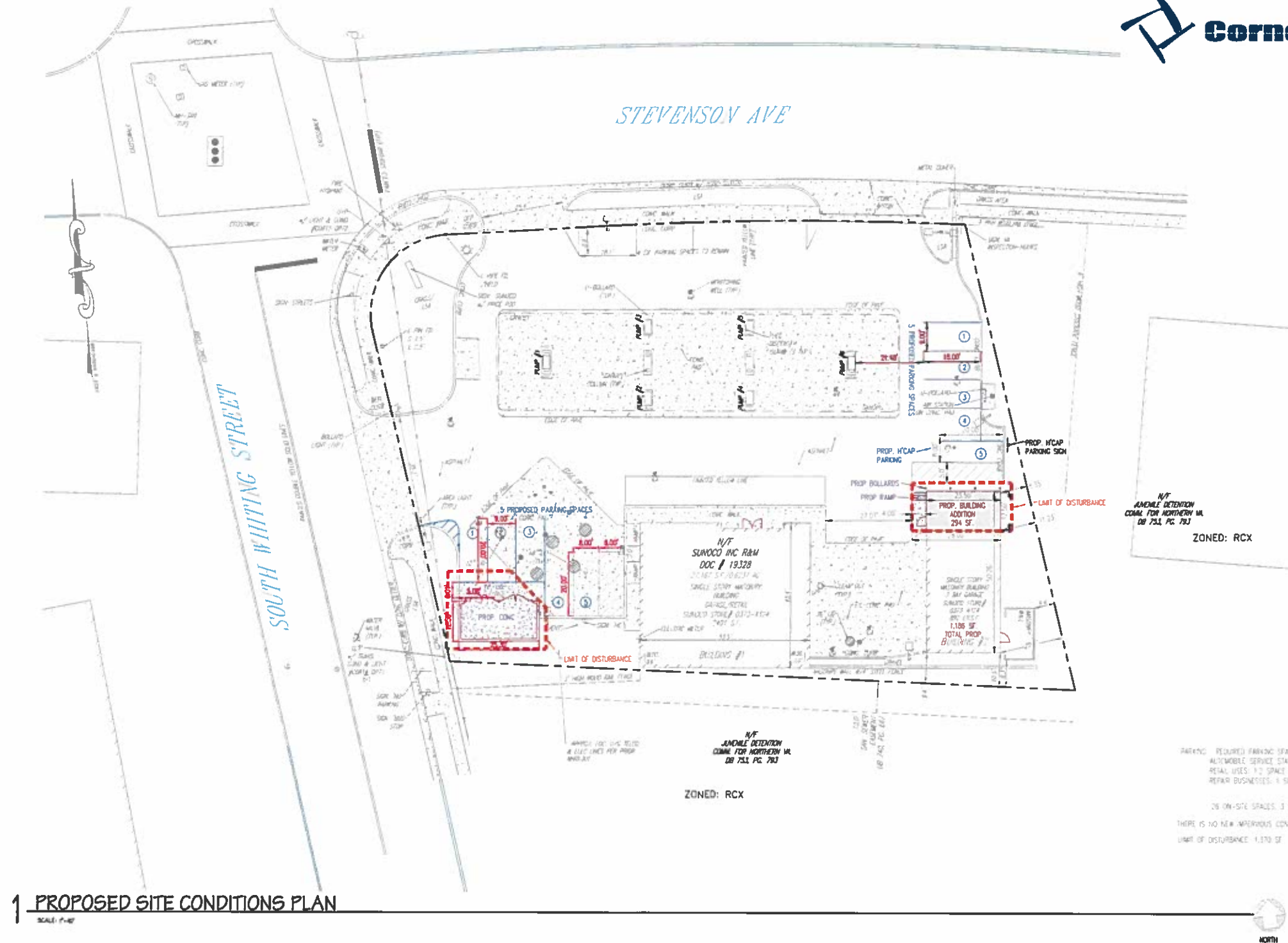
# Sunoco Retail Store & Detached Service Center

190 South Whiting Street - City of Alexandria

SP-1  
16 June 2016

DUNS#: 0373-4324





**REVISED**

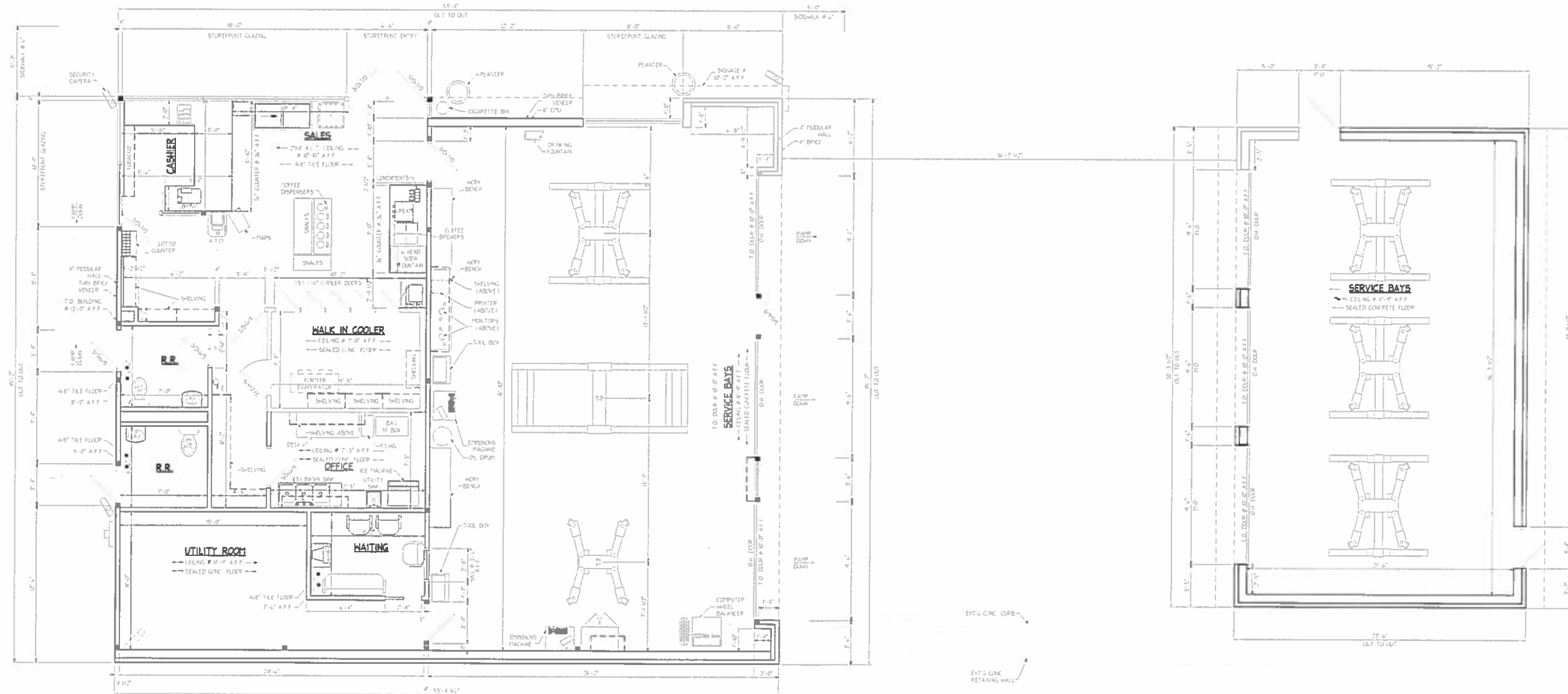


190 South Whiting Street - City of Alexandria

16 June 2016

## EXISTING BUILDING FLOOR PLAN

**Cornerstone Consulting**  
 Engineers & Architectural, Inc.  
 1176 N. Irving St., Allentown, PA 18109  
 Ph. (610) 820-8200, Fax: (610) 820-3706



RETAIL STORE

SERVICE CENTER

# 1 DIMENSIONAL FLOOR PLANS OF EXISTING STRUCTURES

SCALE: 1/4" = 1'-0"



## Sunoco Retail Store & Detached Service Center

190 South Whiting Street - City of Alexandria

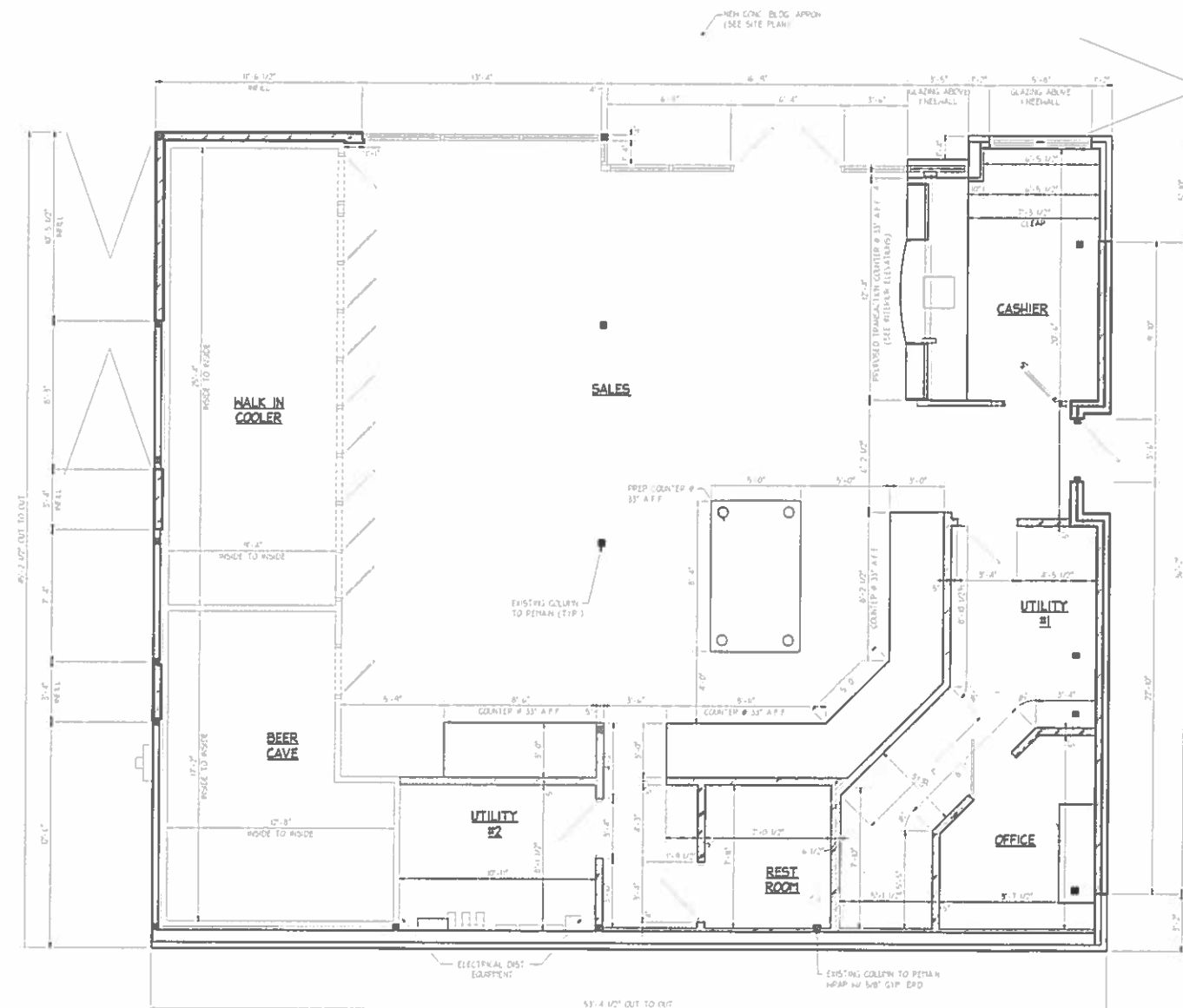
**BE-1**

16 June 2016

**REVISED**

## PROPOSED BUILDING FLOOR PLAN

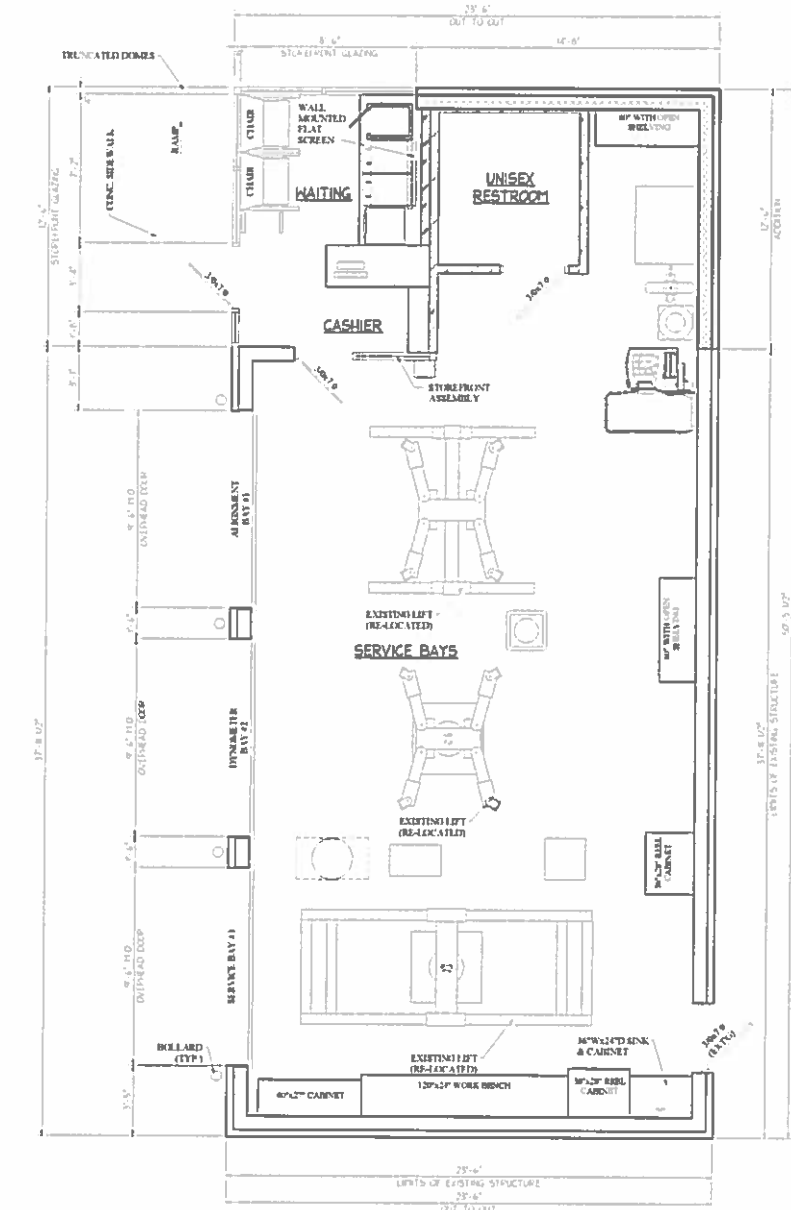
**Cornerstone Consulting**  
 Engineers & Architectural, Inc.  
 1176 N. Irving St., Allentown, PA 18109  
 Ph (610) 820-8200, Fax (610) 820-3706



RETAIL STORE

## 1 DIMENSIONAL FLOOR PLAN OF PROPOSED STRUCTURE

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



SERVICE CENTER

REVISED



# Sunoco Retail Store & Detached Service Center

190 South Whiting Street - City of Alexandria

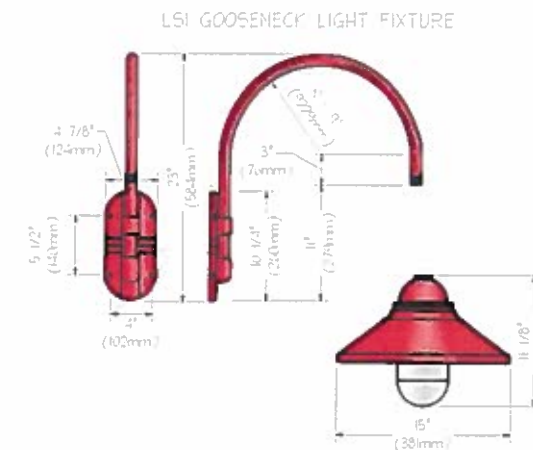
BP-1

16 June 2016

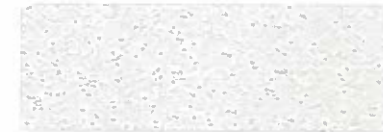




**1 EXISTING NORTHERN ELEVATION**  
 SCALE: NONE



EIFS DRYVIT NATURAL WHITE #103



EL DORADO STONE: 'MOONLIGHT' ROUGH CUT



**2 PROPOSED NORTHERN ELEVATION**  
 SCALE: 1/8\"/>

(FACING STEVENSON AVE)

**3 PROPOSED FINISHES**  
 SCALE: NONE



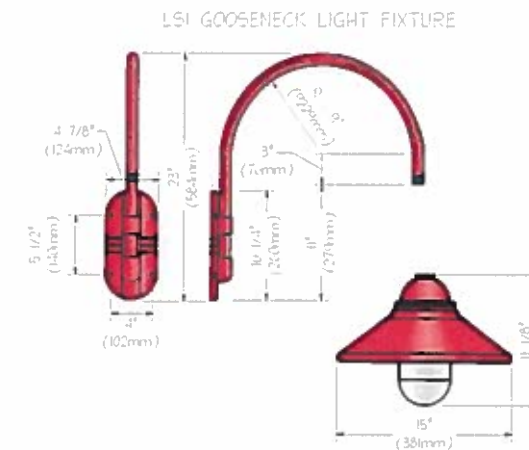
# *Sunoco Retail Store*

190 South Whiting Street - City of Alexandria

**EL-1**  
 16 June 2016



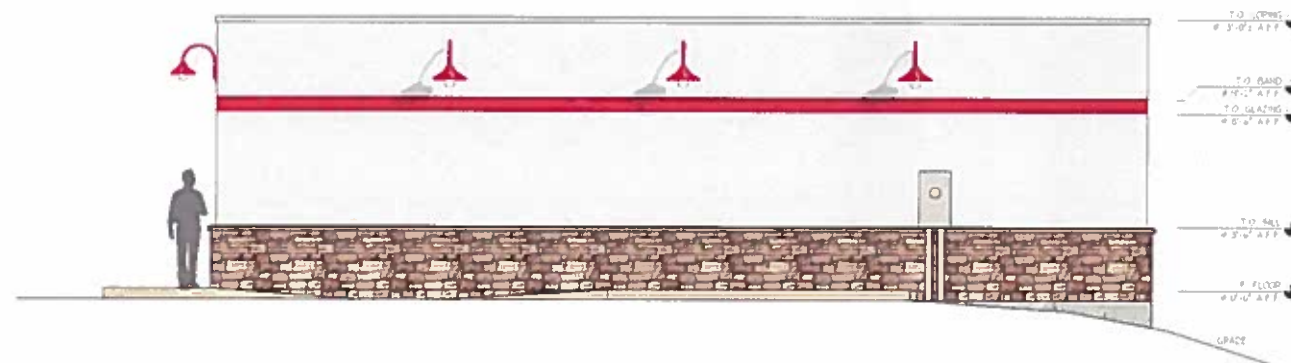
**1 EXISTING WESTERN ELEVATION**  
 SCALE: NONE



EIPS DRYVIT, NATURAL WHITE #103



EL DORADO STONE 'MOONLIGHT' ROUGH CUT



**2 PROPOSED WESTERN ELEVATION**  
 SCALE: 1/8"=1'-0"

**3 PROPOSED FINISHES**  
 SCALE: NONE



# Sunoco Retail Store

190 South Whiting Street - City of Alexandria

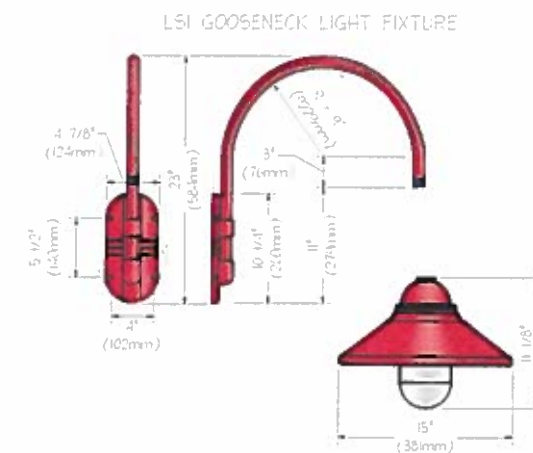
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 16 June 2016

REVISED





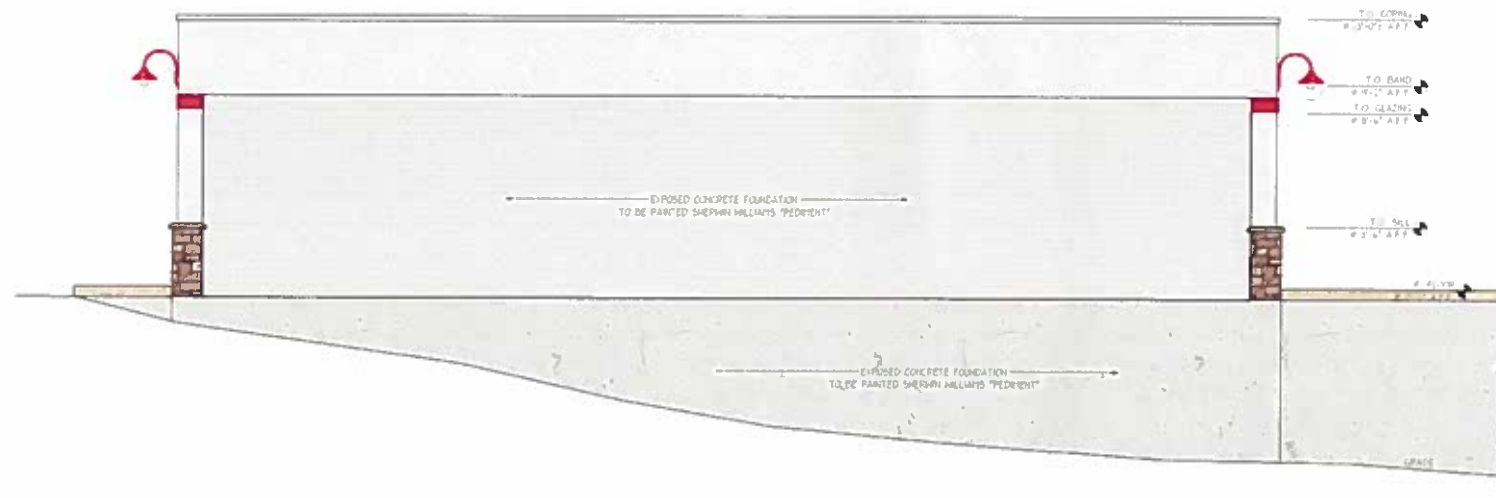
**1 EXISTING SOUTHERN ELEVATION**  
 SCALE: NONE



EIFS DRYVIT, 'NATURAL WHITE' #103



EL DORADO STONE, 'MOONLIGHT' ROUGH CUT



**2 PROPOSED SOUTHERN ELEVATION**  
 SCALE: 1/4\"/>

**3 PROPOSED FINISHES**  
 SCALE: NONE



# Sunoco Retail Store

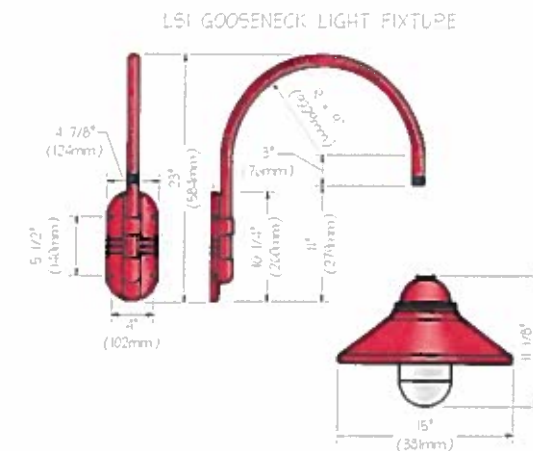
190 South Whiting Street - City of Alexandria

**EL-3**  
 16 June 2016





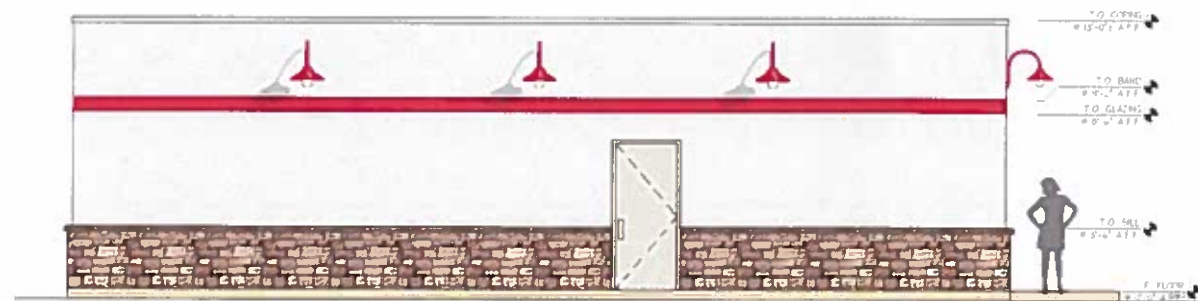
1 EXISTING EASTERN ELEVATION  
 SCALE: NONE



EIFS DRYVIT 'NATURAL WHITE' #103



3 PROPOSED FINISHES  
 SCALE: NONE



2 PROPOSED EASTERN ELEVATION  
 SCALE: 1/4\"/>



# Sunoco Retail Store

190 South Whiting Street - City of Alexandria

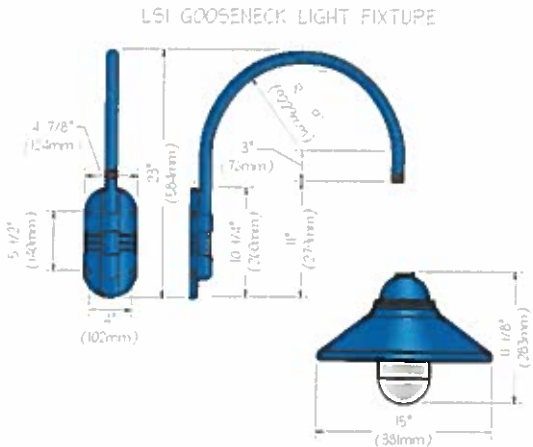
EL-4  
 16 June 2016



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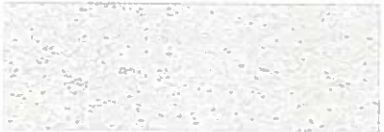
1 EXISTING EASTERN ELEVATION  
SCALE: NONE



2 PROPOSED EASTERN ELEVATION  
SCALE: 1/8\"/>

(FACING S WHITING STREET)

EFS DRYVIT: 'NATURAL WHITE' #103



EL DORADO STONE: 'MOONLIGHT' ROUGH CUT



3 PROPOSED FINISHES  
SCALE: NONE

REVISED

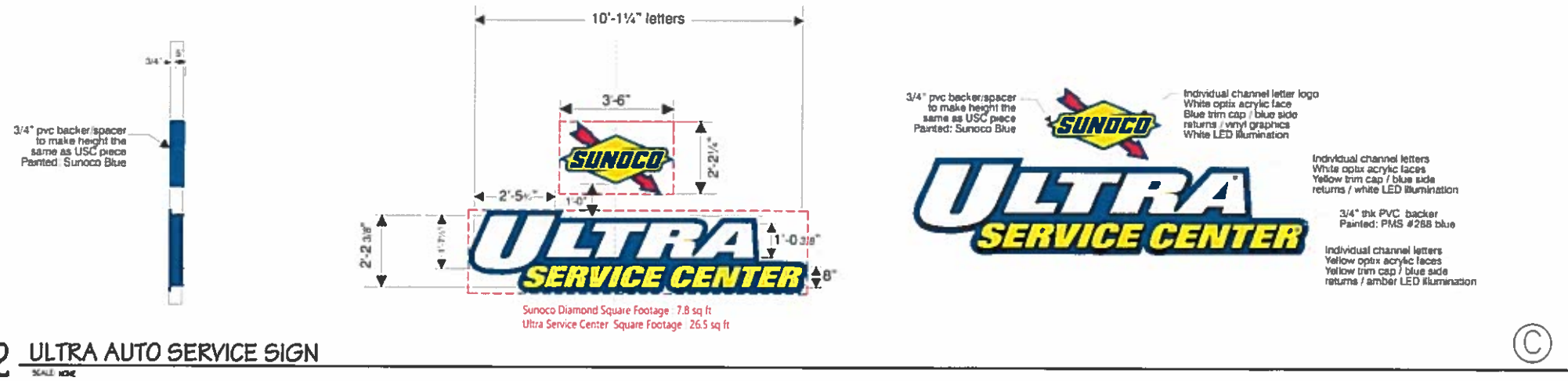
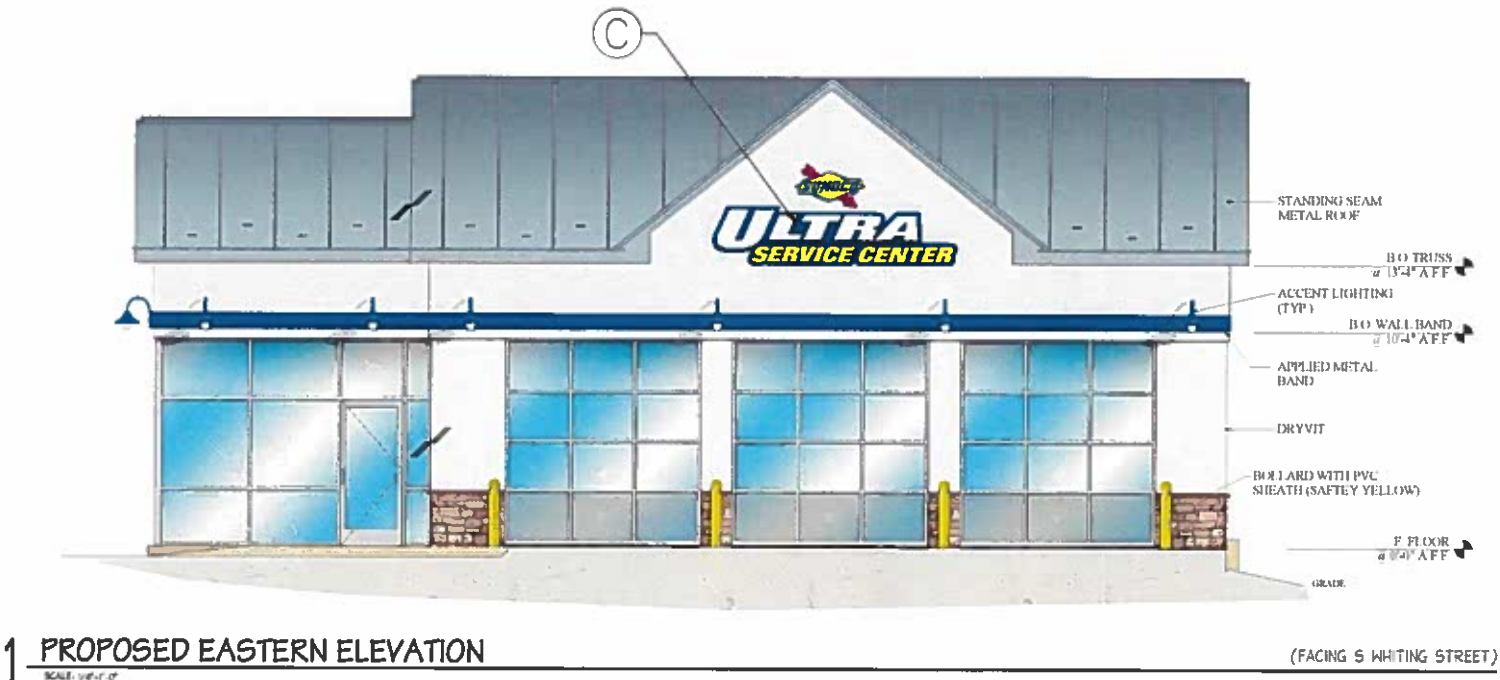


*Sunoco Detached Service Center*  
190 South Whiting Street - City of Alexandria

EL-5  
16 June 2016



**Cornerstone Consulting**  
Engineers & Architectural, Inc.  
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*Sunoco Detached Service Center*  
190 South Whiting Street - City of Alexandria

**SG-3**  
16 June 2016

REVISED