

Docket Item #8
SPECIAL USE PERMIT #2006-0051

Planning Commission Meeting
October 3, 2006

ISSUE: Consideration of a request for a special use permit to continue the operation of a nonconforming convenience store.

APPLICANT: UAC Land and Building L.L.C. T/A "24 Express"

LOCATION: 4007 Mount Vernon Avenue

ZONE: NR/ Neighborhood Retail

PLANNING COMMISSION ACTION, OCTOBER 3, 2006: On a motion by Mr. Dunn, seconded by Mr. Robinson, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations, and to delete condition #23, amend condition #30, and to add condition #31. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis and found that the conditions as amended addressed citizen concerns.

Speakers:

Charles Niphad Kabin, citizen, spoke in support of the application and indicated that crime at "24 Express" has decreased over the past few years.

Johnny Brent, "24 Express" employee, spoke in support of the use and indicated that he currently works security at "24 Express" and has had no problems there since the convenience store first opened.

Kathleen Henry, Arlandria-Chirilagua Housing Cooperative, was in support of the existing operations of "24 Express." Ms. Henry indicated that the convenience store has been a great neighbor and is an important part of the Arlandria community.

Jeffrey Luemnuns, citizen, spoke in support of the "24 Express" application and added that ceasing alcohol sales at 10pm would move the issues related to alcohol elsewhere in the community. Also, Mr. Luemnuns indicated that condition #23 should be removed because a 42" shelving height is not adequate for the store.

Jim Rorke, President, Lenox Place at Sunnyside Homeowners' Association, was in opposition of the use and indicated that concerns that the homeowners' association had were alcohol related. Mr. Rorke recommended that, since there are many impacts regarding this use as it relates to the location, Planning Commission should defer the request until all the impacts are weighed as they also will relate to the Arlandria Plan.

Kevin Beekman, Member of the Lenox Place at Sunnyside Homeowners' Association, President of The Arlandria Civic Association, spoke in opposition of the request. Mr. Beekman discussed his concern about the high crime rate in the neighborhood.

Tom Fitzgerald of the Lenox Place at Sunnyside Homeowners' Association spoke in opposition of the request and also requested that the City possibly look into acquiring the "24 Express" property as a part of the Four-Mile Run Park.

Paul Cox, Social Services Advisory Board, spoke in support of the use and indicated that there is a supply and demand problem regarding alcohol sales. Mr. Cox recommended that "24 Express" should cease all alcohol sales or cease all alcohol sales after 8pm.

Sharon Blackwell, citizen, spoke in opposition of alcohol sales and stated that litter on the "24 Express" property is a problem and that it relates to the Four-Mile Run trash problem that the city has presently.

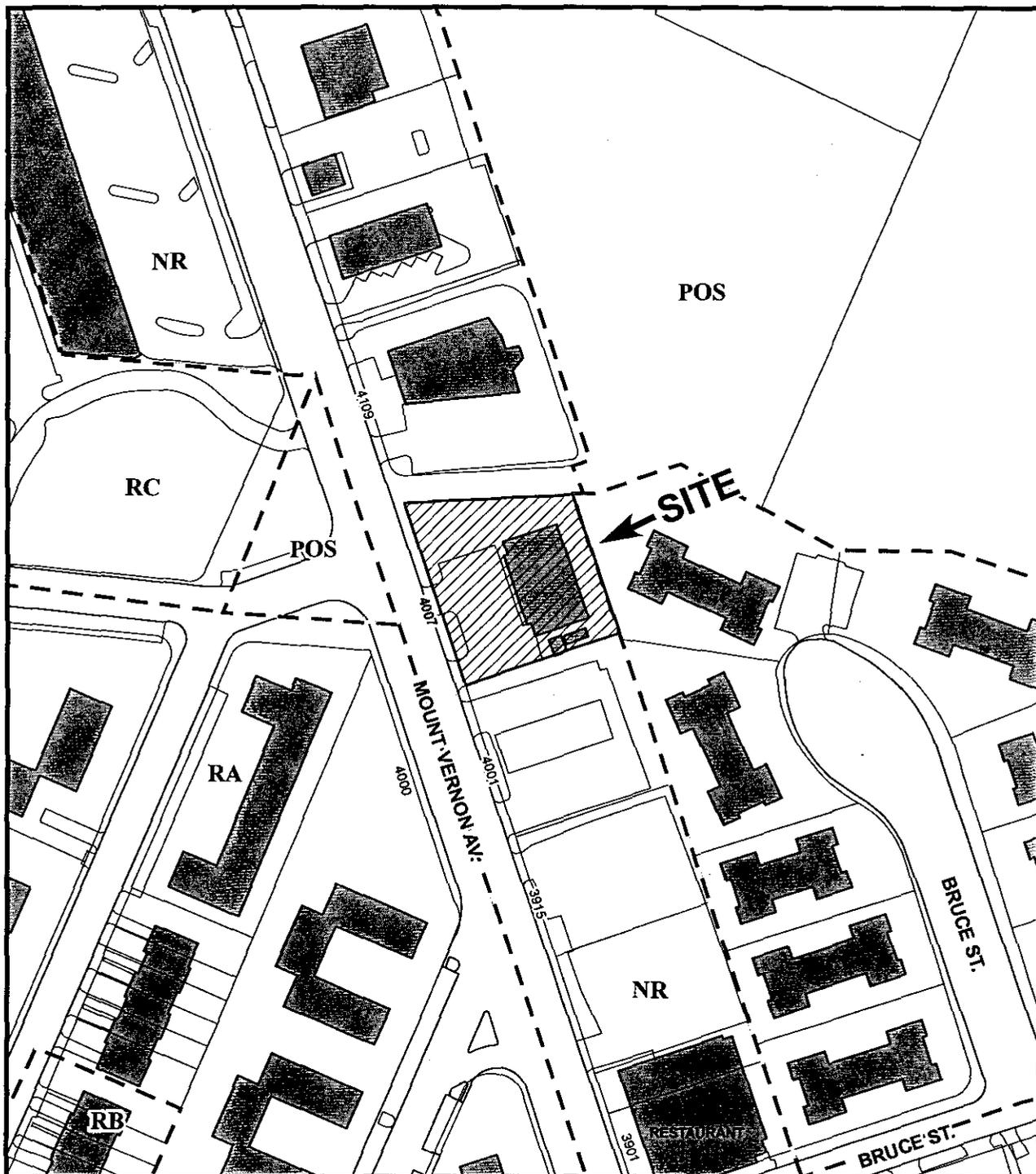
James Arrington, citizen, spoke in support of the use.

Mary Breed, citizen, spoke in opposition of alcohol sales at "24 Express" because of the many security and safety concerns that she has encountered while walking through her community to access other stores as well as Four Mile Run Park.

Norman Oakley, citizen, spoke in support of the request because ceasing operations would hurt a small business owner.

William C. (Tom) Thomas represented the application.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2006-0051

10/03/06



Z.o.a

I. DISCUSSION

REQUEST

The applicant, UAC Land and Building L.L.C. trading as "24 Express", requests special use permit approval for the continued operation of a nonconforming convenience store located at 4007 Mount Vernon Avenue.

SITE DESCRIPTION

The subject property is one lot of record with 155.7 feet of frontage on Mount Vernon Avenue, 132.7 feet of depth and a total lot area of 17,467 square feet. The site is developed with a "24 Express" convenience store. Access to the property is from Mount Vernon Avenue.



The surrounding area is occupied by a mix of residential, commercial, a public park, and a shopping center. Immediately to the north is a Dupont Paints retail store. To the south is an Exxon gas station. To the east is Four Mile Run Park and to the west is Presidential Greens Apartments.

BACKGROUND

In 1986, the Zoning Ordinance defined a convenience store as having 3,500 square feet or less of retail space. On March 3, 1998, City Council approved Text Amendment #97-0012 which provided that all nonconforming uses be required to come into compliance with the zoning ordinance within seven years of notice of their nonconforming status or cease operations. At the time Text Amendment #97-0012 was approved, "24 Express" was considered a grocery store because it had 3,600 square feet of floor area. On September 18, 1999, City Council approved Text Amendment #99-0007 changing the amount of space considered to constitute a grocery store from 3,500 square feet to 5,000 square feet. When the abatement legislation was adopted, notice was sent to all the nonconforming uses in the city known to staff, including "24 Express."

PROPOSAL

The applicant proposes to continue operating a nonconforming convenience store located at 4007 Mt. Vernon Avenue. The applicant's convenience store currently sells fresh fruits, vegetables, baked goods, as well as many other convenience store items. Consistent with other convenience stores within the city, the applicant proposes continuing operations as follows:

Hours: 5am- Midnight daily

Approximate Number of patrons:	5am- 8am: 200 8am- 4pm: 300 4pm- Midnight: 200
Mechanical Noise:	HVAC and refrigeration noise levels at or below City standard.
Patron Noise:	Combination of employee, manager, and security (police) personnel to insure against loitering, etc.
Trash:	Cardboard- To be picked up daily Garbage- Approximately 3 garbage pick up loads per week. Currently there is a dumpster storage area on the property.
Litter:	Site supervision, regular trash collection, and as needed policing of adjacent properties.
Safety:	Always staffed, lighted, with security personnel as needed on Friday, Saturday, and Sunday Evenings.
Alcohol:	Off-premise beer and wine sales

PARKING

Site Plan#85-035, approved in 1985, required the convenience store to provide one space per 200 square feet. A total of 16 off street parking spaces was required. The required 16 parking spaces are located on-site.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the NR/ Neighborhood Retail zone. Section 4-1403 of the Zoning Ordinance allows a convenience store only with a special use permit.

COMMUNITY OUTREACH

Upon receipt of the application by 24 Express, staff contacted nearby civic associations to make them aware of the request. Subsequently, staff attended two meetings involving the community members.

Lenox Place at Sunnyside Civic Association

On July 25, 2006, staff attended the Lenox Place at Sunnyside Civic Association meeting to discuss and answer any questions that the association had regarding the application and the applicant. At the meeting, members expressed concerns regarding alcohol sales, security at the convenience store, and exterior improvements.

Site Visit

On August 18, 2006, City staff visited the "24 Express" location. Civic Associations in attendance were Tenants and Worker's Support Committee, Arlandria Chirilagua Homeowner's Co-operative Association, Hume Springs Citizens Association, and Lennox Place at Sunnyside Association. During the meeting, community members indicated to staff issues that they felt were a direct result of the operation of the "24 Express" convenience store. The issues that were raised were: crime statistics in relation to other area convenience stores, the ratio of food sales vs. alcohol sales at the store, transportation improvements at the intersection in front of the property in conjunction with the Arlandria Small Area Plan, lighting and payphones on the property, littering and trash receptacles on the property, health and safety concerns inside the store, and landscaping in conjunction with the Four-Mile Run Plan.

II. STAFF ANALYSIS

Staff does not object to the continued operation of the 24-Express located at 4007 Mt. Vernon Avenue. The store is compatible with the mix of uses already in the area and provides a valuable convenience retail service to the community and is within walking distance to several residences.

Staff has been working with the applicant and the community to address issues that have been raised since the request was first submitted to the City. Staff members from the Departments of Code Enforcement, Parks, Recreation, and Cultural Activities, Police, and Planning and Zoning organized a comprehensive site visit which included the applicant and members of the Hume Springs Citizens' Association, Lenox Place at Sunnyside Citizens' Association, Tenants' and Workers' United Association, and the Astracor Association. In addition to the comprehensive site visit, staff has met with members of the Lenox Place at Sunnyside Citizens' Association regarding the operation.

Staff is concerned about the appearance of the property and some negative activity that has occurred on the property over the years. Since staff received the request from the applicant, staff has discussed with the applicant, issues regarding property maintenance, including landscaping and litter on the property. Also, there have been complaints of store products blocking the isles, safety concerns, and single sales of alcohol. In addition, the Lenox Place at Sunnyside Citizens' Association identified a number of concerns including loitering, increased crime, and other issues which have been ongoing at the property. In order for this convenience store to continue operating in the community, a number of site improvements will be necessary to beautify the site, discourage negative activities such as loitering and littering, and improve the streetscape. Specific concerns are addressed as follows:

Crime Statistics

Within recent years, reported crimes at the 24 Express have declined (see attached crime statistics). In response to past crime at the subject property, the applicant has hired off-duty police officers for the 24 Express for Friday- Sunday nights from 6pm- 12 midnight. To further deter crime, staff has

included a condition that the applicant must hire an off-duty Alexandria Police Officer for security daily from 6pm- closing. Staff finds that this practice has proven to be successful in deterring and stopping crime at the business during those hours. When off-duty officers are used, calls for service at the business drop at a significant rate.

In addition, staff has also addressed crime within the Arlandria community by having residential Police Officers in the community as well as a police sub-station. The officers have increased patrols in the community and are continuously building a positive relationship with Arlandria residents and business owners.

Lighting & Payphones

When staff visited the property, there were concerns regarding the lighting and loitering on the property. In the evenings, visibility of the property is significantly reduced due to overgrown shrubbery. In addition to the landscaping concern, staff has found that loitering has added to issues with safety on the property. In order to address these concerns, staff has included a condition for the applicant to cut back the trees in order to provide the adequate lighting needed to address safety concerns. In addition, staff recommends the removal of three payphones and the conversion of the two remaining payphones on the property for outgoing calls only, as well as relocating the phones away from the building. The removal of three pay phones and conversion, as well as relocation, of two remaining phones should decrease loitering on the property, however still provide a needed phone service to the community.

Littering and Trash Cans

Within the fenced area of the site, staff finds that litter is not a large concern. The applicant has installed fencing to deter loitering as well as to prevent littering. However, there are not any signs on the property that prohibit littering. Despite the applicant's efforts to prevent littering, there is some litter in the area and only one City trash can. Staff has included conditions regarding the applicant providing two additional trash cans as well as including a condition that the applicant must pick up litter within 75 feet of the property to reduce the amount of litter located in the immediate area. Also, staff has included a condition requiring the applicant to provide a sign prohibiting litter. Staff finds that these conditions should help alleviate problems with litter in the area.

Health and Safety Concerns Inside the Store

Staff has been made aware of health and safety concerns regarding the blocking of isles, windows, and height of store products. Code Enforcement staff has visited the store and informed the applicant of health and safety issues. The applicant has since removed products blocking the isles and windows, as well as lowered the height that products are stacked within the store.

Site Improvements

Similar to the 7-Elevens and Sunrise Market, the Special Use Permit process provides an opportunity for property improvements. The owner of the 24- Express has expressed an interest in upgrading the site and is willing to work with City staff in doing so. In response to staff's concerns,

the applicant proposes a number of improvements for the property including removal of the existing pole sign and replacing the sign with a monument sign. Also, the applicant has agreed to the condition of removing the existing "box sign", and replacing it with a non-internally lit wall mounted sign. There are also opportunities to improve landscaping and the applicant is also submitting a landscape plan to staff for the property.

Community members have indicated that they would like to see landscaping for the property be in conjunction with the Four Mile Run Plan, since the entrance to the park is immediately next to the subject property. Staff finds that including a condition regarding a landscaping plan submitted by the applicant subject to the approval of the Directors of Planning and Zoning and Recreation, Parks, and Cultural Activities will assist the store to be more compatible with the community and the Four Mile Run Park Plan.

Alcohol Sales

Staff supports the recommendation prohibiting single sales to prevent any potential problems, such as littering and loitering, and to be consistent with Police policy to limit such sales City-wide.

Staff generally applies a condition for a one year review of all Special Use Permits. Since there are additional impacts on the community regarding the operation of the 24 Express convenience store, staff has included a condition for an annual review of the convenience store use for the first three years after the Special Use Permit has been approved. On the third year, staff recommends that City Council review the Special Use Permit to ensure that the conditions have sufficiently addressed the concerns.

With these conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

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

1. 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)
2. 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. (P&Z)(Police) (RP&CA)
3. Outdoor storage shall be limited to firewood. The firewood shall be located inconspicuously in a rack at the front of the store to the satisfaction of the Director of Planning and Zoning. (P&Z)

4. The hours of operation shall be limited to between 5am to 12am daily. (P&Z)(Police)
5. 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 permitted to accumulate on site outside of those containers. (P&Z)
6. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police)
7. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
8. 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 underage sales of alcohol. (P&Z)
9. Lighting shall be to the satisfaction of the Director of Transportation and Environmental Services in consultation with the Chief of Police. (P&Z)
10. Lighting on the property shall be shielded to prevent glare on adjacent properties. (P&Z)
11. The applicant shall control cooking 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 & Environmental Services. (T&ES)
12. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
13. Applicant shall provide the City \$2000.00 for two Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)(Police)
14. The applicant shall submit a landscaping plan and install, and thereafter maintain in good condition, landscaping to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Activities. (P&Z)(RP&CA)(Police)

15. The applicant shall remove the existing freestanding signs, and install a new monument sign to the satisfaction of the Director of Planning and Zoning. More specifically, the new monument sign shall be not exceed three feet in height . (P&Z)
16. The applicant shall remove the existing box sign on the front facade of the business and replace the sign with a non-internally lit, wall mounted sign to the satisfaction of the Director of Planning and Zoning. (P&Z)
17. 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)
18. The applicant shall replace the existing dumpster screening with a wooden dumpster screening, and maintain it in good condition to the satisfaction of the Director of Planning and Zoning. (P&Z)
19. No shrubs higher than 3 feet should be planted within 6 feet of walkways. (Police)
20. Trees should not be planted under or near light poles. This eliminates the potential of the tree blocking out the light, nullifying the light's effectiveness, when the tree reaches full maturity. (Police)
21. The applicant shall remove all merchandise from the windows. (Police)
22. Advertisements or displays shall not be located in or around the windows. If advertisements must be used, they should be small in size not to exceed 20% of the individual window and located along the top of the windows to allow for surveillance opportunities both from within and from outside the building. (Police)(P&Z)
23. **CONDITION DELETED BY PLANNING COMMISSION:** ~~The shelving should be limited to a MAXIMUM height of no more than 42 inches, with no stacking of tall items on the top shelf. This will help with visibility throughout the store for staff and customers.~~ (Police)(PC)
24. The applicant shall remove three payphones on the property. The remaining two telephones shall be relocated away from the building, along the street, with clear site lines from the cashier area. The telephones should be programmed to outgoing calls only. (Police)(P&Z)

25. 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. (Police)(P&Z)
26. The applicant shall hire off-duty police officers from Sunday through Saturday, from 6:00 P.M. until closing. (Police)
27. Per the Arlandria Small Area Plan, the area directly north of this site is planned for an improved intersection and roadway access to the park. The applicant will be required to participate and contribute to these improvements at the time of City implementation.(RP&CA)
28. The applicant shall provide a sign on the property prohibiting litter. (P&Z)
29. The applicant shall cease alcohol sales at 10pm daily. (Police)
30. **CONDITION AMENDED BY PLANNING COMMISSION:** An annual review for three consecutive years is recommended. An additional review shall occur within six months after approval if complaints are received. At the end of the three years, it is recommended that the SUP go before City Council for a full review. (Police)(P&Z)(RP&CA)(PC)
31. **CONDITION ADDED BY PLANNING COMMISSION:** No alcohol consumption shall be permitted on the property. (PC)

STAFF: Richard Josephson, Acting Director;
James Hunt, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

- C-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.
- R-1 The applicant shall control cooking 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 & Environmental Services.
- R-2 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-3 Applicant shall provide the City \$2000.00 for two Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation.

Code Enforcement:

- C-1 The proposed monument sign will require a construction permit.

Health Department:

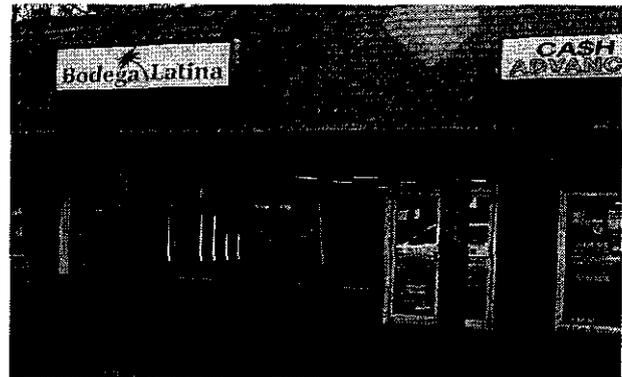
- F-1 No comment.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery readiness program for all employees.

- R-3 The applicant should submit a landscape plan, especially for the south side of the business where it joins the gas station to set the site off from the adjoining property clearly establishing the business's boundaries.
- R-4 No shrubs higher than 3 feet should be planted within 6 feet of walkways.
- R-5 Trees should not be planted under or near light poles. This eliminates the potential of the tree blocking out the light, nullifying the light's effectiveness, when the tree reaches full maturity.
- R-6 The applicant shall add at least two more trash cans on the property site.
- R-7 The boundaries for litter retrieval that the applicant is responsible for should extend 75 feet around the perimeter of the business.
- R-8 The applicant shall remove all merchandise from the windows.
- R-9 Advertisements or displays shall not be located in or around the windows. If advertisements must be used, they should be small in size not to exceed 20% of the individual window and located along the top of the windows to allow for surveillance opportunities both from within and from outside the building.
- R-10 The shelving should be limited to a MAXIMUM height of no more than 42 inches, with no stacking of tall items on the top shelf. This will help with visibility throughout the store for staff and customers.
- R-11 The pay-telephones should be reduced to two telephones. The telephones need to be away from the building, along the street, with clear site lines from the cashier area. The telephones should be programmed to outgoing calls only.
- R-12 It is recommended that the closing hours for the business be 10:00 P.M.
- R-13 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-14 A three year annual review is recommended for the business. At the end of the three years, it is recommended that the SUP go before City Council for a full review.

- R-15 The applicant shall hire off-duty police officers from Sunday through Saturday, from 6:00 P.M. until closing.
- R-16 The applicant shall cease alcohol sales at 10pm daily.
- F-1 A check of the business revealed that natural surveillance into and out of the business is blocked/hindered by merchandise stored high along the windows. The windows should create a “fish bowl effect” to allow surveillance opportunities both from within and from outside the building. (see diagrams below).



Note that in the picture on the left, natural surveillance cannot be obtained due to all of the advertisements and merchandise in the window. For the safety of all employees and patrons, a “fish bowl effect” like the picture on the right should be obtained allowing for natural surveillance opportunities both from within and from outside the building by clearing the windows of all obstruction. Also, when the business looks like the owner cares crime is less likely to occur.

- F-2 The business currently employees off-duty police officers on Friday, Saturday and Sunday nights from 6:00 P.M. until 12:00 A.M. This practice has proven to be successful in deterring and stopping crime at the business. When the officers are on duty, calls for service at the business drop at a rate significant enough to recommend that the practice of hiring off-duty officers be extended from the current schedule to a schedule of Sunday through Saturday, from 6:00 P.M. until closing.

Recreation, Parks, & Cultural Activities

- R-1 The applicant shall install, and thereafter maintain in good condition, landscaping to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Activities.

- R-2 A three year annual review is recommended for the business. At the end of the three years, it is recommended that the SUP go before City Council for a full review.
- R-3 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.
- R-4 Per the Arlandria Small Area Plan, the area directly north of this site is planned for an improved intersection and roadway access to the park. The applicant will be required to participate and contribute to these improvements at the time of City implementation.
- F-1 The City is actively pursuing the preservation and acquisition of open space in this area and would consider the possibility of right of first refusal and other means of converting this property to open space through voluntary interactions with the property owner. At the time or before the special use permit expires, the applicant may contact the City to discuss such future options.

APPLICATION for SPECIAL USE PERMIT # 2006-0051 sep

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PROPERTY LOCATION: 4007 MOUNT VERNON AVENUE "24 EXPRESS"

TAX MAP REFERENCE: 007.01-02-18 ZONE: NR

APPLICANT Name: UAC LAND & BUILDING L.L.C. t/a "24 EXPRESS"*

* BY ATTORNEY

Address: 4007 MOUNT VERNON AVENUE, ALEXANDRIA, VIRGINIA 22305

PROPERTY OWNER Name: UAC LAND & BUILDING L.L.C.

Address: 4007 MOUNT VERNON AVENUE, ALEXANDRIA, VIRGINIA 22305

PROPOSED USE: CONVENIENCE STORE (EXISTING)

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 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 to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) 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 Planning Commission or City Council in the course of public hearings 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.

FAGELSON, SCHONBERGER, PAYNE & DEICHMEISTER, P.C.

BY: WILLIAM C. THOMAS, JR.
Print Name of Applicant or Agent


Signature

11320 RANDOM HILLS ROAD, #325
Mailing/Street Address

Direct Voice 703 926-6460
(703)385-8282 (703) 385-8761
Telephone # Fax #

FAIRFAX, VA 22030
City and State Zip Code

May 25, 2006
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one) the 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, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

TIEN NIPHADKABIN; PAUL PAPAGEORGE; KOMOL PHUMISITTIKUL;
PRAPUN PITUCKUL; SANGCHAI CHIAPAIKEO c/o 24 EXPRESS
4007 MOUNT VERNON AVENUE, ALEXANDRIA, VIRGINIA

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

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

USE CHARACTERISTICS

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

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,
- other. Please describe: 12-214

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).

5-8 a.m. - 200 +/-; 8 a.m. - 4 p.m. - 300;
4 p.m. - midnight - 200 +/-

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

22 EMPLOYEES TOTAL (MOSTLY FROM COMMUNITY) + 3 MANAGERS
(1 ON DUTY AT ALL TIMES); 5-8 EMPLOYEES PER SHIFT; 5-8 a.m.;
8 a.m. - 4 p.m.; 4 p.m. - midnight

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

Day:	Hours:
<u>DAILY</u>	<u>5 a.m. - midnight</u>
<u> </u>	<u> </u>

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

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

HVAC AND REFRIGERATION; NOISE LEVELS AT OR BELOW CITY
STANDARDS

B. How will the noise from patrons be controlled?

COMBINATION OF EMPLOYEE, MANAGER, AND SECURITY (POLICE)
PERSONNEL TO INSURE AGAINST LOITERING, ETC.

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

MINIMAL FOOD ODORS: VENTED TO CODE

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?

PRIMARILY PAPER AND PLASTIC WITH MINIMAL FOOD WASTE

B. How much trash and garbage will be generated by the use?

APPROXIMATELY 5 RECYCLE CARDBOARD LOADS PER WEEK

APPROXIMATELY 3 TRASH/GARBAGE ~~BAGS~~ LOADS PER WEEK

C. How often will trash be collected?

CARDBOARD - DAILY

TRASH/GARBAGE - 3 TIMES PER WEEK

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

SITE SUPERVISION: REGULAR TRASH COLLECTION: AND AS NEEDED
POLICING OF ADJACENT PROPERTIES

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:

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:

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

ALWAYS WELL STAFFED, LIGHTED, WITH SECURITY PERSONNEL AS
NEEDED AND ON FRIDAY, SATURDAY AND SUNDAY EVENINGS

ALCOHOL SALES

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

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

BEER AND WINE OFF-PREMISES SALES WITH CHANGES PROPOSED IN LINE
WITH NEIGHBORING SIMILAR RETAILERS (OTHER GROCERIES,
CONVENIENCE STORES, PHARMACIES).

D. During what hours of the day do you expect loading/unloading operations to occur?

TRASH/RECYCLING IN A.M.; FOOD DELIVERIES AND MERCHANDISE
PRIMARILY IN A.M. THROUGH MID-DAY

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

TRASH/RECYCLING AS STATED PLUS 2 TO 3 DELIVERIES PER DAY

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?

ACCESS EXISTING - ADEQUATE

SITE CHARACTERISTICS

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

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

How large will the addition be? _____ square feet.

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

3600+/- sq. ft. (existing) + _____ sq. ft. (addition if any) = 3600 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: _____

WRITTEN STATEMENT
APPLICATION: UAC Land and Building LLC t/a 24 Express
TAX MAP NO: 007.01-02-18

This is an application for the continuation under Special Use Permit of the "24 Express" grocery and convenience store which has served well the Potomac West/Arlandria areas of Alexandria since 1986. A locally owned and operated small business, the 24 Express was established in 1986 as a grocery store under then applicable zoning standards. In late 1999, the zoning category differentiating grocery and convenience stores was amended to enlarge the square footages from 3500 square feet to 5000 square feet (under which is defined as convenience store and over which is a grocery). The 24 Express contains approximately 3600 square feet of building and functions with elements of both definitions.

In addition to standard convenience store items, 24 Express carries a number of grocery items and prepared sandwich and salad items, including a prepared chicken offering which is very popular. Typical of other grocery, convenience and pharmacy businesses within the area, the 24 Express also carries beer and wine (it is noted that 24 Express has maintained an excellent record with Virginia ABC for all of its 20 years in existence and has an equally spotless record in the enforcement of and adherence to cigarette sales restrictions). 24 Express serves as an agent for Western Union, hosts and ATM service, and provides key making services for its customers.

The Arlandria/Potomac West and neighboring communities support the 24 Express with their business with many of the customers walking to the store from nearby residences. In fact, of the approximately 22 employees of 24 Express, most are also from the local community. In a testament to the community serving nature of the business, most customers know the workers at the store by name, and the workers know the customers as well. In addition, the owners have been active participants in the business community evidenced in part by the number of sponsorships over the years of community activities.

The 24 Express convenience and grocery store will continue to operate seven days a week from 5:00 a.m. to midnight. Employees on site at any point in time will always include at least one manager and from five to eight staff members. Additionally, on Friday, Saturday and Sunday evenings from 6:00 p.m. to midnight an off-duty Alexandria City police officer is employed to assist with parking lot management, ABC identification policy enforcement, as well as general security.

Again as a testament to the community serving presence of 24 Express, this grocery and convenience store serves between 600 and up to approximately 800 mostly neighborhood customers on any given day. In the 5:00 a.m. to 8:00 a.m. time frame approximately 200 customers will come in on their way to and on their way from employment with such companies as Metro, The Reagan National Airport, Crystal City and Potomac Yards businesses. Likewise, between 8:00 a.m. and 4:00 p.m. another approximately 300 customers will come to the store and another approximately 200 customers will come in the evening again on their way to and back from work in the neighboring business communities.

The existing site layout for the 24 Express grocery and convenience store is shown on the attached Special Use Permit plans prepared by Dominion Surveyors. In addition to the site layout provided, pictures of the site are also provided to show the substantial and mature landscaping that is maintained on the 24 Express property. In addition to the original site, in 1995 the City of Alexandria vacated unused right-of-way to the owners and this property has been consolidated into the operation as open space. A wrought iron styled black aluminum fence adorns the perimeter of the property at the entrance to the Alexandria Four Mile Run park. The building is a masonry block building maintained in a red brick color with a flat roof and existing building signage as shown on the attached photos. There is an existing freestanding pole sign and it is proposed that this sign be replaced with a monument sign and the landscaping tailored around it to enhance the sign treatment.

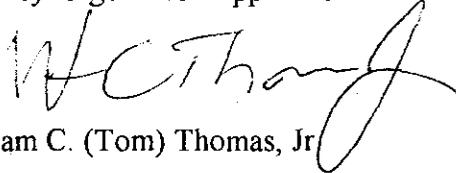
Though no expansion or intensification of the 24 Express business is requested in the Special Use Permit application, the Applicant is willing, in consultation with City Planning and Zoning, to implement, to the extent feasible, signage, lighting, landscaping and site amenity guidelines contained in the Potomac West Small Area Plan and the standards of the Neighborhood Retail (NR) zone. As the application moves forward, we look forward to meeting with Staff and our neighbors on site to further pursue these objectives. On behalf of the owners of the 24 Express, we look forward to the successful completion of the Special Use Permit application process.

Thank you for your kind consideration of and attention to this matter.

Respectfully submitted,

FAGELSON, SCHONBERGER, PAYNE & DEICHMEISTER, P.C.

Attorneys/Agents for Applicant



William C. (Tom) Thomas, Jr

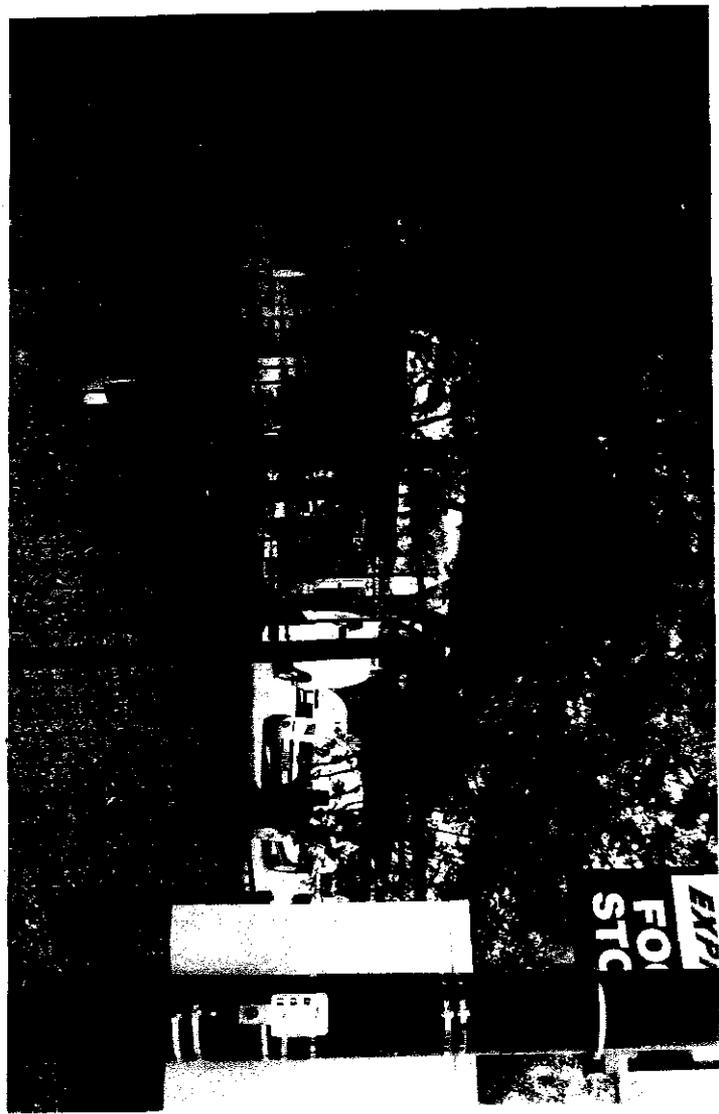
Date: 25 May 2006



OPEN SPACE / LANDSCAPE
North side taken
From sidewalk
25



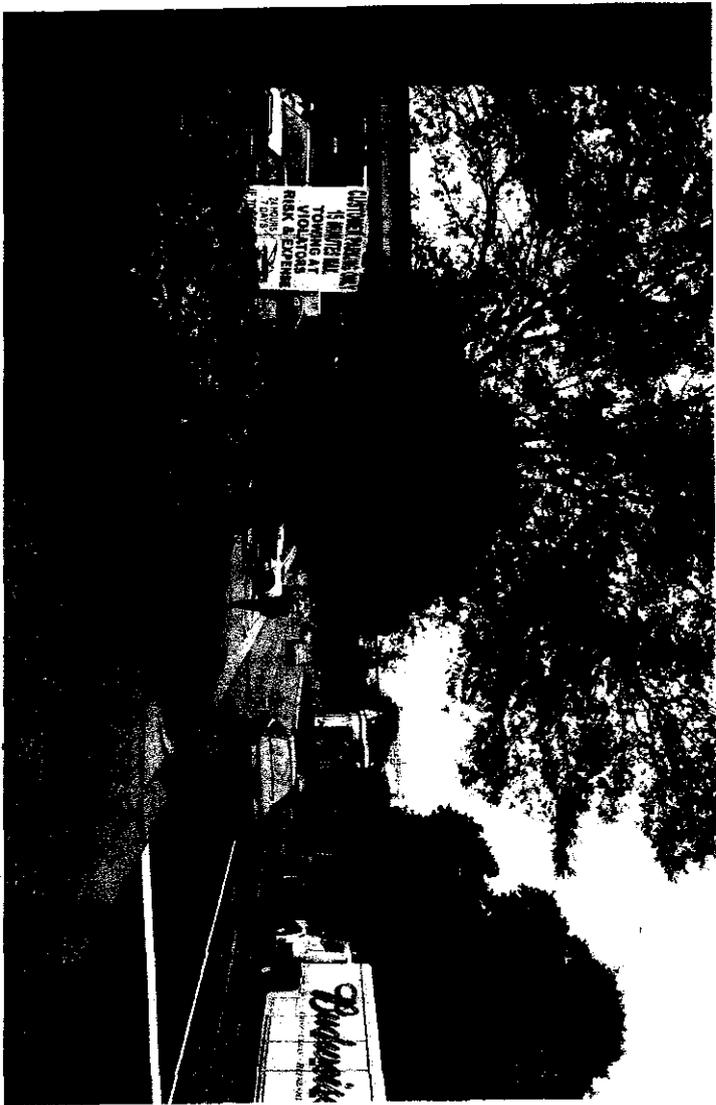
OPEN SPACE VEGETATION
REAR OF PROPERTY



FENCE | OPEN SPACE |
LANDSCAPE PINE OF
LEFT (NORTH) SIDE OF
PROPERTY |



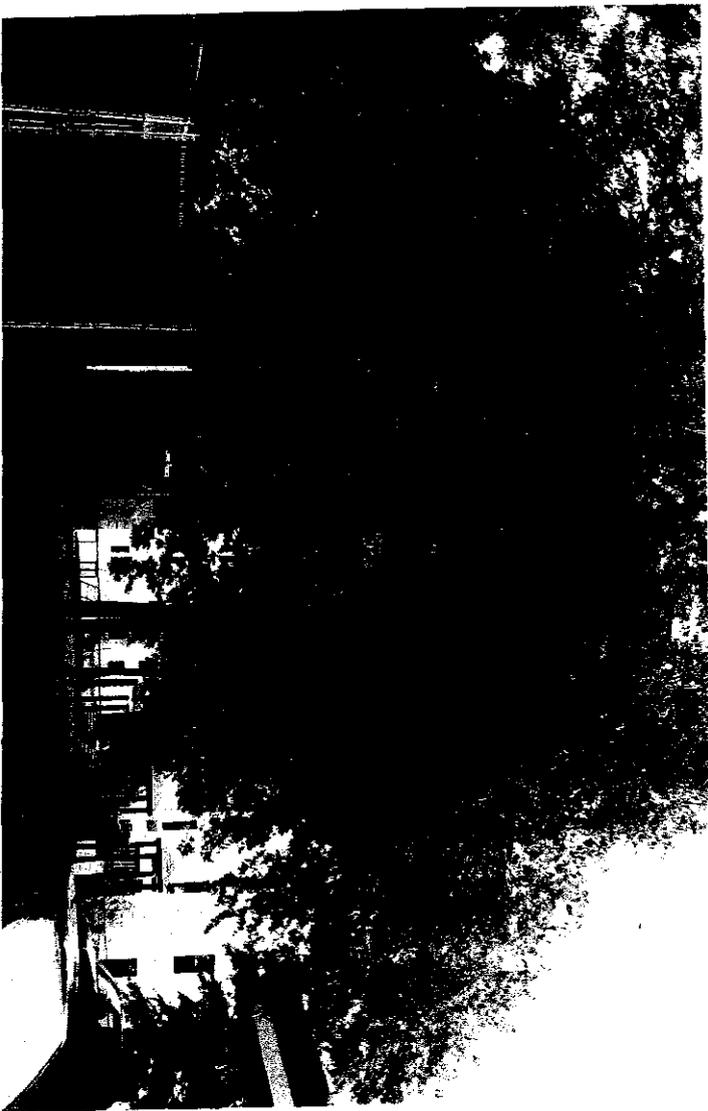
LANDSCAPING AT
PROPERTY FRONTAGE



Landscaping of
Property Frontage



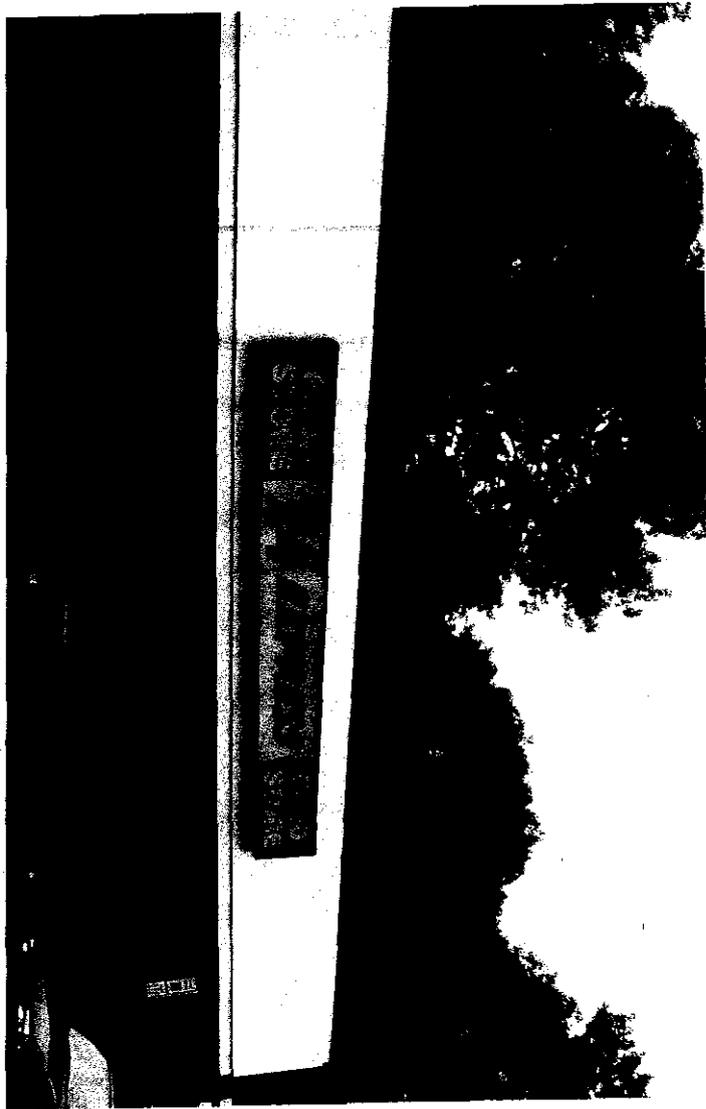
ENTRANCE / FENCE
TO PARK



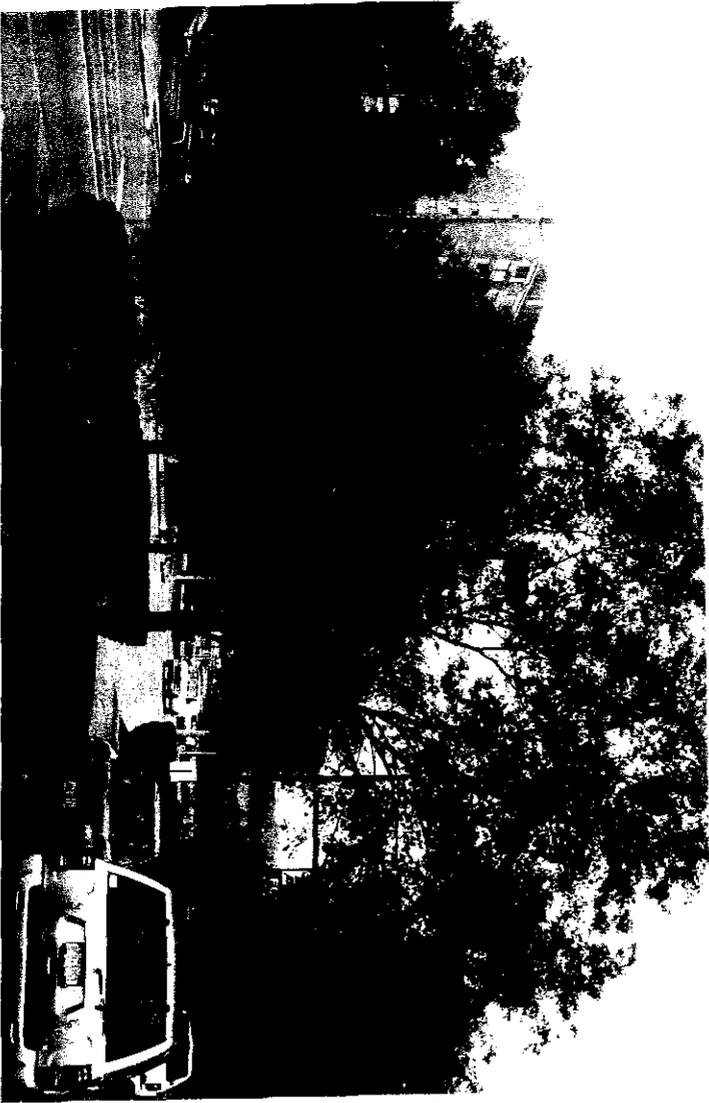
VEGETATION SCREENING
DAMPSTER TO EXHON SITE
adjacent to EXHON SITE
and apartments



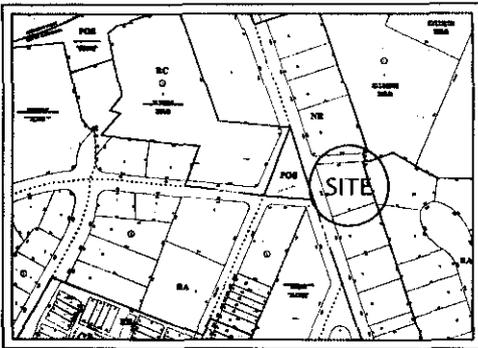
VIEW AT COMMON
PROPERTY LINE WITH
EXXON



STAGE FRONT



STREETSCAPE AT
FRONT OF SITE



VICINITY MAP
NO SCALE



VICINITY MAP
NO SCALE

BEVERLEY PLAZA
SECTION TWO

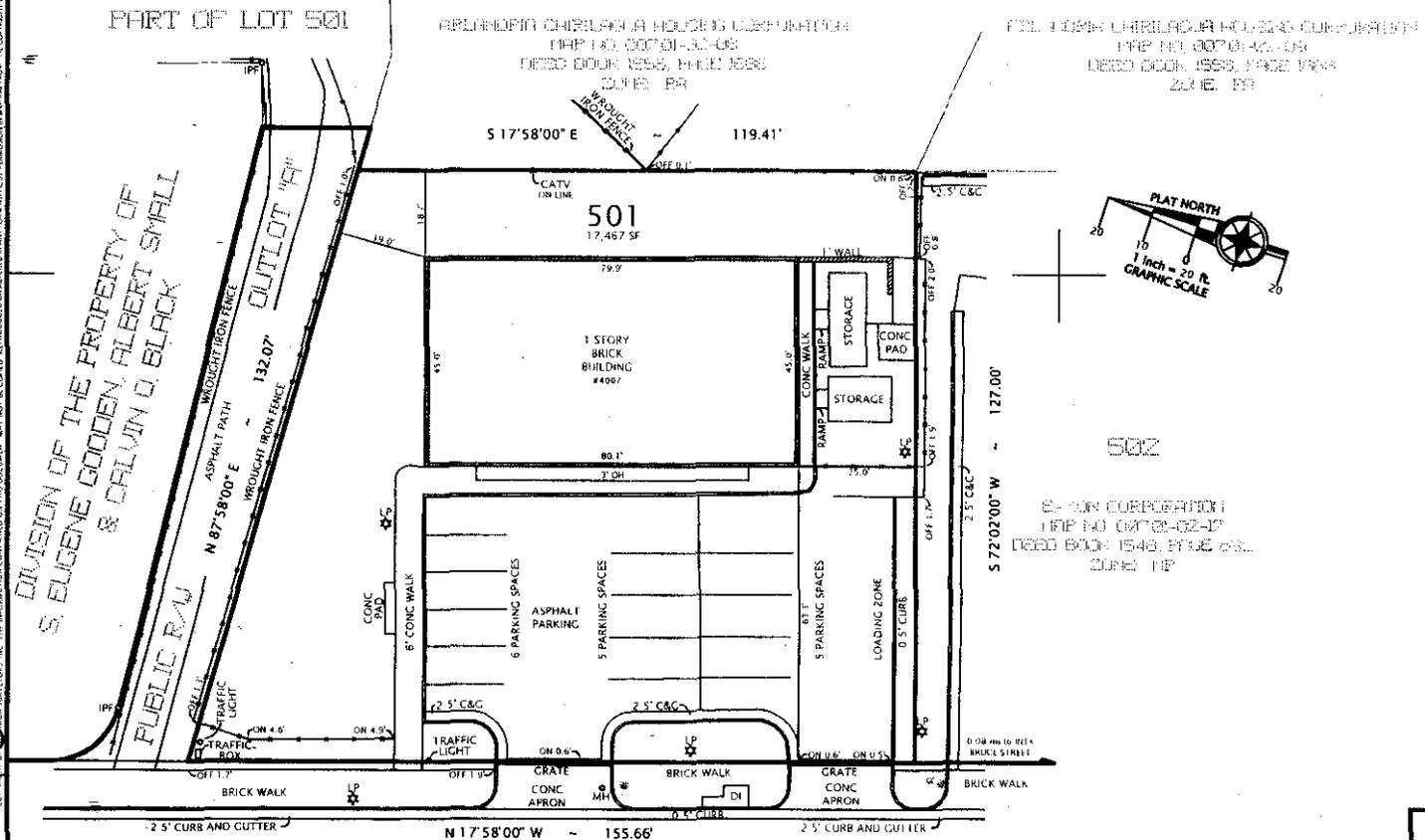
NOTES

1. THE PROPERTY DELINEATED THEREON BY CT 07-18 AND IS ZONED RR-1M
2. OWNER: DAC LAND & BUILDING LLC
4007 MOUNT VERNON AV.
ALEXANDRIA, VA 22705-2
3. NO TITLE REPORT FURNISHED
4. THIS PROPERTY IS SUBJECT TO REST
5. ELEVATIONS ARE BASED ON CITY D
6. THIS PROPERTY IS NOT LOCATED W
7. FENCES ARE CHAIN LINK UNLESS NU
8. TOTAL AREA = 17,467 SF. OR 0.401
9. THE SURVEYOR IS NOT AWARE OF 7
25 FEET IN WIDTH OR GREATER AF
10. THERE ARE SIXTEEN REGULAR PARKI
ON THIS PROPERTY

SUN

S-00-9000-005

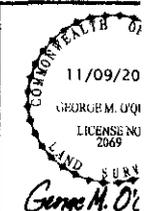
THE INFORMATION CONTAINED ON THIS DOCUMENT MAY NOT BE COPIED, REPRODUCED OR ALTERED IN ANY MANNER WITHOUT THE PERMISSION OF THE SURVEYOR. THE COPYRIGHT OWNER IS THE SURVEYOR.



PLAT
 SHOWING THE IMPROV
 LOT 501, BLOCK 1,
 BEVERLEY
 QUAD BLOCK 2, 1A
 CITY OF ALEXANDR
 SCALE: 1" = 20' NO

I HEREBY CERTIFY THAT THE POSITIONS OF
 ALL THE EXISTING IMPROVEMENTS HAVE BEEN
 CAREFULLY ESTABLISHED BY A CURRENT FIELD
 SURVEY AND UNLESS SHOWN OTHERWISE ARE
 SHOWN IN THIS PLAT AS OF THE DATE

THIS PLAT IS SUBJECT TO
 REVISIONS OF RECORD.
 A TITLE PLAT MAY NOT BE FURNISHED
 UNLESS ALL MARKERS ARE



August 24, 2006

Alexandria Director of Planning and Zoning
Eileen Fogarty
City Hall Room 3500
301 King Street
Alexandria VA 22314



Dear Director:

I am an owner in Lenox Place at Sunnyside (LPAS) community in Alexandria City. It has come to my attention that a special use permit (SUP) for the 24 hour express store on the corner of Commonwealth and Mount Vernon Avenue is being evaluated on September 7, 2006. I will be out of town and unable to attend the meeting.

The 24 Express has been a focus of concern for over a decade. Much of the area's public drinking, violence, litter and other issues seem to originate there. Our LPAS home owners have a good relationship with our local police. The Police have told us that well over 90% of our Arlandria neighborhood's crime is alcohol related and that weapon of choice in most aggravated assaults and robberies is the 40oz beer bottle sold at 24 Express.

In the past few years, Arlandria has experience over a quarter of the city's aggravated assaults and robberies. We need to take proactive measures to combat these rising incidents, and ask that you do not grant the SUP for 24 hour Express.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Fus".

Dr. A. Fus
Owner, 3846 Charles Avenue
Alexandria VA 22305



Celeste Cox/Alex
09/20/2006 04:05 PM

To James Hunt/Alex@ALEX
cc
bcc
Subject Fw: SUP for 24 Hour Express

Celeste Cox
City of Alexandria
Department of Planning and Zoning
301 King Street RM 2100
Alexandria, VA 22314
703-838-4666

----- Forwarded by Celeste Cox/Alex on 09/20/2006 04:05 PM -----



"Mark Maurice"
<drs.maurice@worldnet.att.net>
et>
08/20/2006 12:17 PM

To <Eileen.Fogarty@alexandriava.gov>
cc <lenoxhoa@comcst.net>
Subject SUP for 24 Hour Express

Dear Ms. Fogarty,

Please understand that the Lenox Place at Sunnyside Home Owners Association does not at all represent all the residents of Lennox Place regarding their drive to deny a Special Use Permit to 24 Hour Express. The Association has unilaterally decided to launch this unfair attack based on their very limited knowledge of the surrounding neighborhood, and quite frankly, it is most likely based on prejudice toward the surrounding community.

We have lived in Lenox place for more than five years. During this time, we have gone on evening walks around the neighborhood, usually stopping at 24 Hour Express, virtually every evening. We have never felt threatened or even uncomfortable in the presence of our surrounding neighbors. We also see 24 Hour Express as being very well run by very hard working people, and they always have an ample security and managerial presence.

Taking away a major source of revenue from 24 Hour Express, by denying their SUP, just to make things less convenient for the surrounding neighborhood, is just plain mean. There are a host of other stores that sell beer, including Giant and 7-11, that are close by. The Homeowners Association apparently believes that if buying beer is slightly less convenient, the local residents will stay home and stay out of trouble. Instead, this policy would encourage drunks to hop in their cars and drive to the 7-11,

37

since simply walking to the 24 Hour Express would no longer be an option.

The bottom line is that there will always be problems with drunk and disorderly residents in Alexandria so long as our City Government insists on maintaining slum housing and ghettos. These crimes, however, do not appear to be within Lenox Place, or to the residents of Lenox place. Denying an SUP to 24 Hour Express hurts the business of very hard working people, and simply moves problems with alcohol related crime a block or two away.

We support the SUP for 24 Hour Express.

Dr. Mark Maurice
Dr. Lourdes Maurice
505 Shorter Lane
Alexandria, VA 22305
Drs.Maurice@worldnet.att.net

24 Express

4007 Mount Vernon Avenue

SUP #2006-0073

59
Data contained in this report is from the Alexandria Police Department's Record Management System (RMS). 2006 data is still raw and has not been verified. Please do not distribute this data or report beyond the intended recipient without prior approval from the Alexandria Police Department's Crime Analysis Unit.

**Crime at 24 Hour Express and Surrounding Area
2000 – 2006***

Analysis prepared for Captain Eddie Reyes, Alexandria Command

Crime that Occurred At 24 Hour Express

This chart shows Part 1 Crime that occurred at 24 Hour Express since 2000. This includes any crimes that occurred inside the establishment or on its property (parking lot).

Part 1 Crime Statistics

Crime Type	2000	2001	2002	2003	2004	2005	2006
Homicide	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Robbery	2	2	2	0	0	1	1
Aggravated Assault	3	4	0	1	3	2	0
Burglary	0	0	0	0	0	0	0
Larceny	3	3	2	1	1	2	0
Auto Theft	2	1	0	1	2	1	0
Total	10	10	4	3	6	6	1

Of the 13 aggravated assaults that occurred at 24 Hour Express, 8 involved the use of a knife, 3 involved the use of a blunt object and 1 involved a beer bottle.

Crime that Occurred At 24 Hour Express

This chart shows Nuisance Crime that occurred at 24 Hour Express since 2000. This includes any crimes that occurred inside the establishment or on its property (parking lot).

Nuisance Crime Statistics

Crime Type	2000	2001	2002	2003	2004	2005	2006
Destruction/Vandalism	1	0	0	0	1	0	0
Drug/Narcotic Violations	0	1	1	1	1	0	1
Disorderly Conduct	9	11	0	5	3	3	0
Driving Under the Influence	1	2	3	1	1	0	0
Drunkennes	43	68	71	44	36	21	12
Liquor Law Violations	59	56	28	27	12	9	2
Total	113	138	103	78	54	33	15

17

Calls for Service for 24 Hour Express

	2000	2001	2002	2003	2004	2005	2006
Total Calls for Service	250	323	248	221	173	121	50

Note: Many of the residents living in the immediate area of Four Mile Park or across the street in Presidential Heights at Four Mile Park or across the street in Presidential Heights do not have private telephone service. Therefore, the residents use the five public telephones located in the area. This means many calls for police service at 24 Hour Express and incidents did not actually occur at 24 Hour Express. Some may have occurred at Four Mile Park or across the street in Presidential Heights.

Crime That Occurred Around 24 Hour Express

The following data shows crime around 24 Express property. These statistics show crime that occurred at 150 feet from the edge of the 24 Hour Express parcel. The map below illustrates the area encompassed by the measurement.

150 Feet Around 24 Hour Express

(This data does not include incidents that occurred at 24 Hour Express)

Part 1 Crime

Crime Type	2000	2001	2002	2003	2004	2005	2006
Homicide	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Robbery	1	0	1	2	0	1	1
Aggravated Assault	2	1	1	1	5	1	1
Burglary	2	0	0	0	0	0	0
Larceny	3	1	4	4	2	2	0
Auto Theft	1	0	1	3	1	0	1
Total	9	2	7	10	8	4	3

43

Crime That Occurred Around 24 Hour Express

The following data shows crime around 24 Express property. These statistics show crime that occurred at 150 feet from the edge of the 24 Hour Express parcel. The map below illustrates the area encompassed by the measurement.

150 Feet Around 24 Hour Express

(This data does not include incidents that occurred at 24 Hour Express)

Nuisance Crime

Crime Type	2000	2001	2002	2003	2004	2005	2006
Destruction/Vandalism	0	3	4	2	3	2	0
Drug/Narcotic Violations	1	3	0	3	7	5	1
Disorderly Conduct	8	10	11	9	9	4	3
Driving Under the Influence	2	4	1	0	1	1	1
Drunkenness	46	54	50	61	49	37	12
Liquor Law Violations	46	63	31	41	44	28	10
Total	103	137	97	116	113	77	27

47

Crime That Occurred Around 24 Hour Express

The following data shows crime around 24 Express property. These statistics show crime that occurred at 250 feet from the edge of the 24 Hour Express parcel. The map below illustrates the area encompassed by the measurement.

250 Feet Around 24 Hour Express

(This data does not include incidents that occurred at 24 Hour Express)

(This data includes the crimes that occurred within 150 feet of 24 Hour Express as well)

Part 1 Crime

Crime Type	2000	2001	2002	2003	2004	2005	2006*
Homicide	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Robbery	4	1	2	2	1	3	1
Aggravated Assault	3	1	1	1	7	1	1
Burglary	2	1	0	0	0	0	0
Larceny	3	5	4	8	3	2	2
Auto Theft	2	1	2	3	2	1	1
Total	14	9	9	14	13	7	5

45

Crime That Occurred Around 24 Hour Express

The following data shows crime around 24 Express property. These statistics show crime that occurred at 250 feet from the edge of the 24 Hour Express parcel. The map below illustrates the area encompassed by the measurement.

250 Feet Around 24 Hour Express

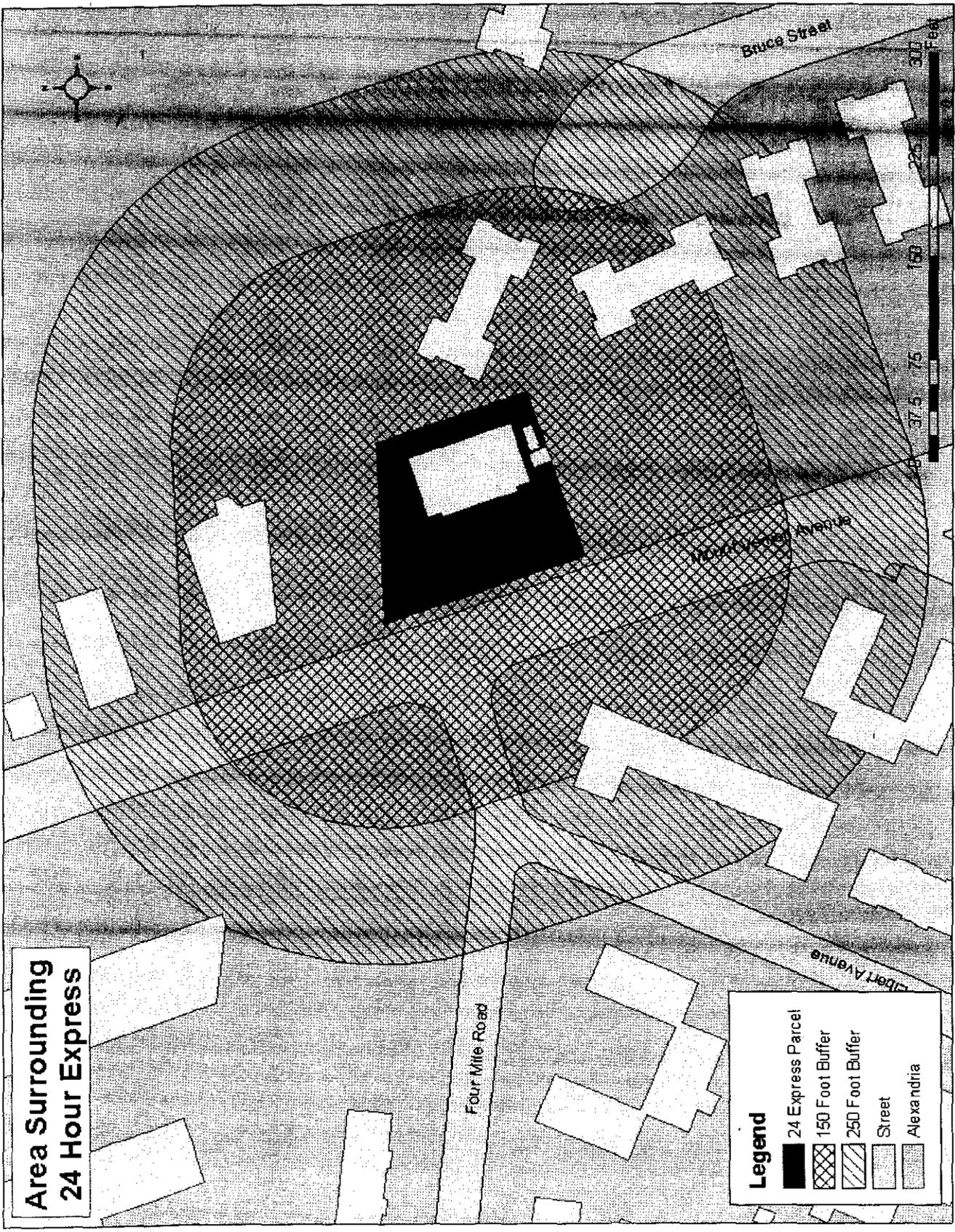
(This data does not include incidents that occurred at 24 Hour Express)

(This data includes the crimes that occurred within 150 feet of 24 Hour Express as well)

Nuisance Crime

Crime Type	2000	2001	2002	2003	2004	2005	2006*
Destruction/Vandalism	4	4	6	8	7	4	1
Drug/Narcotic Violations	1	3	1	4	7	6	2
Disorderly Conduct	11	10	11	9	9	4	3
Driving Under the Influence	3	4	2	0	1	1	1
Drunkenness	51	58	53	65	55	49	18
Liquor Law Violations	47	68	32	43	45	38	12
Total	117	147	105	129	124	102	37

96



47

Last Name: Maurice

Street Address: 505 Shorter Lane

City: Alexandria
State: VA

Zip: 22305
Phone: 703-684-3964

Email Address: drs.maurice@worldnet.att.net

Subject: SUP for 24 Hour Express

Comments: Sir - I won't be in town for the 7 Oct meeting regarding the SUP for 24 Hour Express. I had previously sent the e-mail below to Ms. Fogarty, and would like to share our thoughts with you as well. Sincerely - Mark & Lourdes Maurice

To: Eileen.Fogarty@alexandriava.gov
Cc: lenoxhoa@comcst.net
Sent: Sunday, August 20, 2006 12:17 PM
Subject: SUP for 24 Hour Express

Dear Ms. Fogarty,

Please understand that the Lenox Place at Sunnyside Home Owners Association does not at all represent all the residents of Lennox Place regarding their drive to deny a Special Use Permit to 24 Hour Express. The Association has unilaterally decided to launch this unfair attack based on their very limited knowledge of the surrounding neighborhood, and quite frankly, it is most likely based on prejudice toward the surrounding community.

We have lived in Lenox place for more than five years. During this time, we have gone on evening walks around the neighborhood, usually stopping at 24 Hour Express, virtually every evening. We have never felt threatened or even uncomfortable in the presence of our surrounding neighbors. We also see 24 Hour Express as being very well run by very hard working people, and they always have an ample security and managerial presence.

Taking away a major source of revenue from 24 Hour Express, by denying their SUP, just to make things less convenient for the surrounding neighborhood, is just plain mean. There are a host of other stores that sell beer, including Giant and 7-11, that are close by. The Homeowners Association apparently believes that if buying beer is slightly less convenient, the local residents will stay home and stay out of trouble. Instead, this policy would encourage drunks to hop in their cars and drive to the 7-11, since simply walking to the 24 Hour Express would no longer be an option.

The bottom line is that there will always be problems with drunk and disorderly residents in Alexandria so long as our City Government insists on maintaining slum housing and ghettos. These crimes, however, do not appear to be within Lenox Place, or to the residents of Lenox

place. Denying an SUP to 24 Hour Express hurts the business of very hard working people, and simply moves problems with alcohol related crime a block or two away.

We support the SUP for 24 Hour Express.

Dr. Mark Maurice
Dr. Lourdes Maurice
505 Shorter Lane
Alexandria, VA 22305
Drs.Maurice@worldnet.att.net

September 25, 2006

Dear Members of the Planning Commission,

The Lenox Place at Sunnyside Board of Directors would like to make its concerns known about the current SUP application that has been filed by 24 Express convenience store located on Mt. Vernon Avenue.

Crime rates, littering, loitering and alcohol-induced crimes and activities affect all of our safety and property. Already at high levels, these conditions have been on the increase in our community and neighborhood in recent years.

The Arlandria area still ranks first in three of the four categories of violent crime in the City of Alexandria. 24 Express has been the focus of concern for over a decade. Much of the area's public drinking, violence, and litter seemed to have originated there. The police have told us that well over 90% of the neighborhood's crime is alcohol related and that the weapon of choice in most aggravated assaults and robberies is frequently the 40oz glass beer bottle, like those still sold at 24 Express. Alcohol is the predominant reason for crimes being committed in our neighborhood.

Past and continued negligence on behalf of 24 Express to abide by city code and regulations have allowed dysfunctional issues to continue to flourish on the premises.

Through numerous conversations with Lenox Place homeowners, current and former HOA board members, area residents, other Associations and Homeowner groups and the Alexandria Police Department, we strongly urge that the following should be considered before implementation or approval of 24 Express' SUP application. In order of importance, the Lenox Place HOA supports:

- 1) A complete and full rejection of the SUP application.
- 2) Utilize the "Open Space" Initiative to acquire 24 Express. Recent Four Mile Run Park development undertaken by the City would give the City further reason and opportunity to purchase the land for further park expansion or other development. We have been made aware that the owner of the 24 Express would be willing to sell the store for market value. This opportunity may not present itself again and should be considered NOW for the long term planning of the community. Re-development of this area would also drastically improve the entrance to the park.

If the SUP is not rejected in full, other conditions that we strongly support and offer for serious consideration include:

- 1) The complete revocation of the liquor license that 24 Express currently holds.

- 2) Mandating Security Guard/Police Officer to be on premises 24/7 to ensure that there is no loitering both inside and immediately in front of the store.
- 3) Increased Lighting on the premises to help insure a safe environment during evening and early morning hours.
- 4) Removing 4 of the 5 public phones.
- 5) Rebuilding of the outer exterior similar to that of 7-Eleven on West Glebe. Improving windows/entrance visibility and ensuring in store cleanliness.
- 6) A need to ensure that all trash is disposed of in an orderly fashion. This includes the area behind and the entrance that borders Four Mile Run Park. Storage of trash should be in the back of the building and should be inspected by City to ensure City ordinance and regulations are met. Frequent inspections should be made to include all conditions (food preparation and sales) within the store. Mandate a larger than normal perimeter for maintaining and cleaning the entrance to the park as well as the stream behind store.
- 7) Mandating public bathrooms in store premises
- 8) Acquisition of the part of the property at Four Mile Rd. entrance to Four Mile Run Park to enhance the park entrance in accordance with the current Arlandria Plan Implementation schedule.
- 9) Removal and trimming of trees and shrubs on the property which allow too much 'cover' from the street.
- 10) Complete mandatory yearly review of a limited conditional SUP approval.

We urge the members of the Alexandria Planning commission to reject the SUP application of 24 Express for the sake of the safety and security of all law abiding citizens of the Arlandria neighborhood.

Thank you for your consideration.

Sincerely,

Lenox Place at Sunnyside Homeowner's Association Board of Directors,

James T. Rorke, President

Cc: City Council Members



Maria Wasowski
<mariawasowski@comcast.n
et>

09/27/2006 09:26 PM

PC Docket Item # 8
Case Number(s) SUP 2006-0051

bcc

Subject Planning Commission Comments-24 Express

Dear Planning Commission Members,

Although the 24 Express has been a source of problems in Arlandria for a long time, it also provides an important service to many of the local residents who shop there. I support the Planning Department staff recommendations to improve landscaping, lighting, etc. but I think the most important issue is that of alcohol sales. Captain Eddie Reyes recently made a presentation to some of the civic associations and said, "What I have discovered after reading almost all of the police reports that follows each violent offense in Arlandria is that alcohol is a contributing factor in almost every incident."

When we first moved into our house on Hume Avenue almost 20 years ago we had a corner store on our block that sold single bottles of beer. The park next door was always populated by guys drinking beer, smashing bottles, urinating, etc. There were also many neighborhood residents who used the store for other groceries, milk, etc. When the store's SUP came under review, the sale of single bottles came to an end and the environment in the park improved almost over night. We also felt much more comfortable in the store and started taking our children there for ice cream bars and popsicles after a hot day of playing in the park.

Sales of single beers and coolers have been discouraged or forbidden in many other parts of the City with similar effect. I hope that you will impose similar restrictions and impose a 10pm curfew on alcohol sales at the 24 Express as a condition of the SUP. I would also urge you to review the SUP frequently to assess whether the store owners have complied with the conditions of the SUP.

Thank you,

Maria Wasowski
306 E. Hume Avenue
Alexandria, VA 22301
phone: 703.684.1490
cell: 571.217.2522



"Lynn Smith"
<Lsmith@esi-intl.com>

10/01/2006 06:40 PM

PC Docket Item # 8
Case Number(s) SUP 2006-0051

bcc

Subject 24Express

Dear Planning Commission Members,

I have been a Alexandria resident for 20 years, having lived in Arlandria in the late 1980's, moved to the West End and am now a homeowner in Lenox Place for the last 5 years.

I am writing because I am very concerned about 24 Express and it's ability to sell alcoholic beverages in the future because of the associated problems this establishment has created. I am asking that you deny 24Express the right to continue to sell any alcoholic beverages.

My position is in response to the high rate of crime our neighborhood experiences. As you may be aware, police officials have stated in multiple instances that **alcohol is the contributing factor** in almost every violent crime in the Arlandria area. In fact, many of the calls for police services originate from the 24Express location. While I understand other locations in the Arlandria area are allowed to sell alcholic beverages, we do not see with these establishments the associated crime statistics, loitering and trash problems as we do at 24Express.

There is another reason that I am asking for no alcohol sales from this location in the future, because I do not think it will create a significant financial burden to the owner if he is not allowed to continue selling them. I say this because I recently attended a meeting with city officials, 24 Express representatives, Alexandria police officers and members of my homeowner's association board to discuss the upcoming SUP review.

I asked the owner what percentage of his store's sales were from alcholic beverages. His attorney replied "20%". If this is in fact the case, then ceasing to sell alcohol should not impact his business if you assume he could sell other items. This is a small price to pay for being a good corporate citizen and retaining the right to operate as a convenience store. And, if it makes the neighborhood for all those who live in Arlandria, a safer and cleaner place to live, this decision is the right one.

I appreciate your consideration and again would hope you would deny 24Express the right to sell any alcoholic beverages in the future.

Regards,

Lynn Smith
3917 Courtland Circle
Alexandria, VA 22305

Issues at 24 Express

The order:

Jim Rorke- Overview

Pam Williams – Alcohol Sales

KevinBeekman – Neighborhood Crime

Tom Fitzgerald– 4 Mile Run Park Entrance

Nathalie Simon - Litter

Paul Cox - Alcohol, Crime & Arlandria

Alcohol Sales

Pam Williams

Resident of Elbert Avenue

Vice President Lenox Place at Sunnyside HOA

Public Convenience or Necessity: The Power of Local Municipalities to Control Alcohol Outlet Density

East County Community Change Project - June 2004

In 1994, the California State Legislature adopted the Caldera bill, which authorizes local municipalities to control the number of bars and retail outlets in their communities. These rules apply to ABC license requests in areas that are already oversaturated and/or areas that have high crime rates. Under the statute, high crime is defined as an area that exceeds the city's average crime rate by 20 percent.

Under such conditions, ABC must deny the license application unless there is a finding of need, termed "Public Convenience or Necessity" (PCN) in the statute. Depending on the type of business requesting a license, the finding of "Public Convenience or Necessity" is determined either at the state or local level.

"The burden of proof should be on the applicant to show that having a new alcohol outlet will be of benefit to the community."

There is an acknowledgement that there is a link between alcohol and crime.

How do we resolve the sales of alcohol with neighborhood crime?

Other localities have found a way...California, for instance, has found a way to shift the burden of proof onto the business operator when it in a neighborhood with 'over concentration' of alcohol sales or 'high crime'.

And they have found a way to define 'high crime rate' as shown here.

High crime is defined as an area that exceeds the city's average crime rate by 20 percent.

In 2005:

- overall crime rate in Arlandria exceeded the city's average by 34%.
- Arlandria's violent crime rate exceeded the city's average by 140%.

Arlandria fits this definition of high crime rate.

City of Alexandria, Virginia

MEMORANDUM

DATE: September 25, 2006

TO: Lenox Place at Sunnyside Association

FROM: Captain Eddie Reyes, Commander Arlandria Area

SUBJECT: Update on Arlandria

What I have discovered after reading almost all of the police reports that follows each violent offense in Arlandria is that alcohol is a contributing factor in almost every incident. Either the victim was intoxicated becoming an easy target and victim and/or the suspect was intoxicated. While increased police presence and enforcement efforts make a difference, I believe it is only a short-term solution, lasting only as long as the officers are on the street. My perception is that if the City is going to have a long-term impact on violent crime and sustain the increased quality of life in Arlandria, bilingual education on alcohol abuse is mandatory. There is currently no education on alcohol abuse and/or treatment located in Arlandria....

Local police have noticed this relationship too.



Shouldn't we look carefully at how alcohol is being sold in our neighborhood?

This is a photo taken recently at 24 Express...after it applied for its SUP.

The SUP process gives us this power, much like in California, to weigh the necessity of alcohol sales against its convenience. To weigh the impact of the business against the benefit.

Neighborhood Crime

Kevin Beekman

Resident of Elbert Avenue

Board member LPAS HOA

Arlandria Civic Association President

Four Mile Run Task force rep

Arlandria Plan/UPW participant

Member of Arlandria Community Justice Council

run by the former Arlandria Community Prosecutor

Serious crime is concentrated in poor black and Hispanic neighborhoods, and in certain areas within them. For people who live in the Anacostia area of Washington, in the Nickerson Gardens housing complex in South Los Angeles, and on Magnolia Street in Boston, the citywide statistics have always been meaningless.

- David Kennedy, director of the Center for Crime Prevention and Control at John Jay College of Criminal Justice, City University of New York

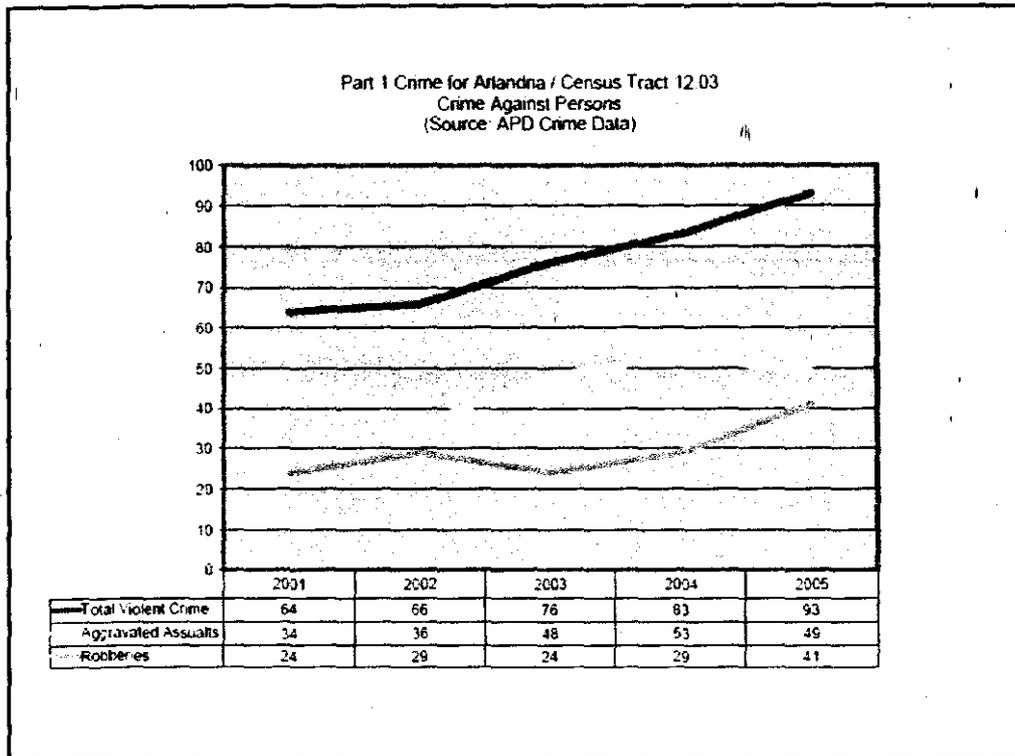
The Neighborhood War Zone Sunday, August 13, 2006
Washington Post

Having just heard about alcohol and crime, I want to give you some context about neighborhood crime in Arlandria.

Alexandria is widely touted as a safe city. But city-wide crime numbers aren't the right issue.

We need to look at crime in our local neighborhood.

We need to look at crime numbers in Arlandria.



In recent years, violent crime numbers have risen in Arlandria (defined here as Census Tract 12.03).

This rise has been driven by the main components of 'Violent Crime': robberies and aggravated assaults.

In 2004 and 2005, there were roughly 1 aggravated assault per week in Arlandria

And in 2005 there was a robbery every 9 days. And the way crime statistics work, a robbery with an assault is categorized as a robbery...so often these robberies were brutal. This is the 'progress' made since the passage of the Arlandria Plan.

62

Part 1 Crime in 2005

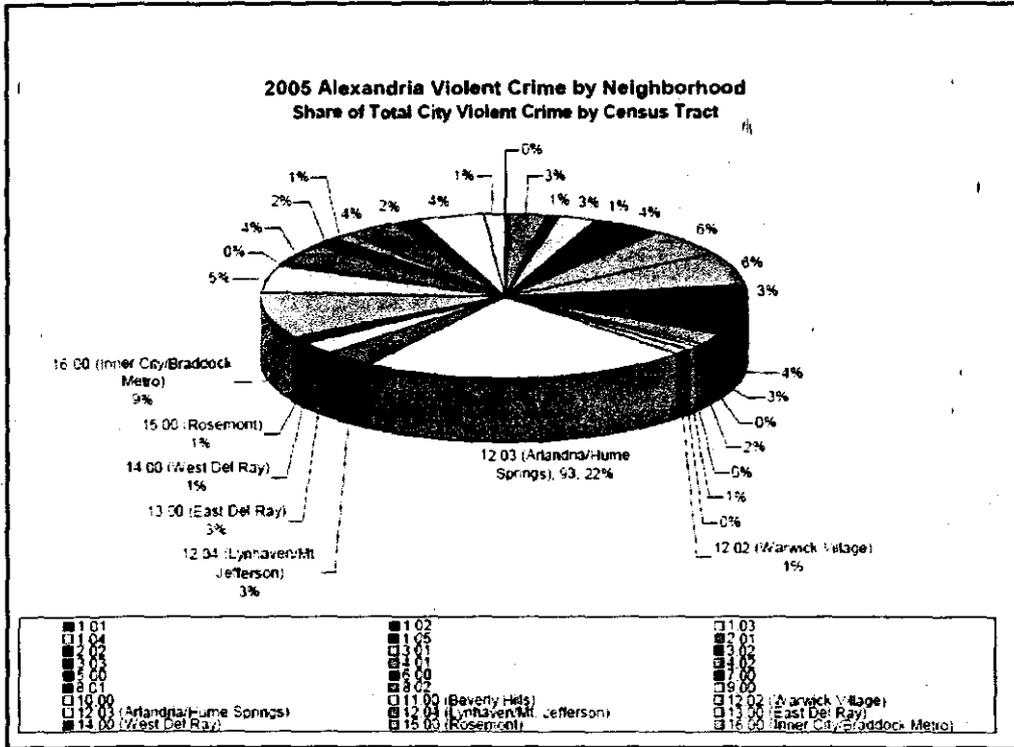
Census Tract	Homicide	Rape	Robbery	Agg Assault	Burglary	Larceny	GLA	Total
11.00 (Bevesly Hills)	0	0	0	0	3	15	3	21
12.02 (Warwick Village)	0	1	2	2	2	21	1	29
12.03 (Arlandria/Home Springs)	0	3	41	49	22	178	45	338
12.04 (Lynhaven/Bl. Jefferson)	0	0	5	9	11	60	21	106
13.00 (East Del Ray)	0	2	6	3	3	79	7	105
14.00 (West Del Ray)	1	0	1	1	14	43	8	68
Area Total	1	6	55	64	60	396	25	667
City-wide	4	23	197	201	371	2699	513	4008
Area % of City	25.0	26.1	27.9	31.8	16.2	14.7	16.6	16.6

These crime numbers are much higher than in the immediately surrounding neighborhoods.

Where Arlandria experienced 41 robberies in 2005, the next highest adjoining neighborhood experienced 6.

Where Arlandria experienced 49 robberies in 2005, the next highest adjoining neighborhood experience 9.

It is similar in every major crime category.

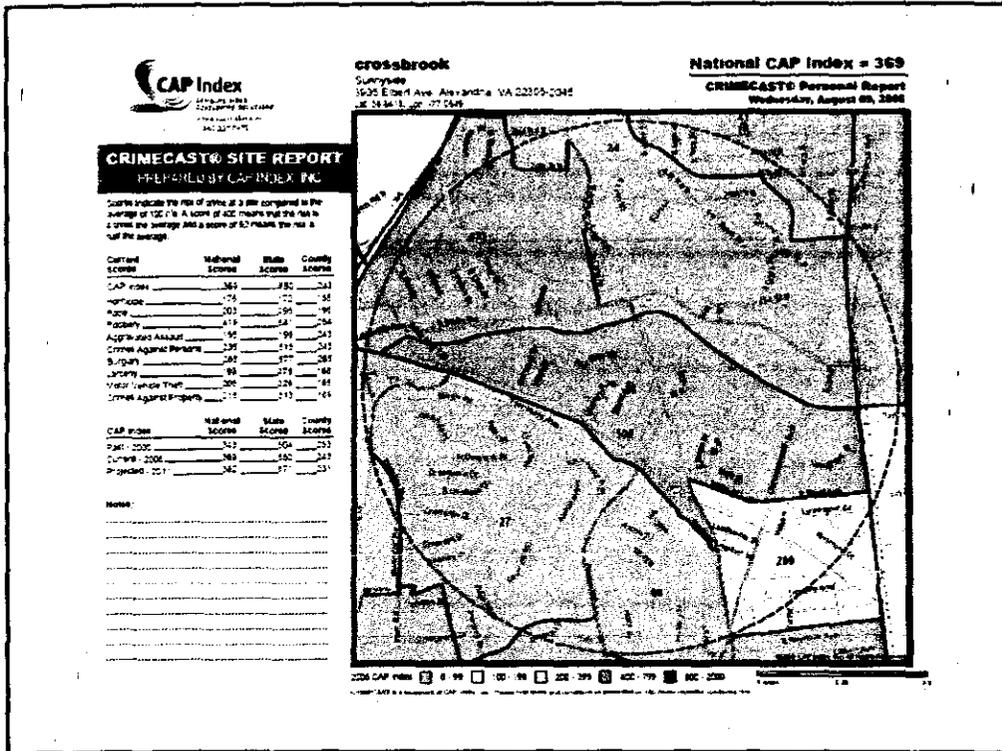


And this holds true city-wide.

This pie chart shows each neighborhood's share of city-wide violent crime.

In 2005, Arlandria experienced 22% of Alexandria's violent crime. The next highest neighborhood experienced 9%

64

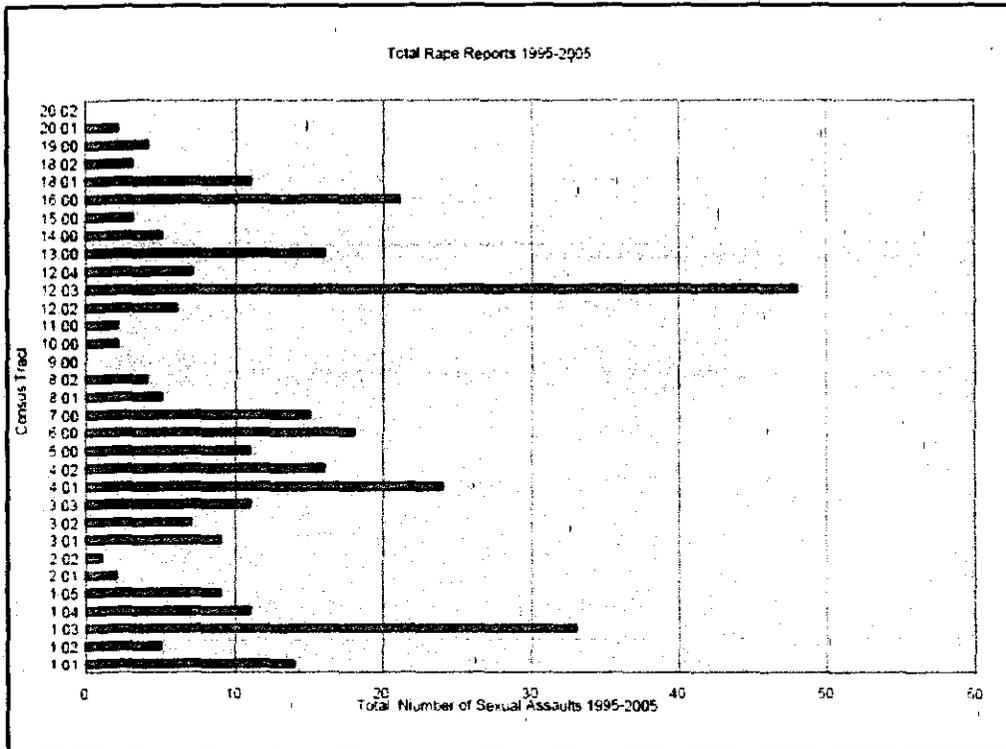


And because Alexandria is considered a safe city, perhaps it's not fair to compare Arlandria to such safe neighborhoods in the city.

Here's a copy of report that we purchased that shows how crime in Arlandria compares to other neighborhoods nationwide. This research company has given a crime score to each and every census tract in the US.

Here we see they have ranked the chance of being a victim of crime in Arlandria at 5 times the national average. Within the three-quarter mile radius the chance is 3.6 times. The rankings show that Arlandria isn't quite in the red zone, but toward the high end of the ranking.

666

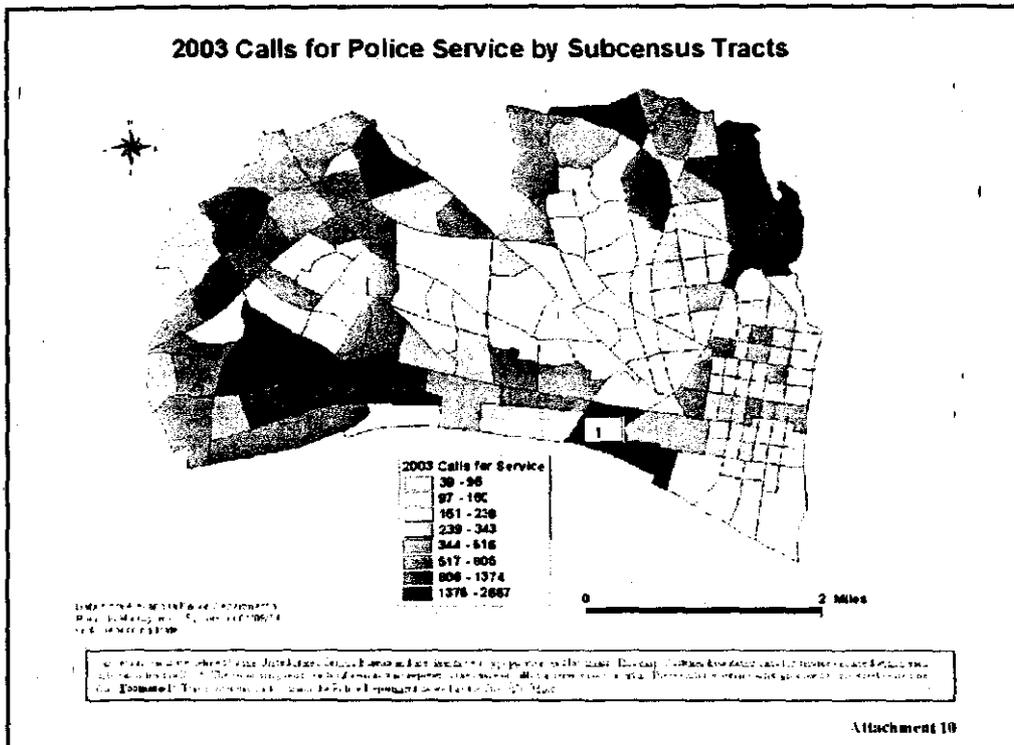


And we could also look at crime over time...for instance, in any given year there are about 3 sexual assaults in Arlandria. That makes it a small component of total violent crime in any one given year.

But over time those 3 sexual assaults each year really add up.

Here is representation of sexual assaults by neighborhood over the past 11 years.

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We have heard that crime might be an issue in Arlandria because of lack of reporting.

Here is a chart of call-for-service from the Alexandria Police department's 2003 annual report, the last year that they presented calls-for-service by neighborhood.

Again, we see Arlandria at the top in the highest range with between 1375 & 2600 calls-for-service (25-50 incidents per week).

We also see on this chart that many neighborhoods (in the pale greens) were below 250 calls for service, which is about the number of calls-for-service that we've seen reported at 24 Express (*alone*) over the past few years. Calls for Service might also be called 'cries for help'.

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Not long ago, the United States was declaring "mission accomplished" on crime: Homicide rates were plunging, the crack epidemic was over, the broken windows were fixed. ...

... In reality, Americans were lulled into complacency about violent crime.

- David Kennedy, director of the Center for Crime Prevention and Control at John Jay College of Criminal Justice, City University of New York
The Neighborhood War Zone Sunday, August 13, 2006
Washington Post

We might not see crime like we did in the 80s, but it still exists and it's an issue that people face everyday.

The Entrance to Four Mile Run Park

Tom Fitzgerald
Treasurer LPAS HOA



Here's how we see the entrance to Four Mile Run Park today....obscured and hidden from view.

24 Express is just to the left behind the truck.

A Vision for the Arlandria Neighborhood

The Illustrative Plan

The Illustrative Plan outlines a future, long-term vision for the Arlandria neighborhood. The vision incorporates two major concepts identified by the community:

- Visually opening the park to the Avenue and enhancing the access to the park
- Optimizing the future development of the three major sites identified as underutilized and "opportunity sites"

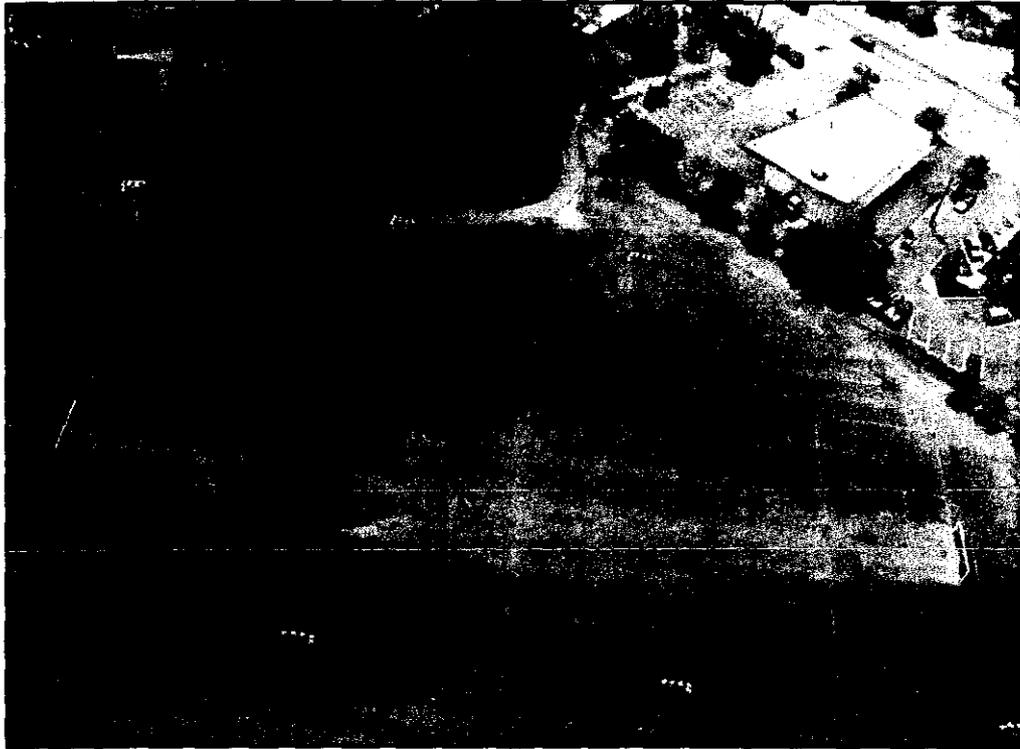
Four Mile
Road



In the Arlandria Plan it was decided that we should:

“Visually open the park to the Avenue and enhance the access to the park”

As shown here. 24 Express is just below a NEW park entrance.



Here's a view of the park entrance from above the soccer fields.

You can see the serpentine path that leads to the park at the top.

A Vision for the Arlandria Neighborhood

The Action Plan

Short & Mid-Term Actions

Enhance access and visibility to Four Mile Run Park

Provide more landscaping and better signage at Four Mile Run Park



Enhancement to park north park access

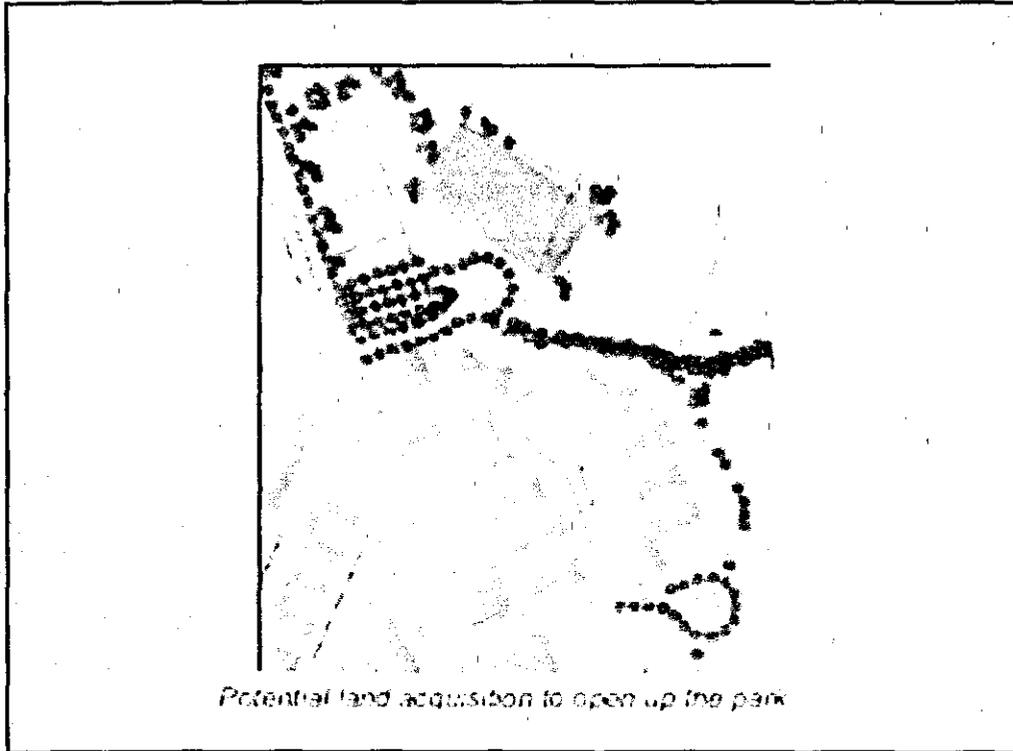
The Arlandria Plan, approved in 2003, set in motion short and mid-term action plan.

One of those items was the creation of a new park entrance at Four Mile Road, next to (or perhaps across a portion of) 24 Express.

The City vacated the land next to path to 24 Express for about \$10,000. (The total property is now assessed at \$1million)

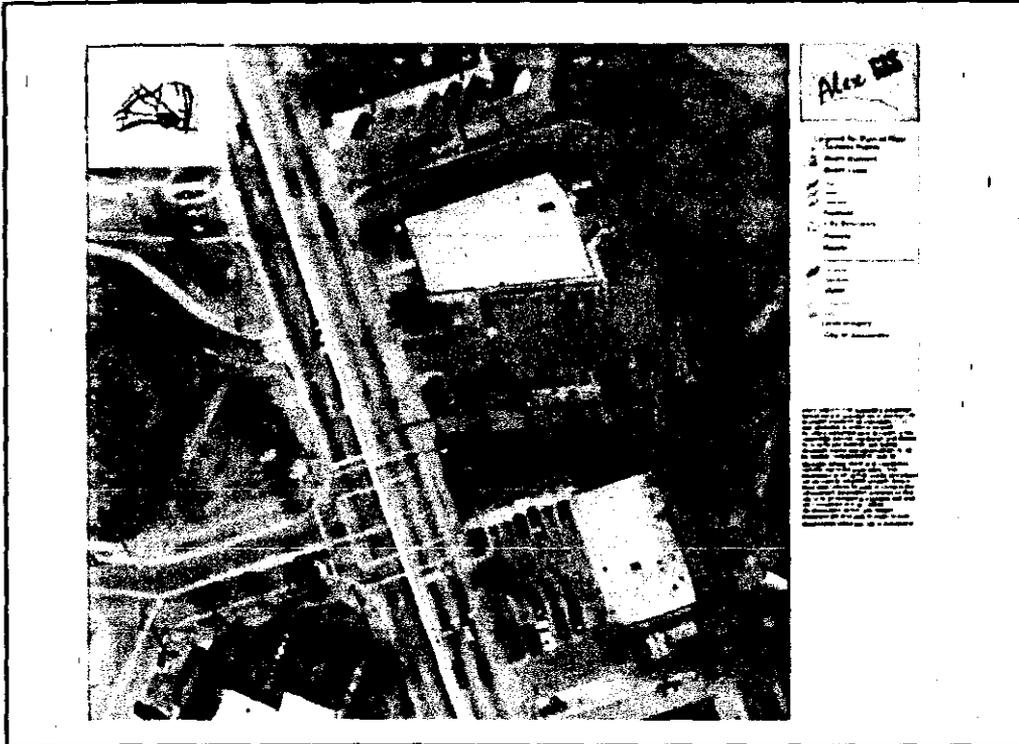
We believe funding for this improvement was approved in this years CIP budget.

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The Arlandria Plan also looked forward to additional improvements in the longer term seen here.

With the recent acquisitions of the properties along the Avenue, north of 24 Express, implementation of this plan is even more important.

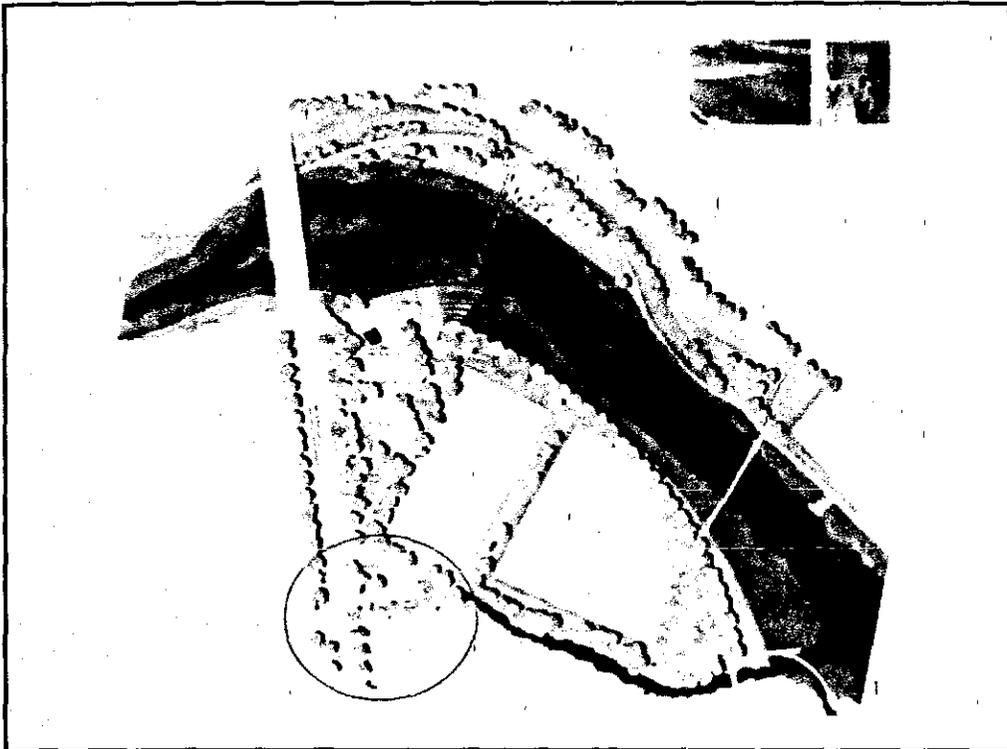


Here you can see how the unused portion of property at 24 Express is important

- To make this new park entrance work
- To eliminate the multiple curb cuts
- And to bring traffic coming and going to the park and the business in alignment with the traffic light at Four Mile Road.

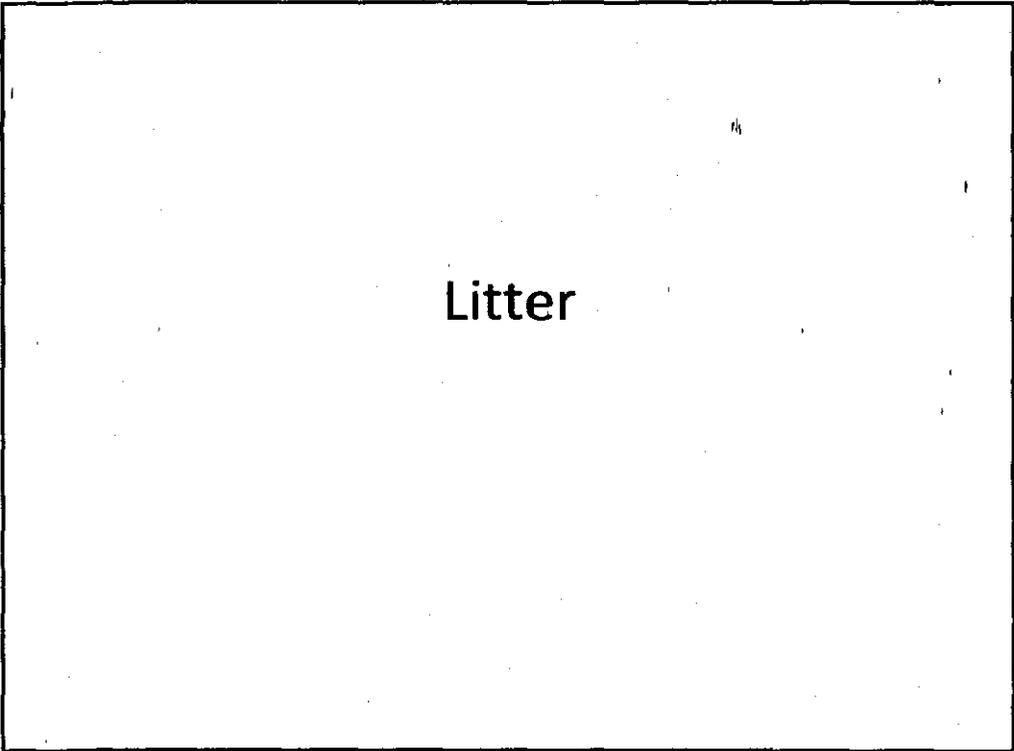
Currently, the traffic leaving 24 Express is not controlled by this traffic light. Traffic coming and going from the business is released into the middle of the intersection.

Should also note that this photo is old and that the 'stop-line' pictured here is now actually further south. Traffic now stops just south of the exit from 24 Express.



The Four Mile Run Restoration Plan (as it pertains to Four Mile Run Park), also built on the plans for this new entrance (show here).

24 Express and the new park entrance and parking lot are circled.



Nathalie Simon

Participant in Four Mile Run Watershed Stream Steward program

Participant in the Four Mile Run Park Clean-up



The picture here's is an ordinary day in December around the small stream immediately behind 24 Express and along the path to Four Mile Run Park.

There are multiple efforts to try to maintain the park and the surrounding neighborhoods.

- Our association has a resident picking up trash along our streets every few days.
- The apartments in the area fill 30 gallon trash bags almost every day.
- The Four Mile Run clean-up on Earth Day collects 30 30-gallon trash bags of trash each April, mostly the type of items found at convenience stores.
- The Sheriff's department's work release cleaned up this stream in April of this year. They could do it again, but there are only certain times of year when it's permitted.

IS THIS WHAT HAS TO BE DONE TO MITIGATE THE IMPACT OF THIS BUSINESS?

Alcohol, Crime & Arlandria

Paul Cox

Member Alexandria Human Services Board

ALEXANDRIA PLANNING COUNCIL
301 king street
CITY COUNCIL CHAMBERS, 2d FLOOR
ALEXANDRIA, VIRGINIA

ISSUE DESCRIPTION: SPECIAL USE PERMIT FOR THE CONTINUATION OF
THE "24 EXPRESS" GROCERY AND CONVENIENCE
STORE.

THIS IS AN OPPORTUNITY FOR DIALOGUE BETWEEN AREA BUSINESSES
AND COMMUNITY GROUPS OF ARLANDRIA.

AS A LONG TIME RESIDENT BEFORE "24 EXPRESS OR OTHER ENTITIES
WERE OUR NEIGHBORS THIS WAS AND CONTINUES TO BE A TRANSITIONAL
AREA. WHEN THERE WAS LITTLE ELSE, BUSINESSES WERE IN AND OUT
OF THE AREA.

"24 EXPRESS" MOVED IN AND ESTABLISHED ITSELF AS A COMMUNITY ANCHOR.
IT PROVIDES A VARIETY OF ITEMS AS WELL AS CONVENIENT HOURS OF
OPERATION FOR THE COMMUNITY IT SERVES. AS THE NAME SUGGESTS IT
ORIGNIALLY WAS A 24 HOUR STORE; BUT AS A RESPONSIBLE NEIGHBOR
THE MANAGEMENT REVIEWED AND ADJUSTED THEIR HOURS OF OPERATIONS.
THE BUSINESS IS OPERATED PROACTIVELY IT IS WELL LIGHTED, POSTED
WIT APPROPRIATE SIGNS, NO LITTERING, NO LOITERING, ETC.. SECURITY
IS HANDLED BY OFF DUTY POLICE AND PVT. SECURITY.

CONTINUANCE OF ITS¹ SUP WOULD ALLOW "24EXPRESS TO REMAIN COM-
PETITIVE WITH OTHER SIMILAR BUSINESSES THAT OPERATE WITH SUPS
AND ARE IN WALKING DISTANCE OF THIS COMMUNITY.

SO, I STRONGLY SUPPORT CONTINUATION OF THE SUP FOR "24 EXPRESS".

AGAIN, AS IN MY OPENING STATEMENT THIS SHOULD BE AN OPPORTUNITY
FOR COMMUNITY DIALOGUE.

THANK YOU FOR ALLOWING ME THIS OPPORTUNITY TO SHARE MY VIEWS.

JAMES T. ARRINGTON
511 FOUR MILE ROAD
ALEXANDRIA, VA 22305

Docket Item #8
SUP #2006-0051

Lenox Place at Sunnyside HOA

**REQUESTED ACTION ITEM (Recommendation)
And
AMENDMENTS TO "RECOMMENDED CONDITIONS"**

Mr. Chairman and Planning Commission Members, on behalf of the Lenox Place at Sunnyside HOA, we make the following recommendation for your consideration. Should you choose not to adopt this Recommendation, the following also outlines our recommended amendments and conditions (ITEMS 1-4) for SUP #2006-0051

Recommendation

The consideration of this SUP should be deferred while the City of Alexandria further evaluates its commitments to the Arlandria Plan, the Open Space initiative that is currently in progress adjacent to the property, and the identified roadway safety changes to the intersection and parking exit at Mt. Vernon Avenue, Elbert Avenue, and the Four Mile Run Park access. (Ref. #27)

Currently, the City is devoting over \$2+ million in tax dollars to acquire the surrounding properties. Furthermore, the City has committed \$50K to 4 Mile Run Park enhancements which includes soccer field, fence and bleacher improvements.

The City's Open Space objective is to showcase Four Mile Run Park. What kind of example are we presenting to our visitors and our young children in this endeavor, if alcohol sales are permitted to continue at the parks entrance?

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Docket Item #8
SUP #2006-0051

Lenox Place at Sunnyside HOA

**REQUESTED ACTION ITEM
And
AMENDMENTS TO "RECOMMENDED CONDITIONS"**

If the Commission wishes to not defer this SUP and instead move it forward to City Council:

WE THEN OFFER FOR CONSIDERATION THE FOLLOWING AMENDMENTS (ITEMS 1-4) TO THE STAFF REPORT UNDER "RECOMMENDED CONDITIONS":

ITEM 1. (#25 and #29)

We urge that conditions #25 and #29 be removed or amended, and **request the cessation of the sale of alcohol beverages at 24 Express.**

- If supported skip to ITEM 3, if denied, then we request Items #2 through #4 be considered and approved:

ITEM 2. (#29)

We urge amending condition #29 and call for the cessation of alcohol sales wording be changed from 10pm **to 8pm daily.**

ITEM 3. (#26)

We urge amending condition #26 to highlight its importance in support of neighborhood crime and safety concerns. We seek the Commission and Council's support of the Police recommendation to hire off-duty police officers from Sunday through Saturday from 6p.m. until closing.

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Docket Item #8
SUP #2006-0051

Lenox Place at Sunnyside HOA

**REQUESTED ACTION ITEM
And
AMENDMENTS TO "RECOMMENDED CONDITIONS"**

ITEM 4. (#30)

We thank City staff for including condition #30, but urge amending it as follows, after "...At the end of the three years, ..." change by adding:

"...or during any 12 month period, when one violation warning is issued to the business AND two violation notices are issued" ...that the SUP go before City Council for a full review.

PC Docket Item # 8
Case Number(s) 2006-0051

FAGELSON, SCHONBERGER, PAYNE & DEICHMEISTER, PC
Attorneys and Counsellors at Law
11320 RANDOM HILLS ROAD, SUITE 325
FAIRFAX, VIRGINIA 22030
Phone: 703-385-8282
Facsimile: 703-385-8761
email: wthomas@fspd.com

October 2, 2006

The Honorable Mayor and
Members of City Council
City of Alexandria
301 King Street
Alexandria, Virginia 22314

and

The Honorable Chairman and
Members of the Planning Commission
City of Alexandria
301 King Street
Alexandria, Virginia 22314

Attention: Richard Josephson, Acting Director
Planning and Zoning Department

Attention: James Hunt, Urban Planner

Re: 24 Express: 4007 Mt. Vernon Avenue
SUP 2006-0051

Dear Mayor Euille and Members of City Council and Chairman Wagner and Members of the Planning Commission:

On behalf of the owners and applicants for the subject Special Use Permit which is scheduled to come before the Planning Commission on October 3, 2006, and before the City Council on October 14, 2006, we ask for your consideration of the following:

The owners of the 24 Express grocery store have operated in the City for over 20 years and were welcomed as a grocery store by the City after discussions with Zoning and T&ES from the beginning. They located into an Arlandria area that presented a number of challenges much of which centered around safety and security. Over the years, the owners of 24 Express have worked hard to

The Honorable Mayor and the
Members of City Council
The Honorable Chairman and the
Members of the Planning Commission
October 2, 2006
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improve safety and security for their customers and have cooperated and assisted the City in any way asked of them. This was clearly evident in our site meeting at the location when police and fire department officers praised the owners of 24 Express for their efforts over the years and the improvements that have been made.

Now, with 20 years of hard work behind them and continuing efforts to work with the City and the community, the owners of the 24 Express grocery store have been requested to obtain a Special Use Permit to continue the "convenience store" aspect of their operation. Though there are a few voices to the contrary, there is overwhelming support in the Arlandria community for the continuation of the 24 Express. As indicated in the Staff Report, City Planning Staff recommends approval of the Special Use Permit. The Staff Report recommendations include a number of conditions, most of which are supported by the Applicant, but some of which we must most strenuously object to.

Below, as we detail the use permit conditions that we ask to be changed, we ask also that all who consider this application consider it not in the context of a new Special Use Permit for a new operator, but in the continuation of a legally established business that has been a viable and active member of the community for over 20 years. Consequently, we ask that the 24 Express be treated similarly to other small grocery stores in the local community and in accordance with the standards utilized for the special use permits granted other convenience stores. In many cases, we simply ask that if it ain't broke, don't fix it, especially where those purported fixes create overwhelming harm to an ongoing business and some simply are not fair.

Staff's Recommended Conditions

Condition items 1 through 12 are without objection.

For Condition Number 13 we ask that since there are already three very large trash containers on site (1 straddles the Exxon site) that the City request only the addition of one more trash container (located at the entrance to the park?).

There is no objection to Condition Number 14; however, it is noted that the landscaping plan requested of the Applicant, given the considerable mature landscaping well in excess of probably any convenience or small grocery store in the City, consists primarily of pruning back a number of the trees on site so that site lighting is enhanced, removing a small number of dead plants, and removing shrubs from around the area proposed for a new monument sign at the very front middle of the property.

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The Honorable Mayor and the
Members of City Council
The Honorable Chairman and the
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On Condition Number 15, please note that the freestanding sign which is now a pylon sign will be removed and a new freestanding sign placed toward the middle frontage of the property as proposed by the Applicant in conjunction with a site visit with City staff. We request that this sign be permitted to be 4 feet in height.

Condition Number 16 is acceptable.

Condition Number 17 is acceptable and it should be noted that most of 24 Express employees come from within the Arlandria community and walk to work.

The Applicant requests that Condition Number 18 be rewritten to allow for the continued use of the chain link fence dumpster enclosure with a better screen material as offered by City Staff during its most recent site visit. One opportunity would be to use tennis court screening as opposed to the vinyl slats which are typically utilized.

We ask that Condition Number 19 be rewritten to state that shrubs planted along the walkway frontage of the site and any new shrubbery should be maintained at a height not to exceed 42 inches. (Much of the shrubbery on the 24 Express site is both slightly and mature and trimming back 6 or more inches of existing shrubbery may in fact be detrimental to the shrub health. We ask that if a height of 36 inches is still required that the trimming of existing mature shrubs be coordinated with the Department of Parks and Recreation/City Arborist.)

We ask that Condition Number 20 be rewritten to state that no new trees should be planted under or near light poles. Existing trees should be pruned back as part of Applicant's landscaping plan and maintained in such a way that lighting on the site is not obstructed.

We ask that Condition Number 21 be rewritten to state that the Applicant shall remove all merchandise from the windows projecting in excess of 42 inches in height. (This compares to neighboring businesses.)

Condition Number 22 is without objection.

We ask that Condition Number 23 be eliminated in its entirety. Shelving at this store is utilized to its full extent with items that are important products which serve the community. Like most, if not all, similar grocery markets in the area, while some of the shelves are indeed below 42 inches, some are not and there would be no where to place these important items if the shelving was removed. We ask that this be considered a condition not necessary and not called for based on the security history of the business.

The Honorable Mayor and the
Members of City Council
The Honorable Chairman and the
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Page 4

Condition Number 24 is without objection.

We ask that Condition Number 25 be rewritten to state that beer or wine coolers may be sold only in 4 packs, 6 packs or bottles of 40 ounces or more fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wines (wine with an alcohol content of 14 percent or more by volume) may not be sold. (Most of the neighboring businesses do sell 40 ounce bottles of beer. We ask that we be treated consistently with the other businesses.)

We ask that Condition Number 26 be changed to state that the Applicant shall hire off-duty police officers from Friday through Sunday, from 6:00 p.m. until closing. (This is truly an example of if it ain't broke, please don't fix it. The owners of 24 Express have consistently utilized off-duty police Friday, Saturday and Sunday evenings, but have not needed them for the other days. In fact, it is our understanding from City Police that crime statistics are on the decline. If this should change and crime statistics rise, we would be the first to reconsider expanding the number of days officers are utilized. (Note that 24 Express hired police for security without an SUP condition.))

We ask that Condition Number 27 be eliminated or rewritten to state that the Applicant will provide landscaping consistent with the Arlandria Small Area Plan in that area directly north of the site which is planned as an improved intersection and roadway access to the park at the time of implementation by the City of these improvements.

Condition Number 28 is without objection.

We ask that Condition Number 29 be eliminated. Many of 24 Express' customers are not on a 9 to 5 work business day and many of them come home after work and get off at late hours and want to pick up food and drink on their way home. Consequently, ceasing alcohol sales at 10:00 p.m. daily works a disservice to these customers and harms the Applicant by sending these customers to other nearby businesses which can provide food and drink after 10:00 p.m. (e.g. 7-11, CVS, SFW, Giant).

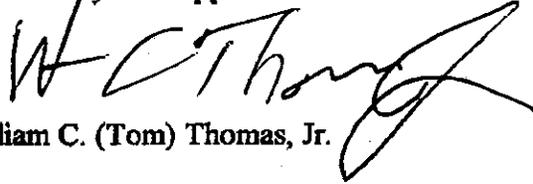
Condition Number 30 really should be stated in the same language that other special use permits in the City are approved. If anything, this business has 20 years of history behind it and 20 years of vigilant, diligent response to City concerns. The owners of the 24 Express have made it through the difficult early years in the Arlandria neighborhood and have contributed in a very palpable way to the declining crime statistics at their location in particular and within the community. We ask that they be recognized for their efforts and not held to a stricter standard than a new special use permit applicant would be held.

The Honorable Mayor and the
Members of City Council
The Honorable Chairman and the
Members of the Planning Commission
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Thank you for your kind consideration of and attention to this matter. Please call with any questions or concerns.

Respectfully submitted,

FAGELSON, SCHONBERGER, PAYNE & DEICHMEISTER, P.C.
Attorneys for Applicant



William C. (Tom) Thomas, Jr.

cc: Bernard M. Fagelson
Tien Niphadkabin

SPECIAL USE PERMIT # 2006-0051
PROPOSED REVISED CONDITIONS

13. Applicant shall provide the City \$1,000.00 for one model SD-42 Bethesda Series Litter Receptacle for installation on the adjacent public right-of-way. (Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street). Contact T&ES, Solid Waste Division (703-751-5130) regarding information on the ordering and installation.

15. The Applicant shall remove the existing free-standing sign and install a new monument sign to the satisfaction of the Director of Planning and Zoning. The monument sign shall not exceed 4 feet in height.

18. The Applicant shall replace the existing dumpster screening with a wooden dumpster enclosure or add screening material to the existing chain link fence enclosure, and maintain it in good condition, to the satisfaction of the Director of Planning and Zoning.

19. Shrubs planted along the walkway frontage of the site and any new shrubbery shall be maintained at a height not to exceed 42 inches and no new shrubs shall be planted within 6 feet of walkways that will attain a height higher than 3 feet.

20. No new trees shall be planted under or near light poles. Existing trees shall be pruned back as part of Applicant's landscaping plan and maintained in such a way that lighting on the site is not obstructed.

21. The Applicant shall remove all merchandise from the windows projecting in excess of 42 inches in height and the window interiors fitted with an opaque material (e.g., paint, curtains) consistent with the interior display height.

23. Removed.

25. Beer or wine coolers may be sold in 4 packs, 6 packs or bottles of 40 ounces or more fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wines (wine with an alcohol content of 14 percent or more by volume) may not be sold.

26. The Applicant shall hire off-duty police officers on Friday, Saturday and Sunday from 6:00 p.m. until closing.

**The Honorable Mayor and the
 Members of City Council
 The Honorable Chairman and the
 Members of the Planning Commission
 October 2, 2006
 Page 2**

27. Preference is for removal...

alternative language:

The Applicant will provide landscaping consistent with the Arlandria Small Area Plan for that part of Applicant's site to the north which is planned as an improved intersection and roadway access to the park at the time of implementation by the City of these improvements.

29. Removed..

30. 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 a result of a complaint that rises to the level of a violation; or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed.

91

7
10-14-06 37 Pages -
9/14 - 9/23

**PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE**

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: ED MILNER
Address: 2003 MILL RD
ALEXANDRIA VA

Signature: [Signature]
Date: 9/14/06

Name: ANGEL JENNIFER
Address: 2003 MILL RD
ALEX VA

Signature: [Signature]
Date: 9.15.06

Name: Mart Maurice
Address: 505 Shorter Lane

Signature: [Signature]
Date: 9/16/06

Name: LOURDES MAURICE
Address: 505 Shorter Lane

Signature: [Signature]
Date: 9/16/06

Name: Romas Love
Address: 571 Four Mile Rd
Alex VA

Signature: [Signature]
Date: 9/16/06

Name: ERIC LEMKE
Address: 2003 MILL RD
ALEXANDRIA, VA 22305

Signature: [Signature]
Date: 09-21-06

Name: DOAN A WELLS
Address: 2003 mill rd.
ALEX. VA 22314

Signature: [Signature]
Date: 09-22-06

Name: _____
Address: _____

Signature: _____
Date: _____

Name: _____
Address: _____

Signature: _____
Date: _____

Name: _____
Address: _____

Signature: _____
Date: _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Pablo Diaz (Please Print) 9/17/06
Address: 601 Four Mile Rd
Phone: 703 400 9923 Signature: [Signature] Date: _____

Name: Santos Rejuero (Please Print) 9/17/06
Address: _____
Phone: 703 562 620 Signature: [Signature] Date: _____

Name: Mary A Penick (Please Print)
Address: 3913 Old Dom Blvd Alex VA 22305
Phone: 703 684 9091 Signature: MARY A PENICK Date: 9-17-06

Name: MANUEL CISNEROS (Please Print)
Address: 3801 FLORENCE DR #3
Phone: 703 899 1888 Signature: [Signature] Date: 9-17-06

Name: LUIS HERNANDEZ (Please Print) 9 17 06
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: Levio Martinez (Please Print)
Address: _____
Phone: 505 Signature: M Date: _____

Name: Elvis Martinez (Please Print)
Address: 3756 Four Mile Rd
Phone: 703 300 2652 Signature: Elvis M. Date: 09-17-06

Name: Joseph N Crespin (Please Print)
Address: 601 Four Mile Rd Apt #20
Phone: 703 599 1912 Signature: [Signature] Date: 09/17/06

Name: Jerry Chan (Please Print)
Address: 3913 Old Dominion Blvd Alex VA
Phone: _____ Signature: [Signature] Date: 9-17-06

Name: T.P. HMAN (Please Print)
Address: 817 W Glebe Rd
Phone: _____ Signature: [Signature] Date: 9-17-06

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Albap Coronados (Please Print) 09/15/06
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: Kelven Hernandez (Please Print) 09/15/06
Address: _____
Phone: _____ Signature: [Signature] Date: _____

Name: Lopez (Please Print) 09/15/06
Address: _____
Phone: _____ Signature: [Signature] Date: _____

Name: [Signature] (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: Carlo Herrera (Please Print)
Address: _____
Phone: _____ Signature: [Signature] Date: _____

Name: [Signature] (Please Print)
Address: Co. Co. Co.
Phone: _____ Signature: _____ Date: _____

Name: Abby Walker (Please Print)
Address: 2437 S OAKLAND ST
Phone: _____ Signature: [Signature] Date: 9/16/06

Name: [Signature] (Please Print)
Address: 3840 MORECKE TC #12 A1 NA
Phone: _____ Signature: _____ Date: _____

Name: Walter Bonilla (Please Print)
Address: 2908 EISENST. AV. #102
Phone: _____ Signature: [Signature] Date: 09-17-06

Name: Michael Farrell (Please Print)
Address: 206 E DEL RAY
Phone: 703 549 2067 Signature: [Signature] Date: 9/17/06

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: Wayne Roman Signature: _____
Address: 834 Steepy Hollow Ct Date: _____
Edgewood MD 21040

Name: David B. Messine Signature: _____
Address: 511 Four Mile Rd #607 Date: _____
Alexandria VA 22305

Name: Gwendolyn Dickens Signature: Gwendolyn Dickens
Address: 3914 Bruce St #203 Date: 9/14/06
Alex. VA 22305

Name: Masime Signature: Masime
Address: Pollu de Date: 9/14/06
Reh

Name: José Rivera Signature: José Rivera
Address: _____ Date: _____

Name: Carlos Sanchez Signature: CS
Address: _____ Date: _____

Name: Yusef Signature: Yusef
Address: 17th Four Mile Rd Date: 9/14/06

Name: Melvin Hernandez Signature: Melvin Hernandez
Address: _____ Date: _____

Name: Judy Kirkland Signature: Judy Kirkland
Address: 2438 So DALLARD ST Date: 9/14/06
Alex. VA 22206

Name: Nitichai Prasontongkorn Signature: Nitichai Prasontongkorn
Address: 3817 Chand St Date: 9-14-06
Alex VA 22206

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: Dora Molina Signature: [Signature]
Address: 3312 old Dominion Date: 09/14/06

Name: [Signature] Jose Reyes Signature: [Signature]
Address: 3809 executive Date: 09/14/06
#A2

Name: edwin Humberto Signature: [Signature]
Address: 613 Notavene # 12 Date: 09/14/06

Name: Carlos Antonio Signature: [Signature]
Address: 3916A Bruce st. Date: 09/14/06

Name: Oscar Diaz Signature: [Signature]
Address: 3809 elbert ave. # 302 Date: 09/14/06

Name: Marco Antonio Signature: [Signature]
Address: 4104 53 Ave # 5 Date: 09/14/06
Blandensburg MD 20710

Name: Josetulo Pineda Signature: [Signature]
Address: 3620 edison st. # 304 Date: 09/14/06

Name: Luis Carcamo Signature: [Signature]
Address: Blandensburg MD 20710 Date: 09/14/06

Name: Federico Jasinto Signature: [Signature]
Address: 3809 elbert ave # 303 Date: 09/14/06

Name: DAVID VALDEZ Signature: [Signature]
Address: NOTA VANE 649 Date: 09/14/06

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: [Signature] Signature: _____
Address: 3805 Date: _____

Name: Wilson Diaz 203 823.3609 Signature: _____
Address: _____ Date: _____

Name: Saul F. Alvarez Signature: [Signature]
Address: _____ Date: _____

Name: _____ Signature: _____
Address: 25 B. E. Bettefonte Date: _____

Name: Victor Noel Alvarado Signature: Victor Noel
Address: 517 FOUR MILE RD APT 201 Date: _____

Name: Lidia Manzanaras Signature: Lidia y manzanaras.
Address: 6312 King Gordon Date: _____
APT. T2.

Name: Mae Cortez Signature: [Signature]
Address: Bruce St. 3910B Date: _____
apto 306

Name: Ever Velasquez Signature: [Signature]
Address: [Signature] 517 FOUR MILE Date: _____
APT 201

Name: Hector Moreno Signature: [Signature]
Address: _____ Date: _____

Name: Mauricio Alvarado Signature: Mauricio Alvarado
Address: _____ Date: _____

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: Carlos Alfredo B. Signature: _____
Address: 3809 EXECUTIVE Date: _____
SU apt 271 22305

Name: Jose Baires Signature: J B
Address: _____ Date: _____

Name: Lucio Rivera Signature: _____
Address: 3916 ELBER AVE Date: _____

Name: _____ Signature: JOSCARMIQ
Address: _____ Date: _____

Name: Jonia Gaudin Signature: _____
Address: _____ Date: _____

Name: Shirley M. Dyeper Signature: _____
Address: 3915 Old Dominion Date: _____
Alex, Va.

Name: Deborah Jackson Signature: Deborah Jackson
Address: 601 Four Mile Rd Date: 9-14-06
Alex, VA

Name: SAMUEL FAIRBANK Signature: Samuel Fairbank
Address: 601 Four Mile Rd Date: 9-14-06
Alex, VA

Name: Joseph Lizenby Signature: Joseph Lizenby
Address: 3915 Old Dominion Date: 9-14-06
Alex, VA

Name: James Carter Signature: 9/14-2006
Address: _____ Date: _____

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: NOE L PADILLA Signature: NOE L
Address: 3804 RUSSELL RD Date: 09/14/06

Name: Nelson Bonilla Signature: Nelson
Address: 3900 EXECUTIVE DR Date: _____

Name: Oscar Rodolfo Martinez Signature: Oscar Rodolfo M.
Address: _____ Date: _____

Name: _____ Signature: [Signature]
Address: Francisco Garcia Date: _____

Name: Alberto Gonzalez Signature: [Signature]
Address: _____ Date: _____

Name: Jose Blanco Signature: [Signature]
Address: _____ Date: _____

Name: Jose Lopez Signature: [Signature]
Address: _____ Date: _____

Name: _____ Signature: _____
Address: _____ Date: _____

Name: _____ Signature: _____
Address: _____ Date: _____

Name: _____ Signature: _____
Address: _____ Date: _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: J Jesus Gonzales Jr. (Please Print)
Address: 601 FOUR MILE RD #418
Phone: 703 863 307 Signature: J Jesus Gonzales Jr. Date: 24/09/06

Name: JUAN JOSE REYES (Please Print)
Address: 3809 EXECUTIVE #102
Phone: (703) 535-3052 Signature: _____ Date: _____

Name: Jorge Alberto Marín (Please Print)
Address: 3910 B Bruce ST #202
Phone: 571-245-2936 Signature: [Signature] Date: 9-25-06

Name: ERIKAR HERMANDE (Please Print)
Address: 3910 B Bruce ST #202
Phone: 703-564-514 Signature: [Signature] Date: 9-25-06

Name: Padro Saul Andino (Please Print)
Address: 3910 B Bruce ST #202
Phone: 703-582-7334 Signature: Padro S A Date: 9-25-06

Name: JOSÉ FELIX Andino (Please Print)
Address: 3910-B Bruce ST #202
Phone: 703-568-3134 Signature: FELIX Date: 9-25-06

Name: Alberto D Quintanilla (Please Print)
Address: _____
Phone: _____ Signature: [Signature] Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Rigoberto Trevino (Please Print)
Address: 3916 Elbert Ave. # 208
Phone: 703 6881153 Signature: [Signature] Date: 09-17-06

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: OSCAR ALVAREZ (Please Print)
Address: ~~XXXXXX~~
Phone: _____ Signature: _____ Date: 9.17.06

Name: JUHL OSESH (Please Print)
Address: BRUSL
Phone: _____ Signature: [Signature] Date: 09 17 2006

Name: JOSE WLADIA (Please Print)
Address: 805 PROVIDENCE ST STAMFORD VA 22554
Phone: _____ Signature: JOSE WLADIA Date: 9/15/2006

Name: Ramiro Ruiz (Please Print)
Address: 3809 EXECUTIVE HALL
Phone: _____ Signature: _____ Date: 9/21/06

Name: Eddie Taylor (Please Print)
Address: 3804 Russell Rd Alex
Phone: _____ Signature: Eddie Taylor Date: 9-21-06

Name: CURTIS DAVIS (Please Print)
Address: 840 North Alfred St
Phone: 703-981-3397 Signature: Curtis Davis Date: 9-22-06

Name: Juan Carlos Alvarez (Please Print)
Address: 3912 Bruce St 205
Phone: 703 869 2224 Signature: Juan Carlos Alvarez Date: 9/23/06

Name: Clara Eubank (Please Print)
Address: 601 Four Mile Rd
Phone: _____ Signature: Eubank Date: 9/24/06

Name: WILLIAM (Please Print)
Address: _____
Phone: _____ Signature: XHERNANDEZ Date: 9/24/06

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Yamela El Amin (Please Print)
Address: 601 Four Mile Rd. #528
Phone: 71647-9726 Signature: Yamela El-Amin Date: 9/15/06

Name: David Turcios (Please Print)
Address: 3733 MARK DR Alex VA. 22305
Phone: 571-2336317 Signature: [Signature] Date: 9-15-06

Name: HAROLD HOWARD (Please Print)
Address: 601 FOUR MILE RD
Phone: 703 544-2116 Signature: [Signature] Date: 9-15-06

Name: JOSE JOEL (Please Print)
Address: 3610 Russell RB APT B22.
Phone: 703 5560107 Signature: _____ Date: 9 15 06

Name: Tony Williams (Please Print)
Address: 1246 Four mile Rd
Phone: 703 549 5494 Signature: [Signature] Date: 9-15-06

Name: Donald W. Cunningham (Please Print)
Address: 5842 F. ASHLAND RD
Phone: 703-981-2595 Signature: [Signature] Date: 9-15-2006

Name: Kenneth H. Logan (Please Print)
Address: 511 Four Mile Rd #709
Phone: 703-862-1716 Signature: [Signature] Date: 9-15-06

Name: Robert J. Jell (Please Print)
Address: 616 Potomac Ave Mt Vernon VA.
Phone: 571-221-1007 Signature: [Signature] Date: 9/15/06

Name: Pedro Quintana (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: Raymond J. L. (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: 09 15 06

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Avistco Jasso (Please Print)
Address: 5039 9th St. Arlington
Phone: _____ Signature: _____ Date: Sept 21/06

Name: Rosa Perez (Please Print)
Address: 3804 Russell
Phone: _____ Signature: Rosa Perez Date: Sept 21/06

Name: Estanislao Alfaro (Please Print)
Address: Westmond Alexandria
Phone: _____ Signature: [Signature] Date: Sept 21/06

Name: Jose Andrade (Please Print)
Address: 602 Notabene Dr.
Phone: _____ Signature: _____ Date: Sept 22/06

Name: [Signature] (Please Print)
Address: 377 S. 7th St.
Phone: _____ Signature: _____ Date: Sept 22/06

Name: BLANCA VILMA CACERES (Please Print)
Address: 3027 MANNIN ST ALEXANDRIA
Phone: 703 299 0623 Signature: [Signature] Date: 9-23-06

Name: RAUL LUNA (Please Print)
Address: ROSSELL RD.
Phone: _____ Signature: [Signature] Date: 09-26-06

Name: Ines Paiz (Please Print)
Address: 3804 Russell Ave
Phone: _____ Signature: _____ Date: 09-21-06

Name: Jose Orellana (Please Print)
Address: Executive Ave
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Jose L. Ramos (Please Print)
Address: 257 Tennessee Ave, Alexandria, VA 22305
Phone: 703-299-5128 Signature: Jose Ramos Date: 09/20/2006

Name: Litton Cordova (Please Print)
Address: 707 Pover Mile Rd Alexandria, VA 22305
Phone: _____ Signature: L Cordova Date: 09/20/2006

Name: Mesfin Berhane (Please Print)
Address: 36916 Bruce st #301 Alex, VA 22305
Phone: 703-5194593 Signature: Mesfin Berhane Date: 09/26/2006

Name: Jose Villacorta (Please Print)
Address: Commonwealth Ave
Phone: _____ Signature: _____ Date: 09/28/06

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Gregory Mercado (Please Print)
Address: 511 Fair mile Rd.
Phone: 703-731-4639 Signature: [Signature] Date: 9/16/06

Name: BRIAN MARSHALL (Please Print)
Address: _____
Phone: 571-431-6292 Signature: [Signature] Date: 9/16/06

Name: Sahab Puri (Please Print)
Address: 1417 S 28 ST. ALEXANDRIA
Phone: 703-447-8106 Signature: [Signature] Date: 09-17-06

Name: [Signature] (Please Print)
Address: _____
Phone: 703-447-8106 Signature: _____ Date: 9/17/06

Name: EDWARD COLE (Please Print)
Address: 4331 DUKE ST ALEX. VA
Phone: 703-731-2639 Signature: [Signature] Date: 9-17-06

Name: LOUISE SESSION (Please Print)
Address: 3909 OLD DAM
Phone: 703-712-1987 Signature: _____ Date: 9/17/06

Name: TERRY MASON (Please Print)
Address: 3912 B BUES ST 205
Phone: 703-256-0216 Signature: [Signature] Date: 9/17/06

Name: SANTOS RIVAS (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: Rosevelt Battle (Please Print)
Address: 316 Sovereign
Phone: 703-548-0767 Signature: [Signature] Date: 10, 17, 07

Name: JOAQUIN ROMERO (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: ANTHONY MENSAH
Address: 5 LEADBEATER ST
ALEX, VA 22305

Signature: [Signature]
Date: OCT 18, 06

Name: TANYA JOHNSON
Address: 5 LEADBEATER ST
ALEX, VA 22305

Signature: [Signature]
Date: OCT 18, 06

Name: LINDA MENSAH
Address: 5 LEADBEATER ST
ALEX, VA 22305

Signature: [Signature]
Date: OCT 18, 06

Name: _____
Address: _____

Signature: _____
Date: _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Patricia Mason (Please Print)
Address: 118 E Glebe Rd Alex Va 22305
Phone: 703-450-1110 Signature: Patricia Mason Date: 9-15-06

Name: Frank Mason (Please Print)
Address: 1406 Portra of Al.
Phone: 703-566-1004 Signature: Frank Mason Date: _____

Name: Ados Martinez (Please Print)
Address: 511 FOUR MILE RD
Phone: _____ Signature: _____ Date: _____

Name: Oscar Gutierrez (Please Print)
Address: 601 FOUR MILE RD
Phone: _____ Signature: _____ Date: 09-15-06

Name: JOEL MARRQUIN (Please Print)
Address: 3801 EXECUTIVE # B2
Phone: _____ Signature: _____ Date: 09-15-06

Name: ANTONIO ISLAS (Please Print)
Address: 3856 FLORENSE DR APT 1
Phone: 703-960-795 Signature: Antonio Islas Date: 09-15-06

Name: Ismael Valerio (Please Print)
Address: 3804 ROSSELL RD # D22
Phone: _____ Signature: Ismael Valerio Date: 09-15-06

Name: Sinclair Williams (Please Print)
Address: 511-500 Mt Vernon Rd
Phone: 703-684-7012 Signature: Sinclair Williams Date: 9-15

Name: Devonald Brown (Please Print)
Address: 834 Columbus St
Phone: 240 515 0180 Signature: Devonald Brown Date: 9/15/06

Name: ELMER GUERRERO (Please Print)
Address: 6012 CAVALIER DR ALEXANDRIA, VA
Phone: 703-786-5353 Signature: Elmer Guerrero Date: 9/15/06

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: J. Bazemore (Please Print)
Address: 201 Four Mile Rd 416
Phone: _____ Signature: [Signature] Date: 9-15-06

Name: A. Bjorklund (Please Print)
Address: 3802 Executive A. A-22
Phone: 703-326-1827 Signature: [Signature] Date: 9/15/06

Name: Juan 1827 Buys (Please Print)
Address: 601 Four Mile Rd #138 Alexandria VA 22305
Phone: 703-866-2235 Signature: [Signature] Date: 9-15-06

Name: Dionides Roberto (Please Print)
Address: [Signature]
Phone: _____ Signature: _____ Date: 09-15-06

Name: [Signature] (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: 09-15-06

Name: Corzato Ventura (Please Print)
Address: _____
Phone: _____ Signature: [Signature] Date: 09/15/06

Name: Ricardo Gorkin (Please Print)
Address: _____
Phone: _____ Signature: [Signature] Date: _____

Name: Shawna Nelson (Please Print)
Address: 3913 Old Dominion Blvd #104
Phone: 703-836-4627 Signature: _____ Date: 9-15-06

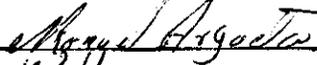
Name: Akai-sha Christian (Please Print)
Address: 3913 Old Dominion Blvd #104
Phone: 703-849-1100 Signature: [Signature] Date: 9-15-06

Name: Will Tafe (Please Print)
Address: 406 LaVerne Avenue
Phone: 703-888-8017 Signature: [Signature] Date: 9-15-06

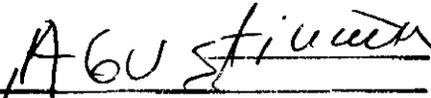
PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

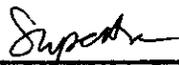
We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: FRANCIS MANN Signature: 
Address: 3017 LITH ST Date: 9-13-06
CHEZ BETH MD 20732

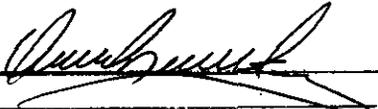
Name:  Signature: 9/14/06
Address: 

Name: William Ball Signature: 
Address: _____ Date: _____

Name:  Signature: 9/14/06
Address: _____ Date: _____

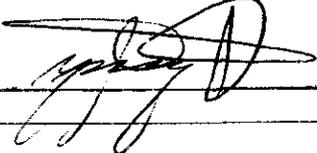
Name: S. Annatta Signature: 
Address: ALEXANDRIA, VA Date: 9/14/06

Name: EDWARD A. BLANDIN Signature: 
Address: 105 AIR CARGO RD Date: 9/14/06
WASH, DC

Name: Abel D. yanez cruz Signature: 
Address: _____ Date: _____

Name: Canelio Bonilla Signature: 
Address: _____ Date: _____

Name: Josema Signature: 
Address: 290 South Cour House Date: 9/14/06
Rural #214

Name: Carlos Perez Signature: 
Address: _____ Date: _____

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: CHI NGUYEN Signature: [Signature]
Address: 8406 Oakbush Lane Date: 9-14-06
Columbia, MD 21045

Name: [Signature] Signature: [Signature]
Address: 511 Fourmile Rd Date: 9.14.6.

Name: [Signature] Signature: [Signature]
Address: 511 Four mile Rd #8 Date: _____
Alexandria V.A 22305

Name: _____ Signature: _____
Address: NEISCHLACKA Date: 9-14-06

Name: Gloria Hernandez Signature: [Signature]
Address: 12807 Glynis Rd Date: 9-14-06
Clinton md 20735

Name: José Hernandez Signature: José Hernandez
Address: 638 Four mile Rd Date: _____
Alexandria V.A 2235

Name: Estela Gonsales Signature: Estela Gonsales
Address: 3910 Bruce St Date: 9-14-06
#102 Alexandria VA

Name: JUAN Ramirez Signature: [Signature]
Address: _____ Date: 9/14/06

Name: [Signature] Signature: _____
Address: _____ Date: _____

Name: [Signature] Signature: _____
Address: _____ Date: 09-14-06

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: Victor Pettusson Signature: Victor Pettusson
Address: _____ Date: _____

Name: Rene B. Savelley Signature: R B Savelley
Address: 605A10 Date: 605A10

Name: Eric Stewart Signature: Eric Stewart
Address: 819 W. Globe Rd Date: 9/14/06
#301 Alex, Va 22305

Name: Veronica Brown Signature: Veronica Brown
Address: 601 Four Mile Rd Date: 9-14-06
Alex Va.

Name: Jay Knodel Signature: _____
Address: 511 Four Mile Road Date: 9/14/06
Alex VA 22305

Name: Cyprus Perry Signature: Cyprus Perry
Address: 411 Four Mile Rd Date: 9/14/06

Name: William Nelson Signature: _____
Address: 317 Pine St Date: _____
ALEX VA

Name: Sean Ferguson Signature: _____
Address: 6727 Tower Drive Apt 206 Date: 9-15-06
Alex VA 201 374-9597

Name: Blain Spinner Signature: Blain Spinner
Address: 3612 Old Dominion Date: 9-15-06
ALEX VA 22305

Name: Tyrone Lowe Signature: _____
Address: 601-Four Mile Rd Date: 9-15-06
703-684-9568

Phone # _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Donna Dwyer (Please Print)
Address: 3804
Phone: _____ Signature: _____ Date: _____

Name: Josue Cruz (Please Print)
Address: 3854 Florence Dr. Apt # 7 Josue Cruz
Phone: _____ Signature: _____ Date: _____

Name: [Signature] (Please Print)
Address: 411 Four mile rd
Phone: 571-246-1482 Signature: [Signature] Date: 09/15/06

Name: Arthur Paul (Please Print)
Address: 3341 Dixie St
Phone: 571-272-9545 Signature: Arthur Paul Date: 9/15/06

Name: Sharon McRae (Please Print)
Address: 571-338-9619
Phone: _____ Signature: Sharon McRae Date: 9-15-06

Name: Nirjanga Bhat (Please Print)
Address: 6141 Edsall Rd
Phone: 202-664-4548 Signature: [Signature] Date: 9/15/06

Name: Erica M. Somers (Please Print)
Address: 601 Four Mile Rd # 426
Phone: 7/944-2772 Signature: Erica Somers Date: 9/15/06

Name: Sharon Burk (Please Print)
Address: 601 Four Mile Rd
Phone: 703-437-2558 Signature: Sharon Burk Date: 9-15-06

Name: Allen Scott (Please Print)
Address: 375 S. Reynolds St. Alex. VA. 22304
Phone: _____ Signature: Allen Scott Date: 9-15-06

Name: Saul Alexander Santos (Please Print)
Address: _____
Phone: _____ Signature: [Signature] Date: [Signature]

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: JUAN PENA Signature: [Signature]
Address: 3806 EXECUTIVE DR. Date: 9-14-06
ALEXANDRIA VA 22305

Name: John Adams Signature: [Signature]
Address: 2639 south whe st Date: 9/14/06

Name: Carlos Sanchez Signature: [Signature]
Address: 3916 Elbert Ave. Date: 9-14-06

Name: Keisha Sanders Signature: [Signature]
Address: 1001 FOAMIE RD Date: 9-14-06

Name: Tina Bonnett Signature: [Signature]
Address: 7975 Rich Hwy Date: 9-14-06

Name: Wilson D ariot Signature: [Signature]
Address: _____ Date: 9-14-06

Name: [Signature] Signature: [Signature]
Address: _____ Date: 10/9/06

Name: Luiz Akade Signature: [Signature]
Address: 3966 Elbert Ave #2007 Date: 9/14/06

Name: Wm Downer Signature: [Signature]
Address: 401 FOX HOLE RD #114 Date: 9/14/06

Name: CARTON KING Signature: [Signature]
Address: 402 GIBBON ST Date: 9/15/06
ALEX, VA 22314

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: NORMAN OAKLEY Signature: *Norman Oakley*
Address: 601 FOUR MILE Rd. #530 Date: 9/14/06
ALEX. VA 22305

Name: Vincent HACEY Sr Signature: *Vincent Hacey Sr*
Address: 3902 Old Dominion Blvd Date: 9-15-06
ALEX #101

Name: Charles White Signature: Sept 14, 06
Address: 3911 Old Dominion Blvd Date: Charles White

Name: * SHEBA REES Signature: *Sheba Rees*
Address: 3514 Wilson AVE Date: 9/14/06
ALEX, Va. 22305

Name: Zhony PANTON Signature: *Z. Pantan*
Address: 3701 Edison St. Date: 9/14/06
Alex. Va. 22305

Name: Anthony Beatty Signature: *Anthony Beatty*
Address: 3800 Cassel Rd Date: 9/14/06

Name: Alicia Alexander Signature: *Alicia Alexander*
Address: 136 Westmond drive Date: 9/14/06
Alex. VA. 22305

Name: Semaj McKinnon Signature: *Semaj McKinnon*
Address: 545 E Duncan Date: 9-14-06

Name: Maria Lopez Signature: *Maria Lopez*
Address: 2826 Jefferson Dr Date: 9/14/06

Name: Kunzo Johnson Signature: *Kunzo Johnson*
Address: 2826 Jefferson Dr Date: 9-14-06

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Print

Name: Mr. Lloyd W. Boston
Address: 3902 Old Dominion Blvd.
Alex VA 22305
#102

Signature: [Signature]
Date: Sept. 14 06

Name: JAMES A. FATE
Address: 607 FOUR MILE
ALEX VA

Signature: [Signature]
Date: 9/14/06

Name: [Signature]
Address: _____

Signature: _____
Date: _____

Name: Jean Cath
Address: _____

Signature: _____
Date: _____

Name: LEANDER TALLEY
Address: 523 N. ROYAL
ALEX VA 22314

Signature: [Signature]
Date: 9/14/06

Name: Micky Sm
Address: _____

Signature: [Signature]
Date: 9/14/06

Name: Henny morris
Address: 511 four mile road

Signature: _____
Date: _____

Name: Dennis Johnson
Address: 125 DAVIS ST

Signature: [Signature]
Date: 9/14/06

Name: JAMES O'BIGNA
Address: 2800 R-2A

Signature: [Signature]
Date: 9-14-06

Name: MOLINA COYONA
Address: _____

Signature: [Signature]
Date: _____

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: Jose Alvarez
Address: 3912 B Bruce St. #104
Alexandria VA 22305

Signature: Jose Alvarez
Date: 9/14/06 tel: 703-518-0626

Name: Maria de Jesus
Address: 3912 B Bruce St. #104
Alexandria VA 22305

Signature: Maria de Jesus tel.
Date: 9/14/06 703-518-0626

Name: Mary Robinson
Address: 912 Manor Rd #101
Alex VA 22302

Signature: Mary Robinson
Date: 9/14/06 703-514-8265

Name: Michael Doctor
Address: 3910.012 Dominion
APT 201-Alex VA
22305

Signature: Michael Doctor
Date: 9-14-06

Name: Rhonda Byrd
Address: 245 Buchanan St
Alex. VA 22314

Signature: Rhonda Byrd
Date: 9/14/06

Name: TECNY MARY
Address: 505 Old Dominion
ALEXANDRIA VA 22305

Signature: Tecny Mary
Date: 9/14/06

Name: STAN SUBER
Address: 8712 S. G. AUBURNIA
St. Lorton VA

Signature: Stan Suber
Date: 9/14/06

cliff or rose
Name: Cliff Rose
Address: 137 Dale St. Alex
VA

Signature: Cliff Rose
Date: 9/14/06

Name: JANE JONES
Address: 231 N. West St
Alex VA 22304

Signature: Jane Jones
Date: 9-14-06

Name: _____
Address: _____

Signature: Jane Walker
Date: 9-14-06

**Petition of Support
. 24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: [Signature] (Please Print)
Address: 4071 Potomac Mills Rd
Phone: 703 569 2028 Signature: [Signature] Date: 9/13/06

Name: MORGA HEWITT (Please Print)
Address: 7119 Fair Mile Rd
Phone: 703 437 2 Signature: [Signature] Date: 8/16/06

Name: Julie Archer Iske (JKE) (Please Print)
Address: 3607 Edison St - Alexandria VA 22305
Phone: 703 683 2654 Signature: [Signature] Date: _____

Name: Rufus Smith (Please Print)
Address: 2500 N. Vandora
Phone: 703-987-9669 Signature: [Signature] Date: 9/16/06

Name: Luis Lopez (Please Print)
Address: 3800 EXECUTIVE AV - 22305 Alexandria
Phone: 703-4690426 Signature: [Signature] Date: 9.16.06

Name: Lee Minnery (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: Carlos Lopez (Please Print)
Address: 306 Bruce St. Alexandria U.A 22035
Phone: _____ Signature: [Signature] Date: 9-16-06

Name: Luis Alvarez (Please Print)
Address: 3916 Edport Ave #207
Phone: 703 683 2521 Signature: [Signature] Date: 09/15/06

Name: Paulette Schoeman (Please Print)
Address: 3915 Old Dominion Blvd #301
Phone: _____ Signature: [Signature] Date: 9-16-06

Name: ROVIN PIOLO (Please Print)
Address: 601 36th
Phone: _____ Signature: [Signature] Date: 9/16/06

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: Armando A. Medina (Please Print) 9/15/06
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: Dennda Carter (Please Print)
Address: 4005 Four Mile Rd - Alex VA 22205
Phone: 703-567-0093 Signature: [Signature] Date: 9-15-2006

Name: Sherry Golden (Please Print)
Address: 510 Four Mile Rd #402
Phone: 703-728-5107 Signature: [Signature] Date: 9/15/06

Name: JAMES T. ARRINGTON (Please Print)
Address: 511-4 MILE RD 807
Phone: 703-548-6609 Signature: [Signature] Date: 9/15/06

Name: Jean Carter (Please Print)
Address: 601 [unclear] road
Phone: [unclear] Signature: [Signature] Date: 9/15/06

Name: Tony ARDIZIOLO (Please Print)
Address: 202 E. OLEBARD - ALEX - VA - 22305
Phone: 703-400-9887 Signature: [Signature] Date: 9/15/06

Name: CAROLYN HOUGH (Please Print)
Address: 511 FOUR MILE RD #1312
Phone: _____ Signature: _____ Date: _____

Name: [Signature] (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

Name: JOSE D. AMAYA (Please Print)
Address: 3515 MT VERNON AVE #302
Phone: 703-376-4785 Signature: [Signature] Date: 09/16/06

Name: _____ (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: _____

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: Patty Myers Signature: [Signature]
Address: 3200 Commonwealth Date: 9-23-06
Alexandria VA

Name: Julio A. Magana Signature: [Signature]
Address: 3914 B BRUCE Date: _____
Blvd ALEXVA 22305

Name: [Signature] Signature: Rubio moran
Address: _____ Date: 9/23/06

Name: Jana C. Ren Signature: [Signature]
Address: _____ Date: 9-23-06

Name: Ingris Moran Signature: Soila Segovia
Address: 0123106 Date: 3917 A BRUCE

Name: [Signature] Signature: [Signature]
Address: _____ Date: 3912 B APT 306

Name: Maria Mejia Signature: M. M. M. C.
Address: 3916 #103 Date: 9/23/06
BRUCE ST

Name: [Signature] Signature: [Signature]
Address: 3912 B - APT 306 Date: _____

Name: Jose N Quintanilla Signature: Ana Liguenter
Address: 3911 B APT 16 Date: _____

Name: DOUGLAS H SEGOVIA Signature: JOSE M SEGOVIA
Address: 3918 BRUCE EST Date: 3911 BRUCE CT #5
ALEX VA

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: Elisa varez Signature: [Signature]
Address: _____ Date: _____

Name: Mayra Gomes Signature: MAYRA SANTOS
Address: _____ Date: _____

Name: Arcor Ramirez Signature: [Signature]
Address: 3913 #303 Date: _____

Name: _____ Signature: 9-23-06
Address: Ferni overano Date: MARIA TARRES
2911 Bovesca tas

Name: _____ Signature: 9-23-06
Address: Santiago Date: _____

Name: DIOMEDES ROMERO Signature: 9-23-06
Address: _____ Date: _____

Name: Guillermo Sierra Signature: _____
Address: _____ Date: _____

Name: Guillermo Sierra Signature: [Signature]
Address: _____ Date: _____

Name: JARR Signature: _____
Address: _____ Date: _____

Name: Jose Gomez Signature: [Signature]
Address: _____ Date: 9/23/06

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: A.vely Lopez Signature: [Signature]
Address: 3912 B Bruce St. Date: 9-23-6

Name: Maria Zelaya Signature: [Signature]
Address: 3912 B Bruce St Date: 9-23-6

Name: Mur'li Bail Signature: [Signature]
Address: 3912 B Bruce St Date: _____

Name: Chavez German Signature: GLADYS ARGENTINA POMERO
Address: 3911 PO ALEXANDRA Date: _____

Name: Maduro Gerardo Signature: [Signature] SLV
Address: 3911 Bruce St Apt 8 Date: _____
Alexandra VLA

Name: José Molina Signature: [Signature]
Address: [Signature] Date: _____

Name: NEPT CRUZ Signature: _____
Address: _____ Date: _____

Name: Nora Ortiz Signature: _____
Address: _____ Date: _____

Name: LADY ANDIRO PERAZA Signature: _____
Address: _____ Date: _____

Name: Leyla Ortiz Signature: _____
Address: Maria Date: _____

PETITION OF SUPPORT
24 EXPRESS
4007 MOUNT VERNON AVENUE

We the undersigned support 24 Express and ask that the City approve the Special Use Permit allowing 24 Express to continue.

Name: [Signature] Signature: _____
Address: _____ Date: _____

Name: [Signature] Signature: _____
Address: _____ Date: _____

Name: Jose Domingo Signature: _____
Address: _____ Date: _____

Name: Luonica Spofitto Signature: _____
Address: _____ Date: _____

Name: Nicolas Arvato Signature: _____
Address: _____ Date: _____

Name: [Signature] Signature: _____
Address: _____ Date: _____

Name: Petro Signature: _____
Address: _____ Date: _____

Name: Fredis Coreas Signature: [Signature]
Address: 3910 Bruce St #306 Date: _____

Name: Klan Mohammed Signature: [Signature]
Address: 3200 Commonwealth Ave Alex VA 22304 Date: _____

Name: Kathleen Henry Signature: Kathleen Henry
Address: 3200 Commonwealth Alex, VA Date: _____

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: MANU C/COYAS (Please Print)
Address: 601 FOUR MILE RD. APT. 215
Phone: _____ Signature: [Signature] Date: 09.16-06

Name: David Sweetser (Please Print)
Address: 511 Four mile rd #111
Phone: 511232046 Signature: [Signature] Date: 09/16/06

Name: J. F. C. I. (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: 09/16/06

Name: [Signature] (Please Print)
Address: 3810 SEXTON DR
Phone: _____ Signature: [Signature] Date: _____

Name: LESLIE LOZANO (Please Print)
Address: 415 FOUR MILE RD #115
Phone: 540 4054 Signature: [Signature] Date: 9/16/06

Name: HELMER ADOLIE (Please Print)
Address: 401 FOUR MILE RD #203
Phone: 703 836 7789 Signature: [Signature] Date: 9/16/06

Name: [Signature] (Please Print)
Address: _____
Phone: _____ Signature: _____ Date: 9/17/06

Name: 3800 Redondo P (Please Print)
Address: 3800 = 302
Phone: 703 836 7789 Signature: [Signature] Date: 09-16-06

Name: Vincent Jones (Please Print)
Address: 627 N. Belene, Alex Va
Phone: N/A Signature: [Signature] Date: 9/16-06

Name: Clean Curry (Please Print)
Address: 208 East Randolph Ave
Phone: 703 836 0001 Signature: [Signature] Date: 9/16/06

**Petition of Support
24 EXPRESS
4007 Mt Vernon Ave.
Alexandria VA 22305**

We are the undersigned support 24 Express and ask that the City of Alexandria approve the Special Use Permit allowing 24 Express to continue.

Name: ANDREA Tate (Please Print)
Address: 400 LAVERNE AVE
Phone: (703) 836-5472 Signature: ANDREA Tate Date: 7/17/06

Name: J. PERRY (Please Print)
Address: 400 LAVERNE AVE
Phone: 703-567-0093 Signature: [Signature] Date: _____

Name: [Signature] (Please Print)
Address: 402 FORM A
Phone: _____ Signature: [Signature] Date: _____

Name: [Signature] (Please Print)
Address: _____
Phone: 23 Signature: 1 Date: _____

Name: RICARDO (Please Print)
Address: EXECUTIVE
Phone: _____ Signature: [Signature] Date: _____

Name: PATRICIA GEMMETT (Please Print)
Address: 510 FORM 1 P. A 10.3
Phone: 703 836 1182 Signature: _____ Date: _____

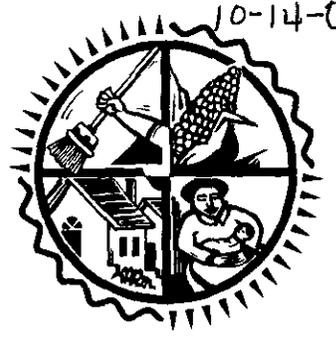
Name: Lilian Guzman (Please Print)
Address: 3803 Robert E Lee Pl
Phone: _____ Signature: [Signature] Date: _____

Name: Ronaldo Fonzale (Please Print)
Address: 3916 BRUCE ST #106
Phone: 571 235 6128 Signature: Ronaldo Date: _____

Name: MAURICIO FLO (Please Print)
Address: _____
Phone: _____ Signature: MAURICIO FR Date: _____

Name: (TANY) RAPH HAZARD (Please Print)
Address: 7604 SURRY Lorton VA
Phone: 703 550 9404 Signature: Raph Hazard Date: 9/16/06

7
10-14-06



October 13, 2006

Mayor Euille
And Members of City Council
City Hall
Alexandria, VA 22313

Via electronic mail

Dear Mayor Euille and members of City Council,

On behalf of the Tenants and Workers United I am writing to strongly support the *24 Hour Express* and Tien Niphadkabin's application for a special use permit to continue operating his convenient grocery store.

Mr. Tien's store has been an important community institution for the last 20 years. In this day and age, the *24* is the closest thing we have to the old general store. You can find virtually anything that you need at the *24* - from prepared food to diapers to worms for fishing. Additionally, his parking lot serves as a pick-up point for dozens of workers each morning and his public phones provide emergency access for dozens of area residents who don't own phones.

One of our organizations primary concerns during the discussion of the Arlandria Plan was about the lack of a plan for minority business retention. Reviewing the list of conditions attached to Mr. Tien's SUP, I am deeply concerned about conditions that are being attached to him that are not attached to his competitors. In particular I urge that two of the proposed conditions be modified to allow him to survive in his competition with other local businesses as well as the national 7-11 chain.

Specifically:

- 1) Do not require him to provide for paid security seven days/ week. His proposal to continue providing security from 6PM to midnight on Fridays, Saturdays and Sundays adequately covers the safety needs of the surrounding community. To require 7 days of service is an unnecessary burden that does not serve the public good.
- 2) Allow him to continue selling beer and alcohol until midnight. Mr. Tien has always played by the rules. As far as I know, the ABC board has no problem with Mr. Tien's sale of alcohol. As recently as last year Council approved a local restaurant (My Bakery) to sell alcohol until midnight. Other local businesses sell alcohol until closing or midnight. Many people in our neighborhood don't get home from work until well after 10PM. 7-11's generally sell alcohol until midnight. While I acknowledge that there are issues with the impact of alcohol consumption in Arlandria (as in every neighborhood) I don't believe that singling out the *24* for special restrictions serves the public interest. In fact, this restriction alone will put the *24* in a competitive disadvantage and threaten the viability of his business.

Again - Mr. Tien and the *24* provide important community services, he is a strong supporter of the local community, he has hired most of his employees from the surrounding area. His business is minority owned and not a chain. For all of these reasons, please support his application for a SUP and remove those restrictions that treat him differently and put him at a competitive disadvantage. Thank you for your consideration.

Sincerely,

Jon Liss
Executive Director



"Lynn Smith"
<Lsmith@esi-intl.com>
10/13/2006 12:22 PM

To <james.hunt@alexandriava.gov>,
<randy.sengel@alexandriava.gov>
cc
bcc
Subject FW: 24Express -- Please accept Planning Commission
recommendation

7
10-14-06

From: Lynn Smith
Sent: Fri 10/13/2006 12:20 PM
To: timothylovain@aol.com; councilmangaines@aol.com; delpepper@aol.com;
macdonaldcouncil@msn.com; smedbergpc@aol.com; rob@krupicka.com; wmeuille@wdeuille.com
Subject: 24Express -- Please accept Planning Commission recommendation

Dear Council Members,

I am a resident of Lenox Place and have been a Alexandria resident for over 20 years -- half of that in the Arlandria area. I am writing to urge you to support the recommendations the Planning Commission made in regards to the SUP for 24Express.

My plea to you is not on behalf of just Lenox Place homeowners but all residents of this area. The issue before you whether to let 24Express continue as it has or continue with this modifications comes down to safety for all of those that live in this area not just the interests of those of us living in Lenox Place.

The reality is we do not have the crime that is occurring in other locations that sell alcohol as we do at the 24Express. Under the Planning Commission recommendations, limiting alcohol sales and creating some standards to make this business be a better citizen of the community is a small concession for this business owner to make. The benefit is safer neighborhood for all of Arlandria.

Again, please approve the Planning Commission's recommendation. Thank you for your consideration.

Regards,

Lynn Smith
3917 Courtland Circle

7
10-14-06

Issues at 24 Express

Alcohol Sales

*“Numerous first-rate studies have found close links between the geographic density of alcohol outlets and consumption (and alcohol problem) rates. Without leaping to the further conclusion that if inner-city neighborhoods had fewer liquor outlets and less alcohol consumption, they would also have less crime, **policymakers who care about reducing community breakdown and crime in the inner city should nevertheless seriously consider restricting alcohol availability and reducing the density of liquor stores....***

...Middle-class Americans would not tolerate for one second laws that permitted an inner-city level concentration of liquor stores in and around the places where they and their loved ones live, work, shop, go to school, or play. It makes no sense to insist that it is all merely a matter of free markets, as if liquor stores simply go where the people want what they sell and sell to whomever they want.”

Broken Bottles: Alcohol, Disorder, and Crime

by John J. Dilulio, Jr.

Brookings, Spring 1996

<http://www.brookings.edu/press/review/spring96/dilulio.htm>

“ Our results indicate a significant positive relationship between alcohol outlet density and violent crime ”

**Neighborhood Level Spatial Analysis of the Relationship Between Alcohol Outlet
Density and Criminal Violence**

R. Britt, Heather; Carlin, Bradley¹; Toomey, Traci; Wagenaar, Alexander
Environmental and Ecological Statistics, Volume 12, Number 4, December 2005, pp.
411-426(16)

“Assault rates were related significantly to local densities of off-premise alcohol retail establishments, not bars.”

Ecological models of alcohol outlets and violent assaults: crime potentials and
geospatial analysis
Gruenewald, Freisthler, Remer, LaScala & Treno
Addiction, Volume 101 Page 666 - May 2006



REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER FOR DISCUSSION

25. Presentation by the Police Department Staff on Crime Trends in the City.

Acting Police Chief Baker and Deputy Chief Corle made a presentation of the crime trends.

Council
Action: _____

26. Consideration of the City's Participation in the National Mayors' Initiative to Reduce the Possession, Use and Trafficking of Illegal Guns in the Community.

City Council concurred with the Statement of Principles adopted by mayors across the country who are participating in the Mayors' Initiative Against Illegal Guns.

Council
Action: _____

27. Consideration of Evaluation of the Summer Trial Program for the Weekend Pedestrian Plaza in the 100 Block of King Street and Consideration of a Proposal to Continue the Trial Program Through the End of 2006.

City Council: (a) received the staff evaluation of the results of the trial program for a weekend pedestrian plaza on the 100 block of King Street; (b) approved a proposal to continue a second phase and longer trial pilot period for the weekend pedestrian plaza in the 100 block of King Street for eight weekends during the fall/winter of 2006, beginning the weekend of September 15 and continuing



Alcohol related crime in Arlandria: "Single Biggest Challenge"

City of Alexandria, Virginia

MEMORANDUM

DATE: September 25, 2006

TO: Lenox Place at Sunnyside Association

FROM: Captain Eddie Reyes, Commander Arlandria Area

SUBJECT: Update on Arlandria

What I have discovered after reading almost all of the police reports that follows each violent offense in Arlandria is that alcohol is a contributing factor in almost every incident. Either the victim was intoxicated becoming an easy target and victim and/or the suspect was intoxicated. While increased police presence and enforcement efforts make a difference, I believe it is only a short-term solution, lasting only as long as the officers are on the street. My perception is that if the City is going to have a long-term impact on violent crime and sustain the increased quality of life in Arlandria, bilingual education on alcohol abuse is mandatory. There is currently no education on alcohol abuse and/or treatment located in Arlandria....

Public Convenience or Necessity: The Power of Local Municipalities to Control Alcohol Outlet Density

East County Community Change Project • June 2004

In 1994, the California State Legislature adopted the Caldera bill, which authorizes local municipalities to control the number of bars and retail outlets in their communities. These rules apply to ABC license requests in areas that are already oversaturated and/or areas that have high crime rates. **Under the statute, high crime is defined as an area that exceeds the city's average crime rate by 20 percent.**

Under such conditions, ABC must deny the license application unless there is a finding of need, termed "Public Convenience or Necessity" (PCN) in the statute. Depending on the type of business requesting a license, the finding of "Public Convenience or Necessity," is determined either at the state or local level.

"The burden of proof should be on the applicant to show that having a new alcohol outlet will be of benefit to the community."

High crime is defined as an area that exceeds the city's average crime rate by 20 percent.

In 2005:

- overall crime rate in Arlandria exceeded the city's average by 34%.
- Arlandria's violent crime rate exceeded the city's average by 140%.



HOW MANY LIQUOR STORES AND RESTAURANTS ARE ALLOWED IN EACH MUNICIPALITY?

The number of licenses to sell alcohol for consumption on a licensed premises (restaurants and bars) and to sell alcohol for off premise consumption (packaged goods) within a municipality is determined based upon the population. A municipality may issue one consumption license for every 3,000 of its population. As to distribution licenses, which allow **the sale of alcohol for off premise consumption, a municipality may issue one license for every 7,500 of its population.** A municipality is allowed to ban all sales of alcohol within its borders if it so desires.

<http://www.state.nj.us/oag/abc/faqs.html#CAN>



Alcohol Impact Areas

Washington State
Liquor Control Board

In July of 1999, the Washington State Liquor Control Board adopted the Alcohol Impact Area rules. These rules were developed to provide a tool for communities who are experiencing significant alcohol related problems.

The rules allow the Liquor Control Board to recognize a geographic area within a city or town as an “Alcohol Impact Area” (AIA). A request to recognize an AIA must be brought to the Board by a local jurisdiction. The local jurisdiction would first be responsible to adopt an ordinance stating an area has experienced significant problems due to the presence of chronic public inebriation or illegal activity associated with alcohol sales or consumption.

Not Suggesting This

Strategy

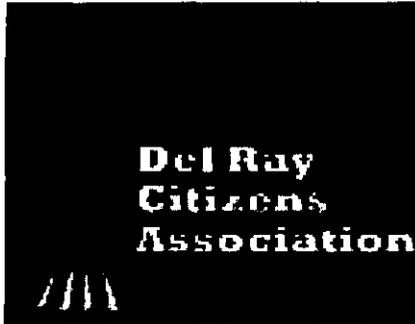
- Collect and analyze crime and arrest data
- Meet and work with COPs and midnight officers in area – supply with analysis
- COPs continuing to work with management to get apartment
- Review of SUP of 24 Hour Express in 2006

Combating Alcohol Related Crimes: Alexandria Police
Department's Approach

Mary Garrand, Alexandria, VA Police Department

**The Eighth Annual Crime Mapping Research
Conference**

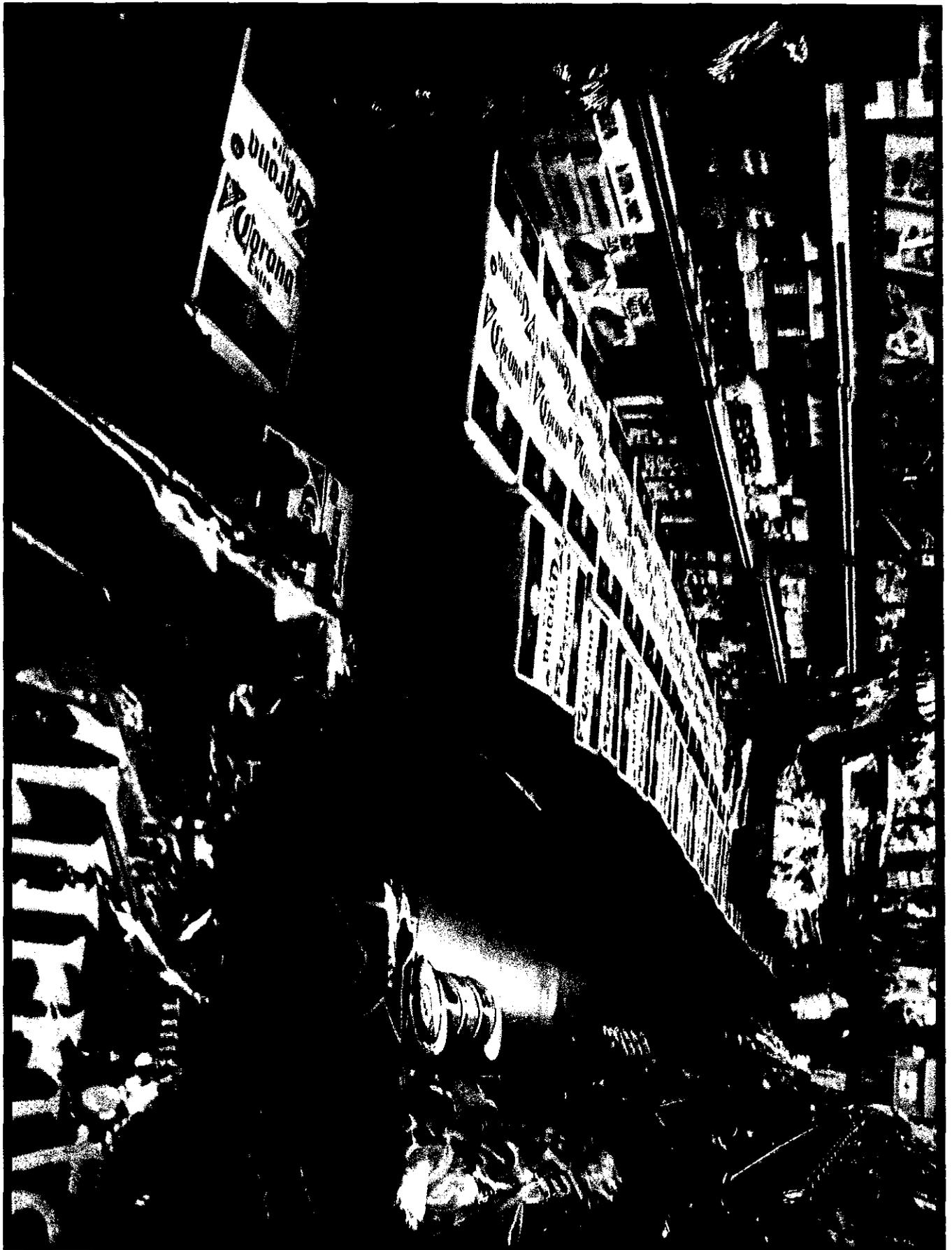
The National Institute of Justice, DOJ,
September 7 - 10, 2005



The Del Ray Citizen

September 1999

Supported an amendment to the city's zoning code that would change the legal definition of a convenience store from 3,500 square feet to 5,000 square feet. All stores of this size would be required to obtain a special use permit, which allows the city to impose conditions on the operation in order to address issues such as hours of operations, types of sales, and lighting. According to city staff, the only store not now regulated is 24 Express at 4007 Mount Vernon Ave. **Staff says that 24 Express has caused some problems in Arlandria and expanded its size to 3,800 square feet several years ago to escape regulation.**



Neighborhood Crime

Serious crime is concentrated in poor black and Hispanic neighborhoods, and in certain areas within them. For people who live in the Anacostia area of Washington, in the Nickerson Gardens housing complex in South Los Angeles, and on Magnolia Street in Boston, the citywide statistics have always been meaningless.

- David Kennedy, director of the Center for Crime Prevention and Control at John Jay College of Criminal Justice, City University of New York
The Neighborhood War Zone Sunday, August 13, 2006
Washington Post

Part 1 Crime for Arlandria / Census Tract 12.03
 Crime Against Persons
 (Source: APD Crime Data)

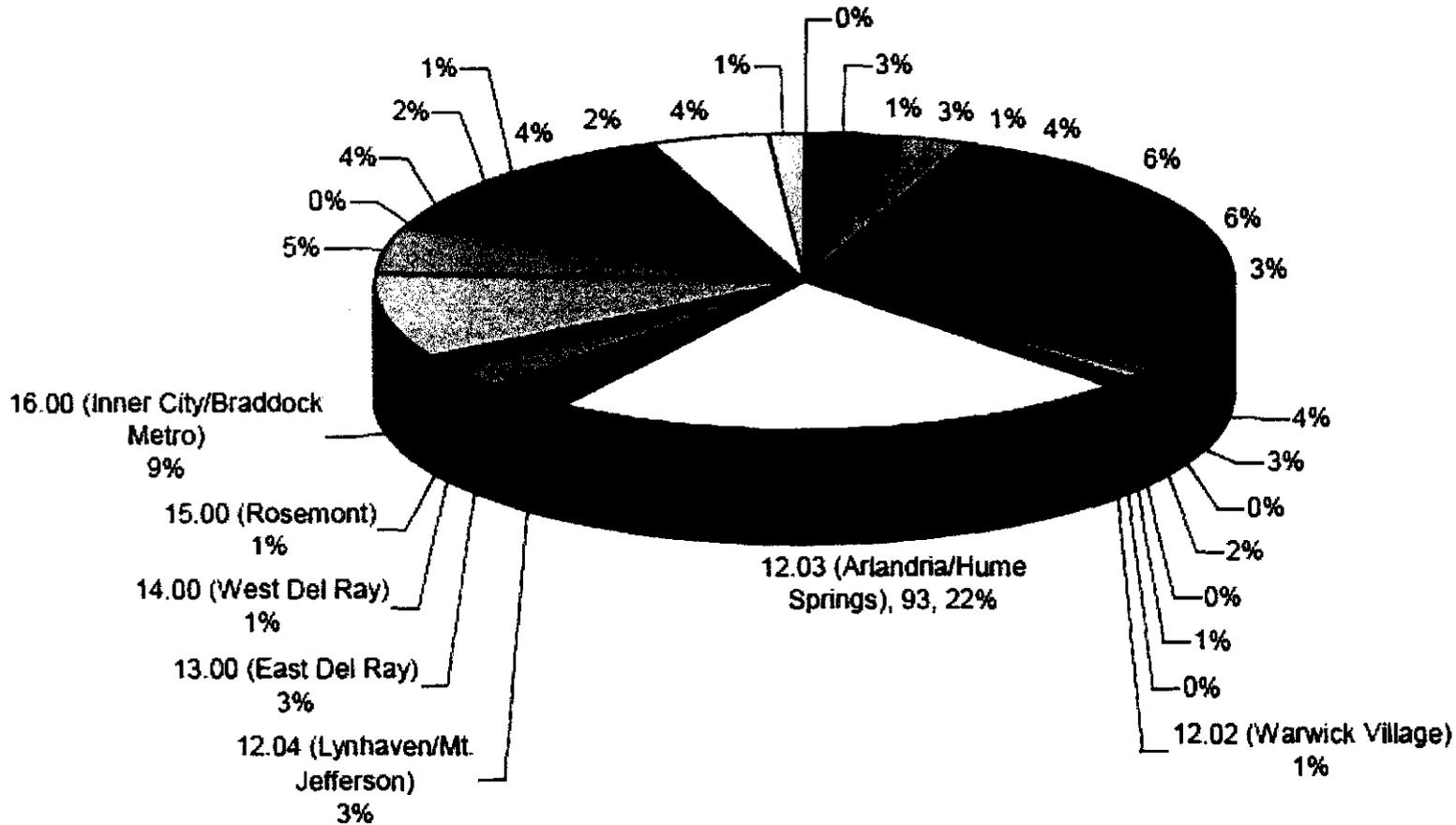


	2001	2002	2003	2004	2005
— Total Violent Crime	64	66	76	83	93
— Aggravated Assaults	34	36	48	53	49
— Robberies	24	29	24	29	41

Part 1 Crime in 2005

Census Tract	Homicide	Rape	Robbery	Agg Assault	Burglary	Larceny	GLA	Total
11.00 (Beverly Hills)	0	0	0	0	3	15	3	21
12.02 (Warwick Village)	0	1	2	2	2	21	1	29
12.03 (Arlandria/Hume Springs)	0	3	41	49	22	178	45	338
12.04 (Lynhaven/Mt. Jefferson)	0	0	5	9	11	60	21	106
13.00 (East Del Ray)	0	2	6	3	8	79	7	105
14.00 (West Del Ray)	1	0	1	1	14	43	8	68
Area Total	1	6	55	64	60	396	85	667
City-wide	4	23	197	201	371	2699	513	4008
Area % of City	25.0	26.1	27.9	31.8	16.2	14.7	16.6	16.6

2005 Alexandria Violent Crime by Neighborhood Share of Total City Violent Crime by Census Tract



■ 1.01	■ 1.02	□ 1.03
□ 1.04	■ 1.05	■ 2.01
■ 2.02	■ 3.01	■ 3.02
■ 3.03	■ 4.01	■ 4.02
■ 5.00	■ 6.00	■ 7.00
■ 8.01	■ 8.02	□ 9.00
□ 10.00	□ 11.00 (Beverly Hills)	■ 12.02 (Warwick Village)
□ 12.03 (Arlandria/Hume Springs)	■ 12.04 (Lynhaven/Mt. Jefferson)	■ 13.00 (East Del Ray)
■ 14.00 (West Del Ray)	■ 15.00 (Rosemont)	■ 16.00 (Inner City/Braddock Metro)



OFFICE: 801 N. WEST
 ALEXANDRIA, VA 22305
 1-800-237-2473

CRIMECAST® SITE REPORT
 PREPARED BY CAP INDEX, INC.

Scores indicate the risk of crime at a site compared to the average of 100 (i.e. A score of 400 means that the risk is 4 times the average and a score of 50 means the risk is half the average).

Current Scores	National Scores	State Scores	County Scores
CAP Index	369	551	243
Homicide	176	172	155
Rape	203	294	196
Robbery	419	641	354
Aggravated Assault	155	199	243
Crimes Against Persons	235	318	243
Burglary	285	577	265
Armed Vehicle Theft	199	276	168
Crimes Against Property	218	313	189

Notes:

.....

Crossbrook

Sunnyside
 3905 Ebert Ave, Alexandria, VA 22305-2045
 TEL: 36 6415, LOB: 377 0649

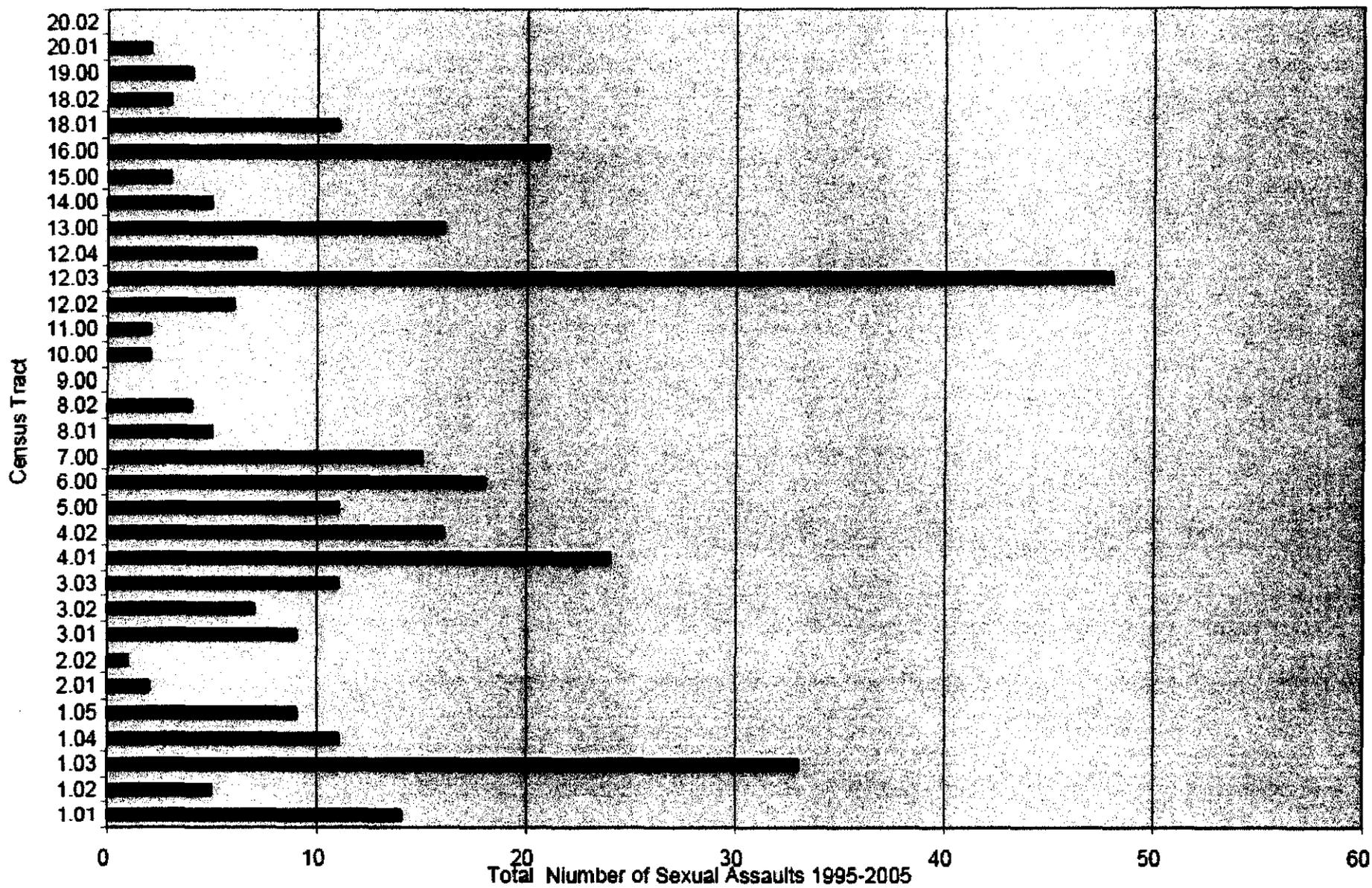
National CAP Index = 369

CRIMECAST® Personal Report
 Wednesday, August 08, 2006

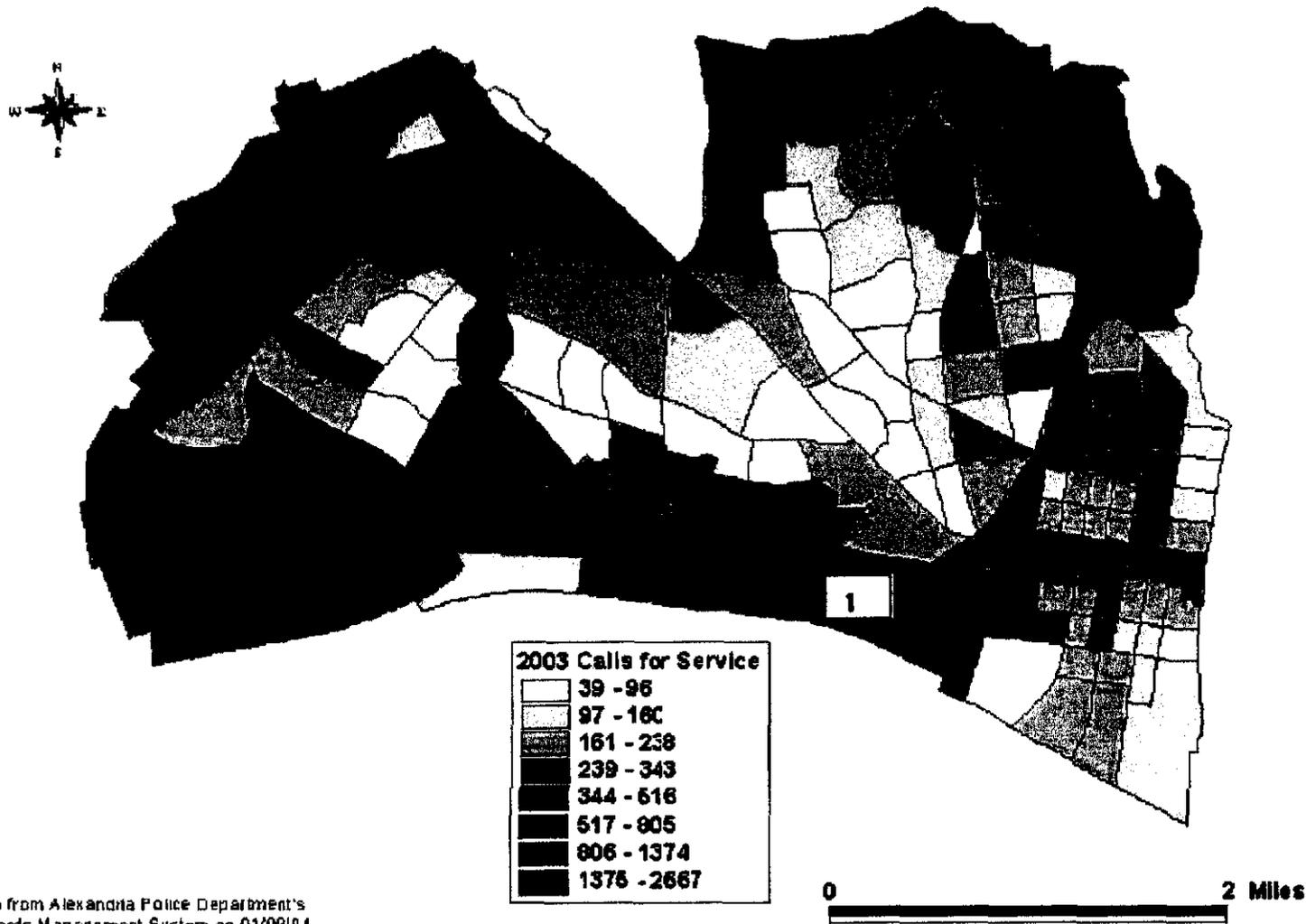


2006 CAP INDEX 0 - 99 100 - 199 200 - 399 400 - 799 800 - 2000
 CRIMECAST is a trademark of CAP Index, Inc. Please note: Sites and conditions are provided on map. Areas highlighted on map are not to scale.

Total Rape Reports 1995-2005



2003 Calls for Police Service by Subcensus Tracts



Data from Alexandria Police Department's
Records Management System on 01/02/04
96% Geocoding Rate

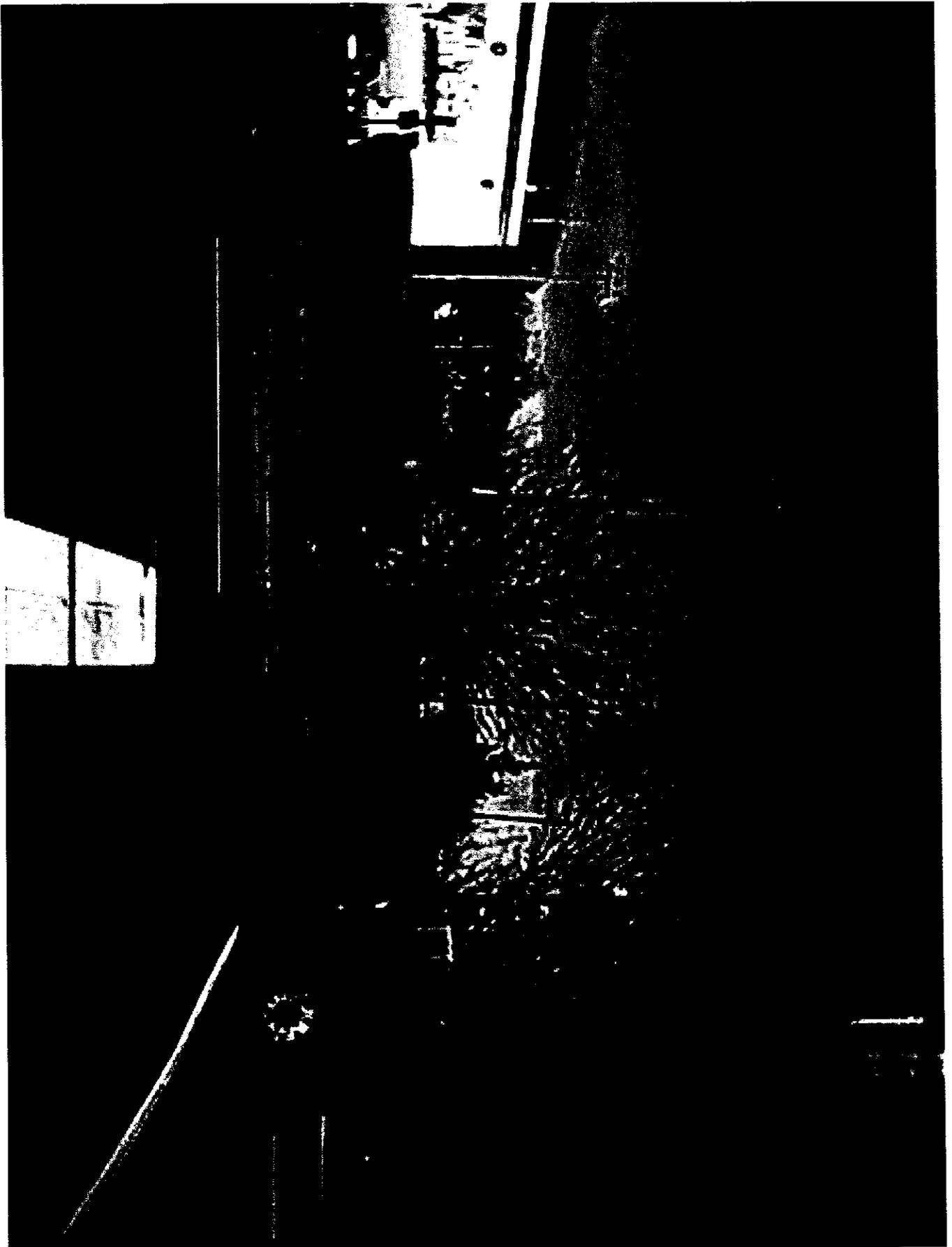
Subcensus tracts are defined by the United States Census Bureau and are determined by population and landmass. This map illustrates how many calls for service occurred within each subcensus tract in 2003. The color assigned to each subcensus tract represents the range of calls for service for that area. These calls for service were geocoded to the street centerline file. **Footnote 1:** This subcensus tract contains the Police Department as well as the Sheriff's Office.

Not long ago, the United States was declaring "mission accomplished" on crime: Homicide rates were plunging, the crack epidemic was over, the broken windows were fixed. ...

... In reality, Americans were lulled into complacency about violent crime.

- David Kennedy, director of the Center for Crime Prevention and Control at John Jay College of Criminal Justice, City University of New York
The Neighborhood War Zone Sunday, August 13, 2006
Washington Post

The Entrance to Four Mile Run Park

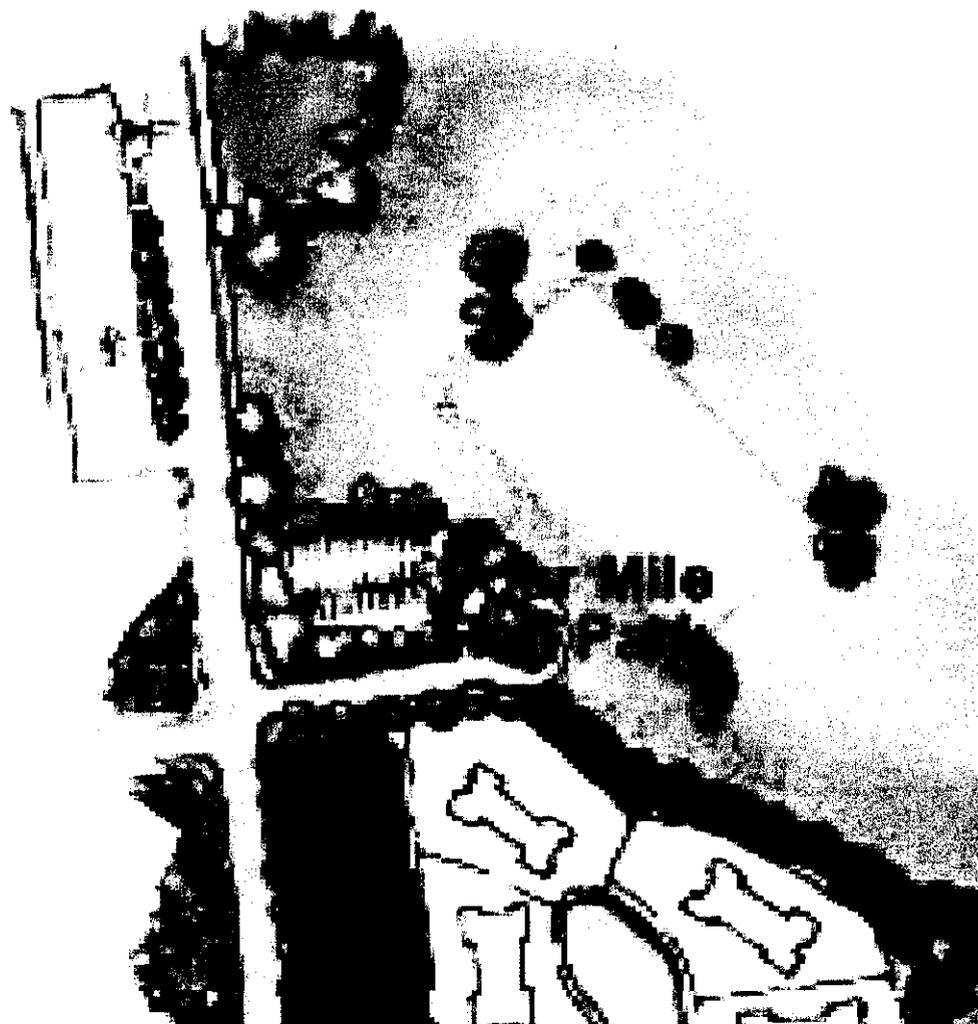


A Vision for the Arlandria Neighborhood

The Illustrative Plan

The Illustrative Plan outlines a future, long-term vision for the Arlandria neighborhood. The vision incorporates two major concepts identified by the community:

- Visually opening the park to the Avenue and enhancing the access to the park
- Optimizing the future development of the three major sites identified as underutilized and "opportunity sites"





A Vision for the Arlandria Neighborhood

The Action Plan

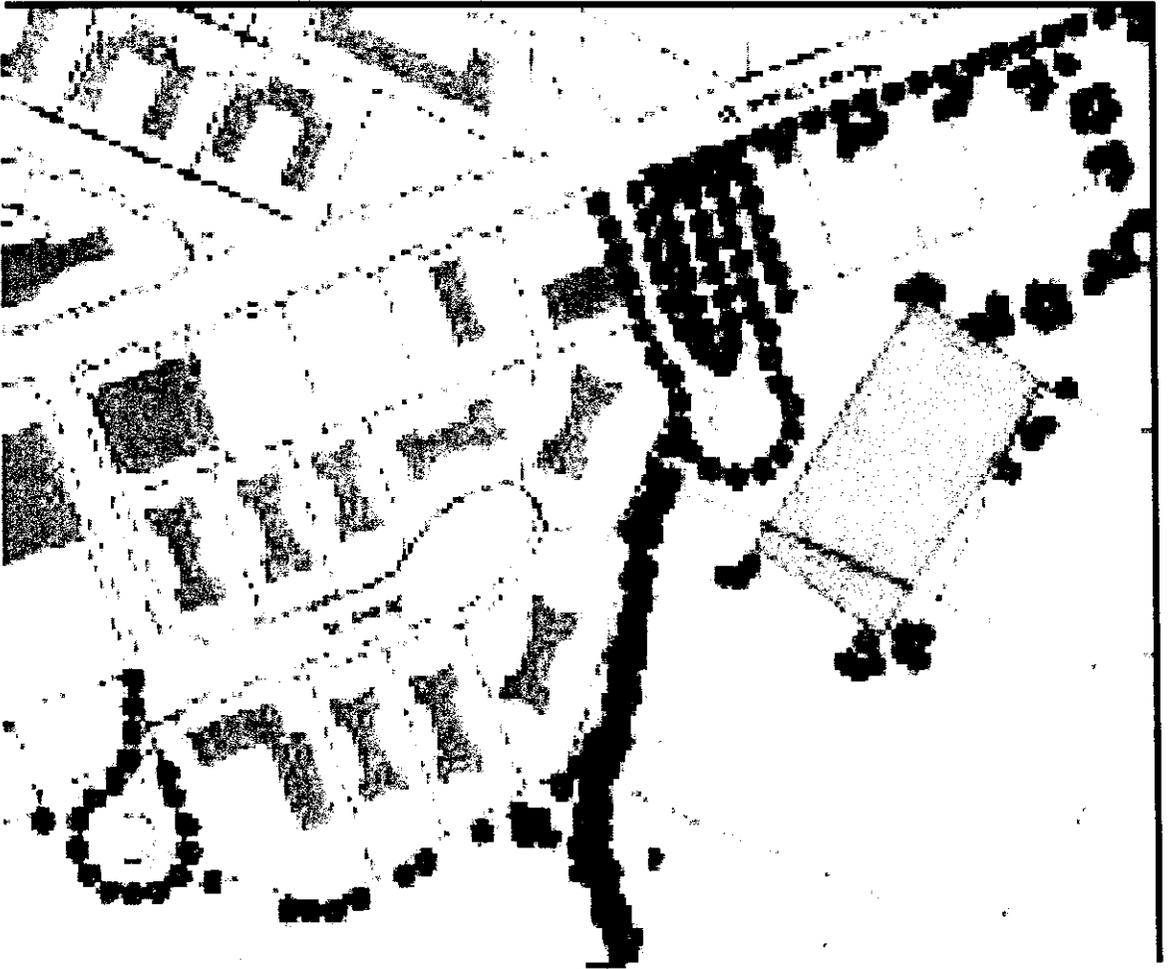
Short & Mid-Term Actions

Enhance access and visibility to Four Mile Run Park

Provide more landscaping and better signage at Four Mile Run Park



Enhancement to park north park access



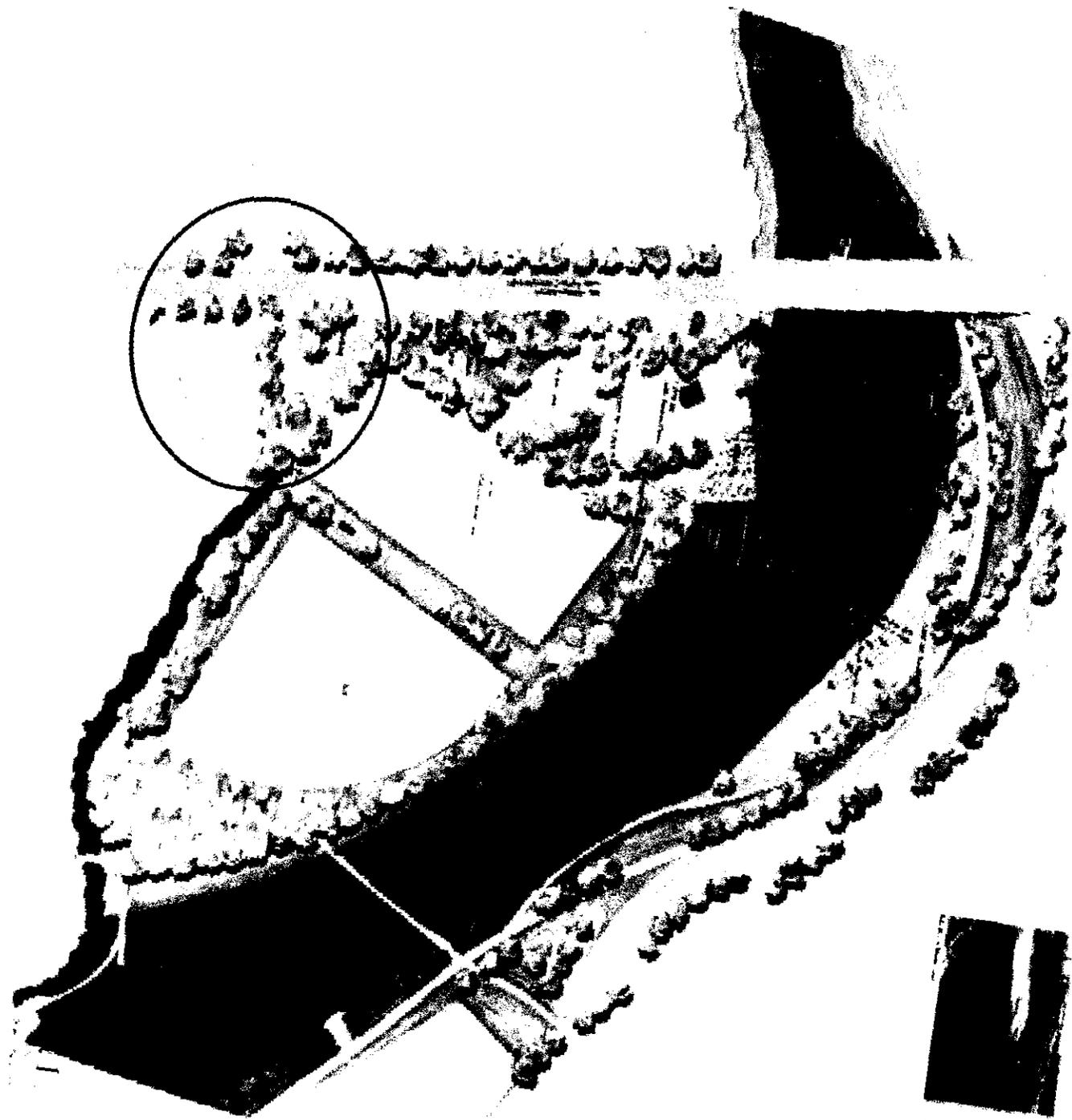
Potential land acquisition to open up the park



The following information is provided for your reference. It is not intended to be used as a substitute for the actual data or as a basis for any conclusions. The information is based on the data provided in the report and is subject to change without notice.

Item	Description	Value
1	Item 1	1.0
2	Item 2	2.0
3	Item 3	3.0
4	Item 4	4.0
5	Item 5	5.0
6	Item 6	6.0
7	Item 7	7.0
8	Item 8	8.0
9	Item 9	9.0
10	Item 10	10.0





“[Crime Prevention Through Environmental Design] CPTED is a prevention strategy that deals with the design, planning and structure of our cities and neighbourhoods. It acknowledges the physical environment has a great impact on the types and location of crime problems. CPTED has become a key ingredient for responsible planning of new housing projects, shopping malls, parks, parking lots, commercial areas, and other places throughout the modern city...

...One early example was in 7-11 convenience stores. There was a 56% reduction in robberies after physical modifications were employed including improved lighting, redesigning store layout and the outside property, improved surveillance, and enhanced territorial control around 7-11's (Castleman, 1984:21-28).”

NEW TOOLS TO ERADICATE CRIME PLACES AND CRIME NICHES

**Gregory Saville, MES, MCIP School of Criminology and Criminal Justice,
Florida State University**

*Safer Communities: Strategic Directions In Urban Planning
The Australian Institute Of Criminology And The Victorian Community
Council Against Violence, Melbourne, 10-11 September 1998*

Litter



Alcohol, Crime & Arlandria

SPEAKER'S FORM

DOCKET ITEM NO. 7

PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

- 1. **NAME:** William C (Tom) Thomas, Jr
- 2. **ADDRESS:** 11320 random hills road FX, VA 22030
TELEPHONE NO. 703 385 8282 **E-MAIL:** wthomas@fspd.com
- 3. **WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?**
applicant
- 4. **WHAT IS YOUR POSITION ON THE ITEM?**
For
- 5. **NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):**
attorney for applicant
- 6. **ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?**
Yes

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed *for public hearing* at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.
- (b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker

APPLICATION for SPECIAL USE PERMIT # 2006-0051

7
sep

[must use black ink or type]

PROPERTY LOCATION: 4007 MOUNT VERNON AVENUE "24 EXPRESS"

TAX MAP REFERENCE: 007.01-02-18 ZONE: NR

APPLICANT Name: UAC LAND & BUILDING L.L.C. t/a "24 EXPRESS"*

* BY ATTORNEY

Address: 4007 MOUNT VERNON AVENUE, ALEXANDRIA, VIRGINIA 22305

PROPERTY OWNER Name: UAC LAND & BUILDING L.L.C.

Address: 4007 MOUNT VERNON AVENUE, ALEXANDRIA, VIRGINIA 22305

PROPOSED USE: CONVENIENCE STORE (EXISTING)

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 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 to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) 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 Planning Commission or City Council in the course of public hearings 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.

FAGELSON, SCHONBERGER, PAYNE & DEICHMEISTER, P.C.

BY: WILLIAM C. THOMAS, JR.
Print Name of Applicant or Agent


Signature

11320 RANDOM HILLS ROAD, #325
Mailing/Street Address

Direct Voice 703 926-6460
(703) 385-8282 (703) 385-8761
Telephone # Fax #

FAIRFAX, VA 22030
City and State Zip Code

May 25, 2006
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: Recommended Approval 10/3/06 7-0

ACTION - CITY COUNCIL: 10/14/06 - City Council approved PC recommendation 6-1
(see attachment)

Councilwoman Pepper and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Krupicka	"aye"	Macdonald	"aye"
Pepper	"aye"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"
	Smedberg	"aye"	

7. SPECIAL USE PERMIT #2006-0051
4007 MOUNT VERNON AVENUE
24 EXPRESS

Public Hearing and Consideration of a request for the continuance of a nonconforming convenience store; zoned NR/Neighborhood Retail Overlay. Applicant: UAC Land & Building, LLC t/a 24 Express by William C. Thomas, Jr.

PLANNING COMMISSION ACTION: Recommend Approval 7-0

(A copy of the Planning Commission report dated October 3, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 10/14/06, and is incorporated as part of this record by reference.)

Acting Planning Director Josephson made a presentation of the staff report and responded to questions from Council. Officer Mitchell-Young and Captain Reyes, Police, also responded to questions from Council.

The following persons participated in the public hearing on this item:

(a) Mr. William C. (Tom) Thomas, Jr., attorney for the applicant, spoke in favor of the application.

In response to a question from Mayor Euille, Captain Reyes stated that condition no. 26, regarding security by off-duty police officers, provided a way to deter crime from occurring at the site. Captain Reyes stated that the calls for service in Arlandria peak at 10 p.m. to 2 a.m., and ceasing alcohol sales at 10 p.m., could help curtail some of that activity and make this business' policy mirror others who close at 10 p.m., with the exception of the CVS and two other 7-Eleven stores.

(b) Mark Maurice, 505 Shorter Lane, spoke in support of the application.

(c) Patricia Anne Myers, 3910 Bruce Street, #106, spoke in support of the application and against restrictions and conditions.

(d) Sherry Bolden, 510 Four Mile Road, #102, spoke in support of the application.

(e) Martin Franco, 3910 Bruce Street, #106, vice president of the Arlandria

Chirilagua Housing Cooperative, spoke in support of the application.

(f) Kathleen Henry, 3910 Bruce Street, #106, a board member of the Arlandria Chirilagua Housing Cooperative, spoke in support of the application.

(g) Sharon Blackwell, 3832 Elbert Avenue, representing Lennox Place at Sunnyside Homeowners Association, noted the community's desire for a safe neighborhood and noted that the association was not opposed to continued operation of 24 Express.

(h) Pamela S. Williams, 3802 Elbert Avenue, vice president of Lennox Place at Sunnyside Homeowners Association, spoke about the alcohol in relation to crimes in the neighborhood and requested that Council weigh the convenience of the sale of alcohol against the impact of alcohol on the surrounding areas.

(i) Kevin Beekman, 3905 Elbert Avenue, Lennox Place at Sunnyside Homeowners Association, spoke about neighborhood crime in Arlandria.

(j) Tom Fitzgerald, 3803 Charles Avenue, board member of Lennox Place at Sunnyside Homeowners Association, spoke about the entrance to Four Mile Run Park, the traffic by 24 Express and the unused property nearby.

(k) Nathalie Simon, 3905 Elbert Avenue, spoke about the litter from the business and the efforts in the neighborhood to clean up the litter. Ms. Simon noted that she supported the conditions relating to litter, which include the installation of two new trash receptacles and picking up trash within 75 feet of the property.

(l) Paul Cox, 3822 Charles Avenue, commented on the alcohol abuse in the area and stated that putting sensible restrictions on 24 Express would be a good first step toward rehabilitation of the area.

(m) Johnny Brent, 4603 Apple Tree Drive, an employee of 24 Express, spoke in support of the application.

(n) Jeffrey Luemrung, 6106 Rocky Way Court, spoke in support of the application.

(o) Chai Samatha, 7510 Ramblewood Court, Annandale, spoke in support of the application.

(p) Norman Oakley, 511 Four Mile Road, #815, spoke in support of the application.

(q) Charles Niphadkabin, 6032 Picketts Walk, spoke in support of the application.

Mr. Thomas gave rebuttal remarks, noting the proposed conditions of the application and pointing out that the business would suffer if the customers went to other businesses.

WHEREUPON, upon motion by Councilman Gaines, seconded by Councilmember Lovain and carried unanimously, City Council closed the public hearing. The vote was as follows:

Gaines	"aye"	Macdonald	"aye"
Lovain	"aye"	Krupicka	"aye"
Euille	"aye"	Pepper	"aye"
	Smedberg	"aye"	

WHEREUPON, a motion was made by Councilman Krupicka, seconded by Councilman Smedberg, to approve the Planning Commission recommendation with the following amendments: (1) Condition No. 26 shall state, "**The applicant shall hire a uniformed and licensed security firm Monday through Thursday and shall hire off-duty police officers Friday through Sunday, from 6:00 p.m. until closing,**" and (2) Condition No. 29 shall state, "**The applicant shall cease alcohol sales at 10 p.m. daily.**"

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Councilman Gaines and carried 5-2, City Council amended the motion to read, "Condition No. 29 shall state, "**The applicant shall cease alcohol sales at 11 p.m. daily.**" The voting was as follows:

Pepper	"aye"	Macdonald	"aye"
Gaines	"aye"	Krupicka	"no"
Euille	"aye"	Lovain	"aye"
	Smedberg	"no"	

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilmember Lovain and carried 5-2, City Council amended the motion adding an additional condition to develop a comprehensive alcohol policy for the Arlandria area that the applicant will be required to abide by without another public hearing. The voting was as follows:

Krupicka	"aye"	Macdonald	"aye"
Lovain	"aye"	Gaines	"aye"
Euille	"aye"	Pepper	"no"
	Smedberg	"no"	

WHEREUPON, upon motion by Councilman Krupicka, seconded by Councilman Smedberg and carried 6-1, City Council approved the Planning Commission recommendation with the following amendments: (1) Condition No. 26 shall state, "**The applicant shall hire uniformed and licensed security firm Monday through**

Thursday and shall hire off-duty police officers Friday through Sunday, from 6:00 p.m. until closing; (2) Condition No. 29 shall state, " The applicant shall cease alcohol sales at 11 p.m. daily;" and (3) an add an additional condition to develop a comprehensive alcohol policy for the Arlandria area that the applicant will be required to abide by without another public hearing. The voting was as follows:

Krupicka	"aye"	Macdonald	"aye"
Smedberg	"no"	Gaines	"aye"
Euille	"aye"	Lovain	"aye"
	Pepper		"aye"

REPORTS OF BOARDS, COMMISSION AND COMMITTEES (continued)

11. CITY CHARTER 9.06 CASE #2006-0004
4630 RALEIGH AVENUE

Consideration of the acquisition of 6,223 square feet of property at 4630 Raleigh Avenue to expand Holmes Run Park as part of the Open Space Master Plan, and pursuant to the provisions of Section 9.06 of the City Charter; zoned R-12/Residential. Applicant: City of Alexandria.

PLANNING COMMISSION ACTION: APPROVED 7-0

(THIS ITEM IS NOT SET FOR PUBLIC HEARING BUT IS FOR CITY COUNCIL'S INFORMATION ONLY - NO APPROVAL IS NECESSARY.)

(A copy of the Planning Commission report dated October 3, 2006, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 10/14/06, and is incorporated as part of this record by reference.)

City Council received the information.

ORDINANCES AND RESOLUTIONS

12. Public Hearing, Second Reading and Final Passage of an Ordinance to Amend the Eisenhower East Small Area Plan to Allow Height Increases in CDD No. 2 (Lane Development/ATA Site.) (#9, 10/10/06) **(ROLL-CALL VOTE)**

(A copy of the informal memorandum explaining the ordinance is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 10/14/06, and is incorporated as part of this record by reference.)

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the Office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 12; 10/14/06, and is incorporated as part of this record by reference.)

7

10-14-06



"Rob Krupicka"
<Rob@Krupicka.com>
09/27/2006 08:29 AM

To <Jackie.Henderson@alexandriava.gov>
cc
bcc
Subject FW: Docket Item #8, SUP #2006 - 0051 24 Express - Letter from Lenox Place at Sunnyside HOA

fyi

Rob Krupicka
Rob@Krupicka.com
703-838-0280

From: JimRorke [mailto:jimrorke@comcast.net]
Sent: Tuesday, September 26, 2006 11:28 PM
To: hsdunn@ipbtax.com; Donna.fossum@rand.org; John.komoroske@nasd.com; richleibach@aol.com; jlr@cpma.com; jssjennings@aol.com; pccomments@alexandriava.gov
Cc: councilmangaines@aol.com; DELPepper@aol.com; macdonaldcouncil@msn.com; rob@krupicka.com; SmedbergPC@aol.com; timlovain@timlovain.com; wmeuille@wdeuille.com; Jack Stevens; Paul Cox; Lynn Smith; James.Hunt@alexandriava.gov; Eddie Reyes; Jose 4 Garcia; Eric Lemke #2041; Jim Rorke; Kevin Nathalie B. Simon, PhD Beekman; Pam Williams; Ron Barnes; Tom Fitzgerald
Subject: Docket Item #8, SUP #2006 - 0051 24 Express - Letter from Lenox Place at Sunnyside HOA

Dear Chairman Wagner and Commission Members,

The Lenox Place at Sunnyside Homeowners Association submits the attached letter regarding SUP application #2006-0051.

Thank you. Jim

James T. Rorke, President



Lenox Place at Sunnyside HOA Docket Item #8 - SUP #2006-0051 24 Express.doc

September 25, 2006

Dear Members of the Planning Commission,

The Lenox Place at Sunnyside Board of Directors would like to make its concerns known about the current SUP application that has been filed by 24 Express convenience store located on Mt. Vernon Avenue.

Crime rates, littering, loitering and alcohol-induced crimes and activities affect all of our safety and property. Already at high levels, these conditions have been on the increase in our community and neighborhood in recent years.

The Arlandria area still ranks first in three of the four categories of violent crime in the City of Alexandria. 24 Express has been the focus of concern for over a decade. Much of the area's public drinking, violence, and litter seemed to have originated there. The police have told us that well over 90% of the neighborhood's crime is alcohol related and that the weapon of choice in most aggravated assaults and robberies is frequently the 40oz glass beer bottle, like those still sold at 24 Express. Alcohol is the predominant reason for crimes being committed in our neighborhood.

Past and continued negligence on behalf of 24 Express to abide by city code and regulations have allowed dysfunctional issues to continue to flourish on the premises.

Through numerous conversations with Lenox Place homeowners, current and former HOA board members, area residents, other Associations and Homeowner groups and the Alexandria Police Department, we strongly urge that the following should to be considered before implementation or approval of 24 Express' SUP application. In order of importance, the Lenox Place HOA supports:

- 1) A complete and full rejection of the SUP application.
- 2) Utilize the "Open Space" Initiative to acquire 24 Express. Recent Four Mile Run Park development undertaken by the City would give the City further reason and opportunity to purchase the land for further park expansion or other development. We have been made aware that the owner of the 24 Express would be willing to sell the store for market value. This opportunity may not present itself again and should be considered NOW for the long term planning of the community. Re-development of this area would also drastically improve the entrance to the park.

If the SUP is not rejected in full, other conditions that we strongly support and offer for serious consideration include:

- 1) The complete revocation of the liquor license that 24 Express currently holds.

- 2) Mandating Security Guard/Police Officer to be on premises 24/7 to ensure that there is no loitering both inside and immediately in front of the store.
- 3) Increased Lighting on the premises to help insure a safe environment during evening and early morning hours.
- 4) Removing 4 of the 5 public phones.
- 5) Rebuilding of the outer exterior similar to that of 7-Eleven on West Glebe. Improving windows/entrance visibility and ensuring in store cleanliness.
- 6) A need to ensure that all trash is disposed of in an orderly fashion. This includes the area behind and the entrance that borders Four Mile Run Park. Storage of trash should be in the back of the building and should be inspected by City to ensure City ordinance and regulations are met. Frequent inspections should be made to include all conditions (food preparation and sales) within the store. Mandate a larger than normal perimeter for maintaining and cleaning the entrance to the park as well as the stream behind store.
- 7) Mandating public bathrooms in store premises
- 8) Acquisition of the part of the property at Four Mile Rd. entrance to Four Mile Run Park to enhance the park entrance in accordance with the current Arlandria Plan Implementation schedule.
- 9) Removal and trimming of trees and shrubs on the property which allow too much 'cover' from the street.
- 10) Complete mandatory yearly review of a limited conditional SUP approval.

We urge the members of the Alexandria Planning commission to reject the SUP application of 24 Express for the sake of the safety and security of all law abiding citizens of the Arlandria neighborhood.

Thank you for your consideration.

Sincerely,

Lenox Place at Sunnyside Homeowner's Association Board of Directors,

James T. Rorke, President

Cc: City Council Members

Community Distribution