

Docket Item #20  
SPECIAL USE PERMIT #2003-0122

Planning Commission Meeting  
March 2, 2004

**ISSUE:** Consideration of special use permit amendment for an automobile service station with convenience store and restaurant to allow for off-premises beer and wine sales, and for a change of ownership.

**APPLICANT:** U.S. Oil of Virginia, LLC dba Alexandria Mart,  
by Mary Catherine Gibbs, attorney

**LOCATION:** 2320 Jefferson Davis Highway

**ZONE:** I/Industrial

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**PLANNING COMMISSION ACTION, MARCH 2, 2004:** 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 recommended permit conditions and to amend Condition # 6. The motion carried on a vote of 7 to 0.

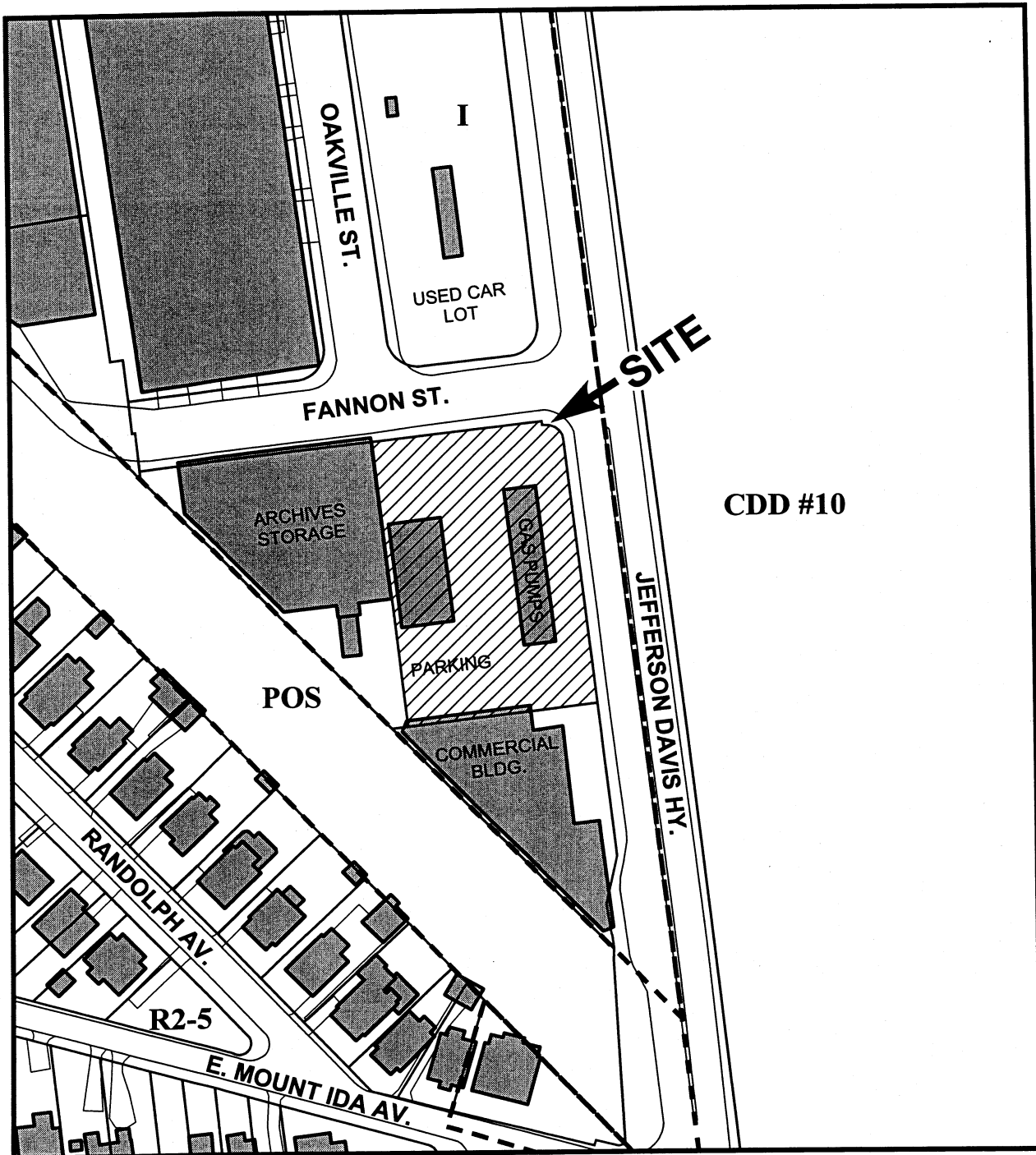
**Reason:** The Planning Commission agreed with staff's analysis. The Planning Commission verified with staff that (1) the Police Department's intention to recommend against any kind of alcohol sales at service stations is based on the direct combination of cars and alcohol, which may lead to intoxicated driving, and (2) that at present no service stations within the City sells alcohol.

**Speakers:**

Mary Catherine Gibbs, the applicant's attorney, spoke in favor of the project, stated the applicant's intent to be a good member of the community, its willingness to limit the alcohol sales to certain times and quantities and its interest in providing a one-stop convenience store for customers who plan to have a beer or wine with the dinner they pick up in the on-site restaurant. She further mentioned that the service station has no direct access to the residential neighborhood and that the applicant has the support of all immediate commercial neighbors.

Amy Slack, resident, spoke in favor of staff's recommendation to approve the change of ownership but to deny the sale of beer and wine.

**STAFF RECOMMENDATION:** Staff recommends **approval** of the change of ownership but **denial** of the request for off-premises alcohol sales subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.



**SUP #2003-0122**

**03/02/04**



## **I. DISCUSSION**

### **REQUEST**

The applicant, U.S. Oil of Virginia, LLC dba Alexandria Mart, represented by Mary Catherine Gibbs, attorney, requests approval of a change of ownership of the special use permit for an automobile service station with convenience store and restaurant located at 2320 Jefferson Davis Highway. The applicant also requests a special use permit amendment to allow for the off-premise sale of beer and wine.

### **SITE DESCRIPTION / SURROUNDING USES**

The site consists of one lot of record with a total area of 34,427 square feet. The site has 218 feet of frontage on Jefferson Davis Highway and 134 feet of frontage on Fannon Street and is bounded by Jefferson Davis Highway to the east, Fannon Street and a car sales lot to the north, archives storage building to the west and an office/commercial building to the south. The site is developed with five gasoline pumps with a total of ten pumping stations, a 24-hour carry-out restaurant and a convenience store, which sells a variety of prepackaged foods and convenience items. The gas station/convenience store operates seven days a week, twenty-four hours a day.

### **PROJECT DESCRIPTION**

This application is (1) a request to amend the exiting Special Use Permit #2002-0083 for the Exxon gas station/convenience store and restaurant located at 2320 Jefferson Davis Highway to permit the off-premise sale of beer and wine, and (2) a request for approval of a change of ownership.

The applicant indicates that on August 11, 2003, Virginia Development, LLC dba Alexandria Exxon, a franchise of the lessor, Exxon Mobil Oil Corporation, sold its business assets to U.S. Oil of Virginia, LLC, the applicant here.

No additional changes pertaining to the operation of the service station are proposed.

### **SUP HISTORY**

On December 13, 1997, City Council approved SUP#97-0145, a development special use permit for the construction and operation of a gasoline station and convenience store. In 1999, City Council granted Special Use Permit #98-0156 allowing a 24-hour carry-out restaurant, "Jerry's Subs and Pizza", within the building. A SUP review #2001-0117 was approved on December 15, 2001; followed by the last SUP review #2002-0083, which was approved on October 19, 2002. The sale of alcohol has not been part of a prior application for this service station.

## **II. STAFF ANALYSIS**

Staff has no objection to the change of ownership but cannot support the off-premise sale of beer and wine at the automobile service station/convenience store located at 2320 Jefferson Davis Highway.

The police strongly recommends against alcohol sales of any kind at any gas station because of the likelihood that the combination will lead to intoxicated drivers.

Staff conducted a site visit on December 31, 2003, and found no violations of the existing special use permit.

Finally, staff has amended condition #34 requiring a review of the station one year after this approval so that if there are problems with the operation of the service station/convenience store additional conditions may be imposed.

With these conditions, staff recommends approval of the special use permit with regard to the request for a change of ownership.

## **III. RECOMMENDED PERMIT CONDITIONS**

1. This special use permit shall be granted to the applicant or to any business or entity in which the applicant has a controlling interest only. (P&Z) (SUP #97-0145)
2. No materials shall be stored or permitted to accumulate outside, except in a dumpster or other suitable trash enclosure. (P&Z) (SUP #97-0145)
3. The applicant shall post the hours of operation at the entrance to the business. (P&Z) (SUP #97-0145)
4. No amplified sound shall be audible at the property line. (P&Z) (SUP #97-0145)
5. The applicant shall post "No loitering" signs on the property and shall submit a letter to the Chief of Police permitting the police to enforce the sign. (P&Z) (SUP #97-0145)
6. No alcoholic beverages shall be sold.

7. No outside pay telephones shall be installed. (PC) (SUP #2001-004)
8. No outdoor vending machines shall be permitted. (P&Z) (SUP #97-0145)
9. **CONDITION DELETED BY STAFF:** ~~Any inconsistencies between the various drawings shall be reconciled to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #97-0145)~~
10. Condition deleted. (PC) (SUP #97-0145)
11. **CONDITION DELETED BY STAFF:** ~~The applicant shall reduce the size of the curb cuts proposed to the minimum size which allows safe and adequate access to the site for patrons and deliveries, to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z) (SUP #97-0145)~~
12. **CONDITION DELETED BY STAFF:** ~~The applicant shall revise the final landscaping plan to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services to include the following elements:
  - A) ~~Landscape areas a minimum of 6 feet in depth along all public rights-of-way;~~
  - B) ~~An evergreen screen hedge around the perimeter of the property adjacent to the public streets, or, if desired by the applicant, a low brick wall.~~
  - C) ~~Screening along the west property line.~~
  - D) ~~Substitution of Pin Oak with Willow Oaks as street trees along Jefferson Davis Highway.~~
  - E) ~~Substitution of Callery Pear Trees to Redbud, Serviceberry or other suitable understory ornamental tree.~~
  - F) ~~Specification and grading of all plantings in accordance with The American Standard For Nursery Stock (ANSI X60.1)-latest and most current edition; as produced by the American Association of Nurserymen; Washington D.C.~~
  - G) ~~Performance of all work in accordance with Landscape Specification Guidelines, 4<sup>th</sup> Edition as produced by the Landscape Contractors Association of Maryland, District of Columbia and Virginia; Gaithersburg, Maryland. (P&Z) (City Arborist) (SUP #97-0145)~~~~
13. All dumpsters and utility structures (except fire hydrants) shall be located and screened to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP #97-0145)

14. No more than the one freestanding sign proposed shall be permitted, and it shall have a maximum sign area of 75 square feet. (P&Z) (SUP #97-0145)
15. **CONDITION AMENDED BY STAFF:** The applicant shall ~~consult with~~ 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 prior to the beginning of construction. (Police) (SUP #97-0145) (Police)
16. The applicant shall consult with the Crime Prevention Unit of the Alexandria Police Department regarding a robbery awareness program for all employees. (P&Z) (SUP #97-0145)
17. Lighting on the entire lot shall be a minimum of 2.0 foot candles maintained or to the satisfaction of the Director of Transportation and Environmental Services in consultation with the Chief of Police. (Police) (P&Z) (SUP #97-0145)
18. As the trees on the site mature they shall be limbed up a minimum of 6 feet. (Police) (SUP #97-0145)
19. **CONDITION DELETED BY STAFF:** ~~The applicant shall attach a copy of the final released site plan to each building permit document application and be responsible for insuring that the building permit drawings are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services.~~ (P&Z) (SUP #97-0145)
20. **CONDITION DELETED BY STAFF:** ~~The developer shall make a cash contribution to the Housing Trust Fund in the amount of \$0.50 per gross square foot, payable before receipt of the Certificate of Occupancy.~~ (PC) (SUP #97-0145)
21. A parking reduction to 16 spaces shall be permitted. (PC) (SUP #97-0145)
22. No seating shall be provided for the restaurant. (P&Z) (SUP #98-0156)
23. No outdoor seating shall be permitted on the premises. (P&Z) (SUP #98-0156)
24. No live entertainment shall be provided at the restaurant. (P&Z) (SUP #98-0156)
25. No delivery service shall be provided. (P&Z) (SUP #98-0156)

26. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #98-0156)
27. **CONDITION AMENDED BY STAFF:** The applicant shall ~~install~~ maintain at least one trash container within the restaurant for customers' use. ~~(P&Z) (SUP #98-0156)~~ (P&Z)
28. All disposable paper goods or drink containers shall be clearly marked so that the source of any litter can be identified. (P&Z) (SUP #98-0156)
29. 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 or debris shall be allowed to accumulate on site outside of these containers. (P&Z) (SUP #98-0156)
30. 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) (SUP #98-0156)
31. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES) (SUP #98-0156)
32. 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 and Environmental Services. (T&ES) (SUP #2002-0083)
33. The Director of Planning and Zoning shall monitor the parking lot to insure that the existing on-site parking is sufficient for all of the uses. If the Director determines that the parking is insufficient or that the demand for on-site parking exceeds the existing supply, the applicant shall modify the parking area to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (P&Z) (SUP #98-0156)

34. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit ~~six months~~ one year from 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, (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. (P&Z) (PC) (SUP #2002-0083)
35. **CONDITION DELETED BY STAFF:** ~~The applicant shall record a consolidation plat for the three parcels of record prior to release of building permits for proposed alterations. (P&Z) (SUP #98-0156)~~
36. Condition deleted. (SUP #99-0161)
37. All lighting shall be directed downward and shall be screened at the sides to avoid glare on adjacent residential properties, to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. (CC) (SUP #2001-004)
38. All landscaping shall be well maintained in perpetuity. (PC) (SUP #2001-0117)
39. Loudspeakers shall be prohibited from the exterior of the building, but intercoms for the purposes of communication between the station attendant and customers at the gas pump are allowed. (T&ES) (PC) (SUP #2002-0083)
40. All waste products including, but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers, or be discharged onto the ground. (T&ES) (SUP #2002-0083)
41. The applicant shall comply with the City of Alexandria Best Management Practices Manual for Automotive Related Industries. A copy can be obtained by contacting the Division of Environmental Quality on 703/519-3400. (P&Z) (SUP #2002-0083)
42. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)



43. **CONDITION ADDED BY STAFF:** The applicant shall provide a menu or list of foods to be handled at this facility to the Health Department prior to opening. (Health)

**STAFF:** Eileen P. Fogarty, Director, Department of Planning and Zoning;  
Barbara Ross, Deputy Director;  
Bettina Irps, Urban Planner.

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**Staff Note:** In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the

#### **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 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 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-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-4 All waste products including, but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers, or be discharged onto the ground.
- R-5 The applicant shall comply with the City of Alexandria Best Management Practices Manual for Automotive Related Industries. A copy can be obtained by contacting the Division of Environmental Quality on 703/519-3400.

##### **Code Enforcement:**

- C-1 A new Fire Prevention Permit is required due to the change in ownership.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Permits are non-transferable.
- C-3 This facility must meet current Alexandria City Code requirements for food establishments. A "Change of Ownership Inspection" has been completed by Environmental Health.
- C-4 If changes to the facility are to be done, five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-5 Permits must be obtained prior to operation.
- C-6 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-7 Certified Food Managers must be on duty during all hours of operation.
- F-1 This facility is currently operating as Jerry's Subs & Pizza under Alexandria Health permit, issued to U. S. Oil of Virginia, LLC.
- F-2 The applicant represented this property as 2320 Jefferson Davis Highway which caused some initial confusion in searching records.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 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.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 The Police Department is recommending against alcohol sales of any kind at any gas station. This has been a standard recommendation for years.

APPLICATION for SPECIAL USE PERMIT # 2002-00832003-0122

[must use black ink or type]

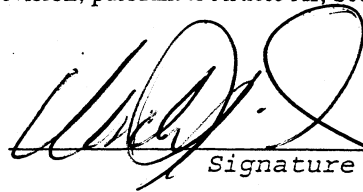
AMENDMENT

PROPERTY LOCATION: Jeff Davis Hwy  
2320 Fannon Street, Alexandria, VA 22305-0000TAX MAP REFERENCE: 35.01-04-17 ZONE: I-IndustrialAPPLICANT Name: U.S. Oil of Virginia, LLC dba Alexandria MartAddress: 2320 Fannon Street, Alexandria, VA 22305PROPERTY OWNER Name: Exxon Mobil Oil Company (Lessor)Address: 436 Creamery Way, Suite 300, Exton, PA 19341-2556PROPOSED USE: Change of Ownership, Amend Staff recommendation #6 to permit sale of  
beer and wine off-premises only.

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.

Michael J. ChamowitzPrint Name of Applicant or Agent  
Signature118 North Alfred Street  
Mailing/Street Address703-548-0110  
Telephone #703-836-8857  
Fax #Alexandria, VA 22314  
City and State Zip CodeDecember 18, 2003  
Date===== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

Application Received: \_\_\_\_\_ Date &amp; 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.

Raman Sethi, Managing Member, 927 Orange Plank Rd., Springfield, VA 22153 (51%)

Harjeet K. Jolly, Member, 5285 Navaho Drive, Alexandria, VA 22312 (49%)

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

☒ Yes. Provide proof of current City business license

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

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.

1. See Original Application for SUP 2002-0083
2. Also see attached Exhibit A

**NARRATIVE DESCRIPTION**

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

On or about August 11, 2003, Virginia Development, LLC dba Alexandria Exxon,

a franchise of the Lessor, Exxon Mobil Oil Corporation, sold its business assets

to U.S. Oil of Virginia, LLC. A 2003 Business License Application was filed with the City of Alexandria, Virginia on August 21, 2003. Zoning approved the application

"per conditions of SUP #2002-0083 on August 21, 2003." Code Enforcement approved the application (No Additional Code Enforcement Permit Required) on August 22, 2003.

Applicant was not aware at the time of any requirement to modify or amend its SUP by virtue of its acquisition of the business.

Applicant also desires to amend Staff Condition #6 imposed upon the initial

grantee of the SUP. Applicant desires to sell wine and beer off premises from its

convenience store. No other modifications to the prior imposed conditions is

requested. An application for a wine and beer off premises license is pending

with the Virginia Department of Alcoholic Beverage Control.

## 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: See paragraph 3

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).

No change from prior SUP

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

Same as 5A

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

Day:

Same as 5A

Hours:

Same as 5A

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

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

Same as 5A



B. How will the noise from patrons be controlled?

Same as 5A

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

Same as 5A

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?

Same as 5A

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

Same as 5A

C. How often will trash be collected?

Same as 5A

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

Same as 5A

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

☐ Yes. ☐ No. See 5 A

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

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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. See 5A

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

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

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#### 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.

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Wine and beer off premises only

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## PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

See 5A

- B. How many parking spaces of each type are provided for the proposed use: See 5A

\_\_\_\_\_ Standard spaces

\_\_\_\_\_ Compact spaces

\_\_\_\_\_ Handicapped accessible spaces.

\_\_\_\_\_ Other.

- C. Where is required parking located? ☐ on-site ☐ off-site (check one) See 5A

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

\_\_\_\_\_

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

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use: See 5A

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? \_\_\_\_\_

- B. How many loading spaces are available for the use? \_\_\_\_\_

- C. Where are off-street loading facilities located? \_\_\_\_\_

D. During what hours of the day do you expect loading/unloading operations to occur?  
See 5A.

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
See 5A

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?

See 5A

#### 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? N/A square feet.

18. What will the total area occupied by the proposed use be? See 5A

\_\_\_\_\_ sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = \_\_\_\_\_ 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: Automobile service station & convenience store & restaurant

----- Original Message -----

From: "Michael Chamowitz" <mchamowitz@chamlaw.com>  
To: <alsdmf@earthlin.com>  
Cc: <mcg.hcgk@verizon.net>  
Sent: Friday, February 20, 2004 2:19 PM  
Subject: Alexandria Mart

Dear Amy:

On behalf of my clients, Manjeet Jolly and Raman Sethi and their company, U.S. Oil Company of Virginia, LLC, dba Alexandria Mart, I would like to thank you and the committee for meeting with us last evening to discuss my clients' application for a modification of their special use permit to sell wine and beer off premises at their location on Route 1.

As I and our co-counsel, Mary Catherine Gibbs, indicated to you, our clients recently acquired the leasehold for this location. Since September, 2003, they have tried to be good neighbors to the Del Ray community. They have undertaken to modify the lighting so as not to adversely impact adjacent neighbors, created a landscaping plan for implementation this Spring, and made their facility into a clean, well lighted place for convenience shopping, Ben & Jerry's pints, gas, carry out pizza and other prepared foods under their "Jerry's Subs" franchise. Consistent with their attempts to give back to the communities that their other facilities embrace, Mr. Sethi described how Pinecrest Exxon donated their site and reduced gas prices for Wash America, a fundraising campaign for the Red Cross. He indicated that he hoped the Route 1 site would be profitable enough to allow the company to contribute to scholarship funds and participate in other community activities fostered by the Del Ray Community Association. Being able to sell beer and wine off premises is integral to their business plan.

Your committee raised a number of questions which we attempted to answer.

We are not the only vendor of off premises beer and wine in the Route One corridor, but would be the only gas station/convenience store to do so. Our location does not have immediate access to the neighborhood as the nearest cross street is Custis, and several adjacent streets lead into the industrial park but do not extend into the community.

While the ABC Board permits alcohol sales from 6am to midnight, my clients are attempting to cater to customers who would be "shoppers" and members of the community who might pick up a pizza and a nice bottle of wine or a six pack of beer to take home for dinner or a football game. My clients do not intend to sell wine in sizes less than 750ml or beer in less than six packs. They would commit to that as a condition of your support. Likewise, they would be amenable to restricting sales to 10am to 10pm and would also commit to that as a condition of your support.

The store manager, Kris, spoke of the supervision of the premises and indicated that sufficient trained personnel are always on hand to adequately staff the store.

While it appears the City staff may have some generic objections to a gas/convenience store having an off premises beer and wine license, I am advised that at least one other facility in Alexandria operates with such a license and numerous such stations exist in adjoining jurisdictions. More importantly, 7-Elevens, Giant Food stores, such as the one at Monroe and Route One, and many other multi-product stores and venues also have off premises licenses and generally require an automobile for access. While one might make the argument that vehicles and the sale of beer and wine do not mix, it is not axiomatic that because someone drives to a store that sells beer and wine, that person will be drinking and simultaneously driving. My clients are substantial supporters of MADD and have received many accolades for their support of this organization. They should not be penalized because they want to expand their product line to compliment the food they sell. In this respect, how is my clients' "carry-out" different from the Daily Planet?

In summary, my clients request the support of the Del Ray Citizens Association for their application and are willing to consider such reasonable accommodations as may be proposed by your organization. In support of their application, they note that they:

1. Have been and want in the future to be good neighbors;
2. Are willing to have their conduct reviewed from time to time;
3. Will agree to more restrictive sales times than are permitted under

existing law;

4. Believe their petition does not break new ground or establish precedent;
5. Have applied for this approval in part because of customer requests;
6. Will donate a portion of their profits to community causes;
7. Believe that their location is isolated from the residential community;
8. Expect that approval will result in favorable community response; and
9. Will limit sales to sizes and amounts consistent with community concerns.

In the event you have any questions or concerns, please contact me at my office, 703-548-0110 or my home 703-683-2360. After February 20, 2004, please contact my co-counsel, Mary Catherine Gibbs at 703-836-5757. Thank you once again for your anticipated support.

# Del Ray Citizens Association

PO Box 2233

ALEXANDRIA VA 22301  
1954

ESTABLISHED

---

To: Members of Alexandria Planning Commission  
Eileen Fogarty, Director, Office of Planning and Zoning

From: Amy Slack, Land Use Committee Co-Chair  
Sarah Haut, Land Use Committee Co-Chair  
Justin Wilson, President

Date: February 27, 2004

Subject: SUP#2003-0122, U.S. Oil of Virginia, LLC dba Alexandria Mart (Exxon)  
at 2320 Jeff Davis Highway. Request to change the ownership and allow  
the sale of alcoholic beverages (off premises only) at a gasoline station;  
zoned I/Industrial. Applicant: Michael J. Chamowitz

*PC Docket Item #20  
SUP#2003-0122*

The applicant, Raman Sethi, his attorneys, Mary Catherine Gibbs and Michael Chamowitz, and the store manager, Kris, attended the Land Use committee meeting on February 19, 2004 to discuss their request to allow sales of beer and wine. City staff was present for questioning.

The item was announced in the Association newsletter and at the February membership meeting as a topic of discussion. Immediate residential neighbors expressed their opposition and cited the lack of alcohol sales as a condition for their acceptance of the original application in 1997.

Mr. Sethi and Mr. Harjeet Jolly recently purchased the Exxon station which includes a convenience store and a take-out restaurant. In conjunction with the necessary change of ownership request, the applicants wish to add the sales of beer in six packs and wine in 750ml bottles to their product line. The convenience store currently sells items commonly found in 7-11 franchise stores. The restaurant sells foods for off-site consumption under a 'Jerry's Subs' franchise. The existing SUP specifically forbids restaurant seating, loitering, exterior public phones, and alcohol sales.

The applicants wish to cater to their customers by providing patrons the ease of one-stop-shopping, take home wine or beer to go with dinner time pizza or football party snacks. The store manager expressed their willingness to restrict sales to times less than what is allowed by Virginia ABC. They promised to fully train their staff and believe that the well-lit site will provide a safe environment. They compared their quick mart/restaurant operation as being similar in nature to Giant Foods and the Daily Planet.\*

The discussion touched on several issues.

- Staff has recommended denial. Why?
- What were the reasons to restrict alcohol sale in 1998? Have conditions changed?
- Is the availability of alcohol at a gas station compatible?
- Will approval precipitate requests from other fast food operators?



- Does 'Jerry's Subs' currently have off-premise alcohol sales?
- What does Jack Taylor think of the request?
- Is restricting the volume and hours of sales a positive solution?
- Historically, problems with 7-11 franchises; their requirement for an SUP.
- Site conditions at the Sunrise Market area.
- Could a specific condition be restricted to this applicant only?
- Will approval set a precedent?

The committee recommended to *support the change of ownership*.

At their February 24, 2004 meeting, the Executive Board voted to support city Staff recommendation of approval for the change of ownership but denial of off-premise alcohol sales.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060 and President Justin Wilson at 703-299 1576.

\*see attached email which summarizes the meeting presentation.



*Sara McGregor's*  
**CAPITOL CATERING**

March 2, 2004

Alexandria Planning Commission  
City Council Chambers  
301 King Street  
Alexandria, VA 22314

Tax Map Reference 35.01-04-17

Dear Members of the Commission:

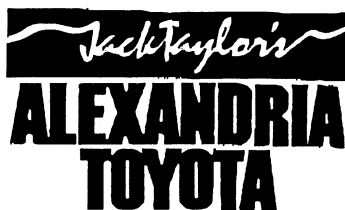
I am writing in support for the request to sell beer and wine at the Exxon/Mobil Service Station at 2320 Jefferson Davis Highway, Alexandria, Virginia.

As the business owner adjacent to this property for the past ten years, we at Capitol Catering have noticed an improvement to the property since the new owners took over the Alexandria Mart at the service station. They have been ideal neighbors. We do not feel the sale of beer and wine will be a detriment to our area of the city.

Please support their request to sell beer and wine to their customers.

Sincerely yours

Stephen J. Jerriek  
General Manager  
Capitol Catering



3750 Jefferson Davis Highway • Alexandria, Virginia 22305 • 703/684-0700

March 2, 2004

Mr. Eric Wagner, Chairman  
and Members of Planning Commission  
City Hall, Room 2100  
Alexandria, VA 22314

Re: Alexandria Mart, 2320 Jefferson Davis Highway

Dear Mr. Chairman and Members of Planning Commission:

I recently found out about the Exxon/Mobil and Alexandria Mart's request to add limited beer and wine sales to their convenience store right next to the two used car sales sites I own on Route One. I am writing to support their application. They have been good neighbors and I am supportive of their continued success. As a business owner and resident of Del Ray, I think limited beer and wine sales would not be a detriment to this neighborhood. Please support their application.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jack Taylor".

Jack Taylor  
Jack Taylor's Signature Cars  
Alexandria Hyundai Used Cars

Alexandria Hyundai  
2412 Jefferson Davis Hwy  
Alexandria, VA 22301  
703-684-7620

To whom it may concern:

We do not have any objections towards Alexandria Exxon Mart located at 2420 Jefferson Davis Hwy. for obtaining a beer and wine license. We have been here since September 2003 and have noticed a considerable amount of improvement in service and products. If you have any questions, please feel free to call us at the above listed number. Thank you

Management

George Liu

## ACTION AUTO BODY, INC.

---

2402 OAKVILLE STREET / ALEXANDRIA, VIRGINIA 22301

March 2, 2004

To whom it may concern:

We at Action Auto Body at 2402 Oakville Street. Alexandria, Va. 22301, catty corner to Exxon Mart has seen a lot of good improvements since the new owners took over. We do not see any problems with Mobile Mart having a beer and wine license and would not have any problems if Mobile Mart was issued a beer and wine license at this time since the new owners have taken over and made positive improvements.

Thanks for your time,



Eric Piper. Body shop mgr.

# County of Fairfax, Virginia

*Certificate of Recognition  
presented to*

***Raman Sethi  
Pinecrest Exxon***

*for donating the resources of his service station to "Wash America: Help Wash Away the Hurt," to aid the families of victims of the terrorist attack of September 11, 2001, on the Pentagon, whereby the youth of America were given the opportunity to work through their feelings of grief and fear, resulting in thousands of dollars being raised to aid the families of victims.*



*Katherine K. Hanley*  
Katherine K. Hanley, Chairman  
Board of Supervisors

*November 19, 2001*  
Date

# KEEDO

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In Old Town Alexandria

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**703-549-4350 • 800-207-3502**



Staff photo/Louise Kraft

Lt. Col. Tracy Welch is flanked by his wife Cherrie, and daughters Ashley and Aubrey. Welch had been scheduled to be at the Pentagon, Tuesday morning, Sept. 11, for meetings. The meeting had been postponed.

## Wash America

Four sisters, Ashley, Aubrey, Alyssa and Alana Welch, have raised more than \$20,000 during the past two weekends for the American Red Cross. Spurred on by their desire to help after the disasters of Sept. 11, the girls organized local car washes. Last weekend, the Pinecrest Exxon, the Meadow Farms Nursery and the Annandale United Methodist Church, donated sites for the car washes. Pinecrest Exxon went an extra step and lowered gas prices: .06 off regular and .10 off plus and super grades. The sisters have taken this campaign national and it is now called "Wash America: To Wash Away The Hurt." Check out [www.washamerica.org](http://www.washamerica.org).




Aubrey Welch washes down another car with help from friends.



Pinecrest Exxon station owners Raman Sethi and his wife, Sarita.

31



You've seen her at Lincoln Center, the Kennedy Center, and on *60 Minutes*.

Now see her in your home town!

## Van's Hairstylists

Haircuts.....	\$9.00
Shampoo, Cut & Blow Dry.....	From \$13.00



We care about your hair.  
WE USE ONLY

<b>To:</b>	Honorable Members of City Council Eileen Fogarty, Director, Office of Planning and Zoning
<b>From:</b>	Amy Slack
<b>Date:</b>	March 12, 2004
<b>Subject:</b>	SUP#2003-0122, U.S. Oil of Virginia, LLC dba Alexandria Mart (Exxon) at 2320 Jefferson Davis Highway. Request to allow the sale of alcoholic beverages at a gasoline station.

While the new owners may request changes to SUP conditions agreed to by the original applicants, this does not mean Council members should not take those early proffers into consideration as they deliberate. Please allow me to refresh memories. In 1997, not only did I serve on the Del Ray Citizens Association Land Use committee, my home was (and still is) located within 300' of the site. I challenged myself to overcome NIMBYism, to consider the benefits to the larger community and to DRCA's reputation in the business community, and to personally understand the proposal and work with the applicants' representative, Jay du Von of Walsh, Colucci, Stackhouse, Emrich & Lubeley. And I've got the file to prove it!

SUP 97-0145 staff analysis states: "Staff has no objection to the proposed Exxon Tiger Mart facility, including the reduction in required off-street parking. While the proposed uses -- a twenty four hour gasoline station and convenience store -- are intense ones, the site is located along one of the City's major arterials Jefferson Davis Highway, and is zoned appropriately, I/Industrial. In addition, the applicant has agreed to several conditions which are likely to help the store from becoming a neighborhood nuisance, including no sale of beer or wine and no public telephone booths outdoors." The report goes on to address recommended building orientation, curb cuts, landscaping, parking reduction, operation and the potential for loitering.

Furthermore, under the City Department Comments section is the following:

"Police Department:

F-1 The applicant is not seeking an ABC permit. The Police Department concurs with this."

The application stated that the expected 500 customers per day would be drawn from pass-through traffic and most customers using the convenience store do so after pumping gas. Exxon considered a convenience mart "as large, high profit operations that the dealer store needs". Never did the applicants suggest a need to profits from selling alcohol.

The Executive Board overruled Land Use committee and voted for denial of a 24 hour operation gas station and convenience store. Concerned about the potential for crime and nuisance activities from a 24 hour operation, and they were not convinced of the benefit to the neighborhood of another convenience store on Route 1.

Council approved the station and convenience mart as recommended by the Planning Commission. Approximately one year later, an expansion request was approved for a small take-out restaurant. Again, no request for the sale of alcohol was 'needed' by the owner.



Mr. Sethi and Mr. Harjeet Jolly recently purchased the Exxon station. With new owners come new viewpoints. Currently, the station sells Exxon brand gasoline, the convenience store sells items commonly found in 7-11 franchise stores, and the restaurant sells foods for off-site consumption under a 'Jerry's Subs' franchise. But the owners do not see the business as primarily a gasoline station with a convenience store and take out deli. They view their operation primarily as a market/restaurant "being similar in nature to Giant Foods and the Daily Planet." They 'need' profits brought from alcohol sales.

I was pleased to learn that the new owners heeded my advice to solicit the opinion of their business neighbors. Support was readily given by lease holders in Oakville Industrial Park, Capital Catering, and Action Auto Body. I have spoken with two businessmen who do object. Dr. Peter Farrell, owner of Del Ray Animal Hospital at 524 E. Mt. Ida Avenue, objects. Mr. John Holt, region Manager of Self Storage Plus at 2520 Oakville Street, objects. Mr. Holt's office provides the day-to-day oversight for the property management company of Oakville Industrial Park.

And an overwhelming majority of the immediate residential neighbors object. The 24 hour business subjects us to late night noise from patrons. We regularly find discarded food wrappers, bottles and condoms on Mt. Ida Avenue, a testament to the fragile edge we live on. We agree, as did the first owners, that there isn't a hardship in not allowing the station to sell alcohol.

Given the problems the City has experienced with alcohol sales at independent convenience stores, I respectfully request the Council to heed the Police Chef's recommendation to deny this request to allow sales of beer and wine.

Sincerely,

Amy Slack

# Del Ray Citizens Association

PO Box 2233

Alexandria VA 22301

Established 1954

13  
3-13-04

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**To:** Honorable Members of City Council  
Eileen Fogarty, Director, Office of Planning and Zoning

**From:** Justin Wilson, President  
Amy Slack, Land Use committee Co-chair  
Sarah Haut, Land Use committee Co-chair

**Date:** March 10, 2004

**Subject:** SUP#2003-0122, U.S. Oil of Virginia, LLC dba Alexandria Mart (Exxon)  
at 2320 Jeff Davis Highway. Request to change the ownership and allow  
the sale of alcoholic beverages (off premises only) at a gasoline station;  
zoned I/Industrial. Applicant: Michael J. Chamowitz

At our regular membership meeting on March 8, 2004, we voted to support the recommendation of the Alexandria Police Department, the Department of Planning and Zoning, the Planning Commission, the association Executive Board, and the immediate neighbors to:

- allow a change ownership of the permit,
- deny expansion of services to include the sale of alcohol.

We request your support for this position and welcome your questions and comments. Please feel free to contact President Justin Wilson at 703-299 1576 and Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060.

13  
3-13-04

304 East Spring Street  
Alexandria, Virginia 22301  
March 9, 2004

Mayor Bill Euille  
Vice Mayor Del Pepper  
City Council members  
City Hall  
Alexandria, Virginia

Dear Mayor Euille, Vice Mayor Pepper, and City Council members:

At your meeting on Saturday, March 13, you will be discussing the membership of the Potomac Yard Design Advisory Committee (PYDAC). I strongly oppose the Planning Commission recommendation and ask that you change it.

I particularly object to the Commission's decision to eliminate one of the positions for Potomac West neighborhoods, which were the most actively involved in the planning process that led to the approval of the Potomac Yard plan and which have a strong continuing interest in ensuring that the plan's high design standards are met.

The Commission also created one position each for Northeast and Potomac Yard. However, because the only people living or working in Potomac Yard for the time being live in the Old Town Greens townhouse development, Old Town Greens would effectively have representation equal to all of Potomac West, which is a large area with multiple neighborhoods. The Northeast section of the City would have two seats and Potomac West only one. Three of PYDAC's current members are residents of Old Town Greens. Depending on how the City works the transition from the current membership to a new one, it's not inconceivable that, in the short run at least, residents from Old Town Greens could also pick up the proposed Potomac Yard and Northeast seats.

The Planning Commission's recommendation also does not make sense because ALL of the remaining development at Potomac Yard will take place WEST of the railroad tracks and thus will most affect Potomac West neighborhoods.

The status quo would be far preferable to the Commission's proposal. However you decide, please adopt a solution that will ensure equitable membership by people who live in neighborhoods that will be most affected by the Potomac Yard development.

Thank you for your consideration.

Sincerely,

Bill Hendrickson

ALEXANDRIA EXXON MART  
2320 JEFFERSON DAVIS HIGHWAY  
ALEXANDRIA VA

13  
3-13-04

WE REQUEST THAT ALEXANDRIA MART BE PERMITTED TO SELL SIX PACKS OF BEER AND 750 ML WINE

S.NO.	DATE	NAME	ADDRESS	SIGNATURE	YES/NO
1	3-7-04	Thomas Lawe	315 E Windsor Ave	Tom Lawe	Yes
2	3-7-04	Tillerson Robert	321 E Raymond Ave	Robert Tillerson	Yes
3	3-7-04	Wayne Horan	103 E Raymond Ave	Wayne Horan	Yes
4	3-7-04	Neil Welsh	413 E. Alexander Ave	Neil Welsh	Well Yes
5	3-8-04	Lisa Rich	404 E. Custis Xlve	Lisa Rich	Yes
6	3-7-04	N. Muriel	404 E. Custis Ave	N. Muriel	Yes
7	3-8-04	Emberley	115 S. Patrick St.	Emberley	Yes
8	3-8-04	Eric Baste	218 E. Mason	Eric Baste	Yes
9	3-8-04	Paula Spaword	100 W. Main St. Rt 204 Alexandria	Paula Spaword	Yes
10	3-7-04	Donny Dowdy	242 N. Payne St 22314	Donny Dowdy	Yes
11	3-7-04	Walter Dylens	517 East Custis	Walter Dylens	Yes
12	3-7-04	Debra Lemma	2500 N. Vandover #505 22302	Debra Lemma	Yes
13	3-8-04	Jane Kousa	100 W. Main St. Rt 359 22305	Jane Kousa	Yes
14	3/9/04	Ron Goodenough Jr.	3001 Hickory St. Alex. VA. 22305	Ron Goodenough Jr.	Yes
15	3/9/04	Mary Neebe	3001 Hickory St Alex. VA 22305	Mary Neebe	Yes
16	3/9/04	Carol Sims	902 Franklin St Alex VA	Carol Sims	Yes
17	3/10/04	Jesse Anderson	417 Clarendon Ave, Alex, VA 22305	Jesse Anderson	Yes
18					
19					
20					

ALEXANDRIA EXXON MART  
2320 JEFFERSON DAVIS HIGHWAY  
ALEXANDRIA VA

WE REQUEST THAT ALEXANDRIA MART BE PERMITTED TO SELL SIX PACKS OF BEER AND 750 ML WINE

S.NO.	DATE	NAME	ADDRESS	SIGNATURE	YES/NO
1	3/5/04	Bob Biceger	1803 LESLIE AVE ALEXANDRIA VA	Bob Biceger	Yes
2	3/5/04	Elizabeth Brown	11672 Hunting Creek Rd Alexandria	Elizabeth Brown	Yes
3	3/5/04	Alex Marian	2904 MICKLEY ST ALEX VA	Alex Marian	Yes
4	3-5-04	MAD LILLERSON	2805 E. RANDOLPH AVE	M. Liller	Yes
5	3/5/04	Alvin McCl	8440 ELSOMBURG AVE.	Alvin McCl	Yes
6	3/5/04	MAT SCHLEYER	844 LITTLE STREET	MAT SCHLEYER	Yes
7	3/5/04	Christy Milstead	403 E Raymond Ave	Christy Milstead	Yes
8	3/5/04	Earl Porterfield	200 Luna Park Dr, #115	Earl Porterfield	Yes
9	3/5/04	Kyan Vaughan	1201 Bradock Place	Kyan Vaughan	Yes
10	3/5/04	Osmany Garcia	777 S 23 St	Osmany Garcia	Yes
11	3/5/04	Sue Stewart	541 E Duncan Ave	Sue Stewart	Yes
12	3/5/04	James Howell	218 E. Maccaw Ave apt 29 Alexandria VA	James Howell	Yes
13	3/5/04	Faye McNeil	419 Mt. Vernon Ave. Alex, VA 22301	Faye McNeil	Yes
14	3/6/04	Stephen Cox	1202 S. Washington St Apt 2234	Stephen Cox	Yes
15	3/6/04	Jennifer Patel	704 Scarborough Way Alex, VA 22314	Jennifer Patel	Yes
16	3/6/04	Jennifer Riordan	3537 Valley Drive Alex, VA 22302	Jennifer Riordan	Yes
17	3/6/04	Natalya Roberts	6225 22nd Avenue Ct Alex. 22305	Natalya Roberts	Yes
18	3/6/04	Kalvin Jacks	200 LUNA PK DR #119 ALEX VA 22305	Kalvin Jacks	Yes
19	3/6/04	STANLEY EVANS	1057 HUNTING CREEK DR ALEX 22304	Stanley Evans	Yes
20	3/6/04	Bobby Seale	701 Beshford Lane	Bobby Seale	Yes



















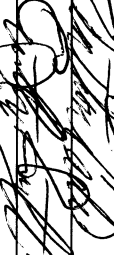
ALEXANDRIA EXXON MART  
2320 JEFFERSON DAVIS HIGHWAY  
ALEXANDRIA VA

WE REQUEST THAT ALEXANDRIA MART BE PERMITTED TO SELL SIX PACKS OF BEER AND 750 ML WINE

S.NO.	DATE	NAME	ADDRESS	SIGNATURE	YES/NO
1	3/6/04	Roberto Castro	25 A Bellefonte Ave Apt 301	Roberto Castro	YES
2	3-6-04	Tina Gregory	15 W. Globe Rd A-3	Tina Gregory	YES
3	3-6-04	Robert Carter	312 Ashby St Apt 2	Robert Carter	YES
4	3/6/04	Stage Smith	312 Carver St. Alexandria	Stage Smith	YES
5	3/6/04	Wendy Brown	4811 Morton Road of Alexan.	Wendy Brown	YES
6	3/6/04	M. Hallberg	1212 Colonial	M. Hallberg	YES
7	3/6/04	James Corrie	209 Raymond Ave Alex 2301	James Corrie	YES
8	3/6/04	Charles Adams	610 N. West St. #305 Alex 44034	Charles Adams	YES
9		Drew Jackson	109 Westridge Dr. Tallahassee FL	Drew Jackson	YES
10	3/6/04	Scott Carson	401 Neiland Lane Alexandria, VA	Scott Carson	YES
11	3/6/04	Scottinger Ditz	861 S. Greenbrier St #202	Scottinger Ditz	YES
12	3/6/04	Joseph Hughes	2000 Huntington Ave #310 Alexandria	Joseph Hughes	YES
13	3/6/04	M. E. Ostrom	3000 Mt Vernon Ave Alexandria, VA	M. E. Ostrom	YES
14		Jim Thomas	Jim Thomas	Jim Thomas	YES
15	3/6/04	STEADY RAY	3405 Commonwealth Ave #10	STEADY RAY	YES
16	3/6/04	James Jones	812 W Broadbark Rd	James Jones	YES
17	3/6/04	WILLIAM GUTH	508 E COSTIS AVE	WILLIAM GUTH	YES
18	3/7/04	James Timmerman	401 E Alexander Ave #201 22301	James Timmerman	YES
19	3/7/04	Nicholas Core	1303 Duke St Alex 22301	Nicholas Core	YES
20	3/7/04	Quinn Turner	314 A Hume Ave Alex VA 22301	Quinn Turner	YES

ALEXANDRIA EXXON MART  
2320 JEFFERSON DAVIS HIGHWAY  
ALEXANDRIA VA

WE REQUEST THAT ALEXANDRIA MART BE PERMITTED TO SELL SIX PACKS OF BEER AND 750 ML WINE

S.NO.	DATE	NAME	ADDRESS	SIGNATURE	YES/NO
1	3/6/04	Terrell Murray	327 Lawrence Avenue Alexandria 22305		Yes
2	3/6/04	Demaris Roberts	1221 S eads St. Arlington 22202		yes
3	3/6/04	Ima Cregan			
4	3/6/04	Derek Reyer	3520 Wilson Ave Alex 22035		Yes
5	3/6/04	Anthony G	212 E. Alexandria Ave		Yes,
6	3/6/04	John Pessler	713 Met Free Ln		yes
7	3/6/04	John O'neal	570 East Nelson Ave Alex 22304		yes
8	3/6/04	Leah Pomeroy	3510 WIS Ave 22315		Yes
9	3/6/04	Josephine Pessman	200 Luna Park Dr		Yes
10	3/6/04	Tracy Harris	1001 Braddock Pl		yes
11	3/6/04	John Miller	2210 E Randolph Ave		yes
12	3/6/04	John Miller	2210 E Randolph Ave		Yes
13	3/6/04	William Smith	616 Washford Ln		Yes
14	03-06-04	William Smith	1315 Peachtree Dr		yes
15	3/6/04	Tiffany Hart	306 Ashby St, Alexandria		yes
16	3/6/04	Shelton Lewis	219 E Oxford Ave, Alex		Yes
17	3/6/04	Robert Miller	817 E. Lincoln Ave		Yes
18	3/6/04	Robert Miller	2348 Coaling Ave		Yes
19	3/6/04	Paul Bondy	2109 Mill Rd #123 Alexandria, VA		Yes
20	3/6/04	Michael Barnett	110 N. West St. Alex. 22314		Yes

SPEAKER'S FORM

DOCKET ITEM NO. 13

**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: Mary Catherine Gibbs
2. ADDRESS: 307 W. Washington St.
- TELEPHONE NO. 703 826 557 E-MAIL ADDRESS: \_\_\_\_\_
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? the Applicant
4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: X AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES X NO \_\_\_\_\_

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. 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.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.



SPEAKER'S FORM  
DOCKET ITEM NO. 13

**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: MICHAEL J CHAMOWITZ
2. ADDRESS: 805 EAST Timberbranch Pkwy  
TELEPHONE NO. 703 683-2360 E-MAIL ADDRESS: mchamowitz@chamlaw.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? Applicant
4. WHAT IS YOUR POSITION ON THE ITEM?  
FOR: X AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):  
Attorney, and also as civic interest
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?  
YES X NO \_\_\_\_\_

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. 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.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.