

DOCKET ITEM #9

Special Use Permit #2011-0042
834 North Washington Street

10
 9-17-11

Application	General Data	
Consideration of a request to expand a noncomplying automobile service station by adding a gourmet/ethnic market.	Planning Commission Hearing:	September 8, 2011
	City Council Hearing:	September 17, 2011
Address: 834 North Washington Street	Zone:	CD-X/Commercial Downtown (Old Town North)
Applicant: AL & TY, Inc. represented by Mary Catherine Gibbs, attorney	Small Area Plan:	Old Town North

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

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov

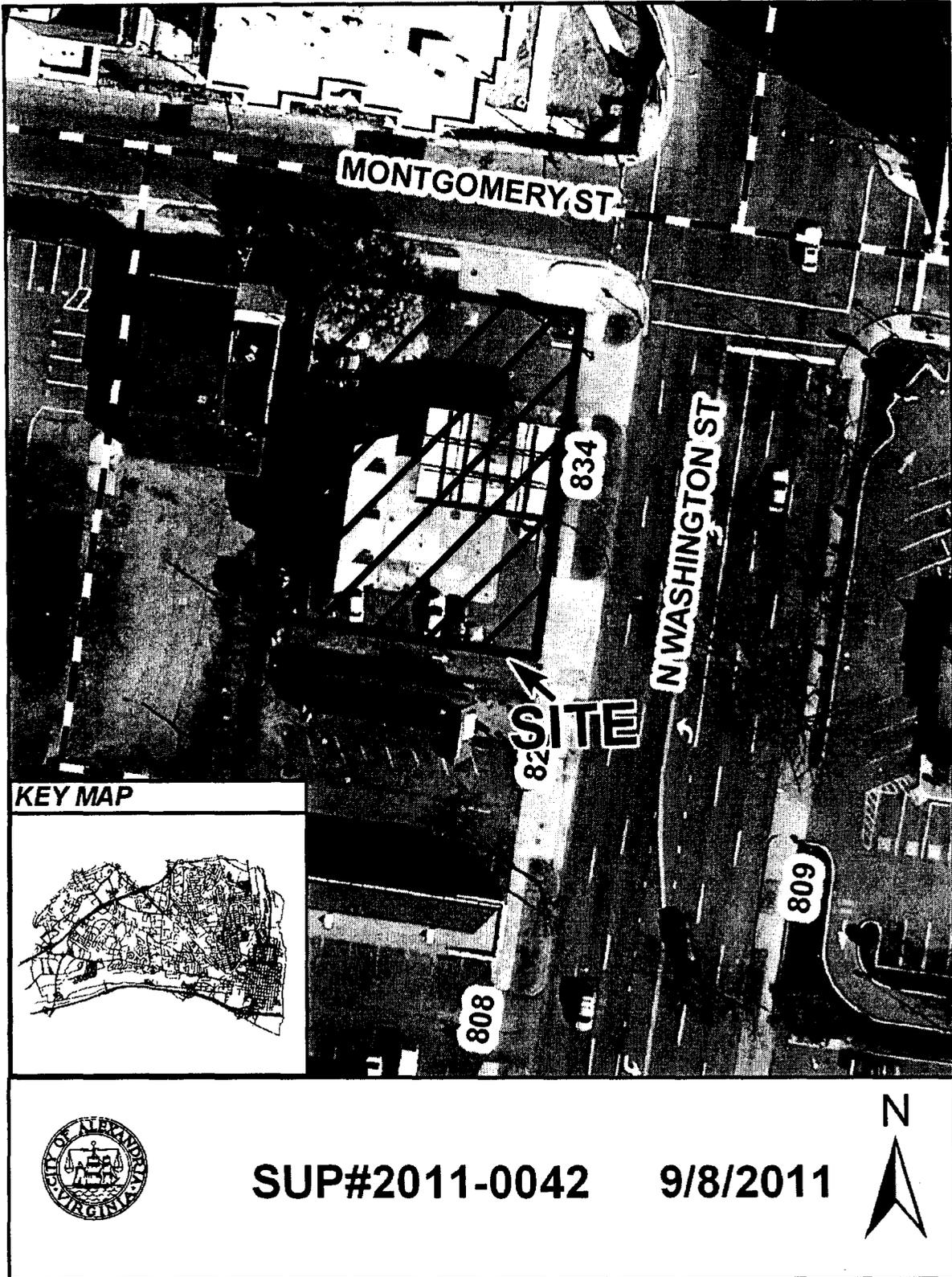
PLANNING COMMISSION ACTION, SEPTEMBER 8, 2011: On a motion by Mr. Dunn, seconded by Ms. Lyman, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion passed on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Mary Catherine Gibbs, attorney for the applicant, spoke in support of the application and answered questions from the Planning Commission.

Sally Ann Grier, 1168 North Pitt Street, stated that she represented several neighbors who are concerned about signage, hours of operation, the location of parking, and the appearance and cleanliness of the proposed business.

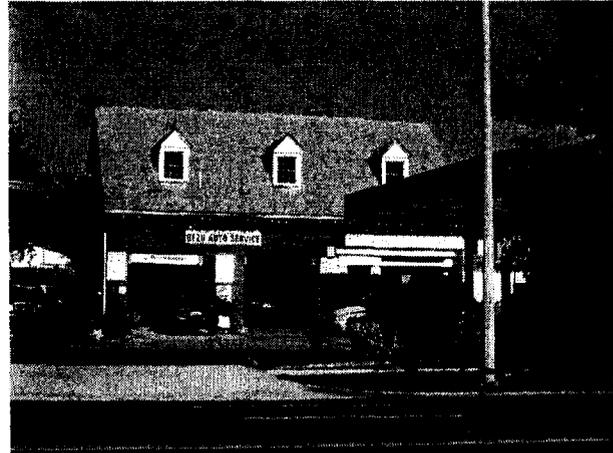


I. DISCUSSION

The applicant, AI & Ty, Inc., by Mary Catherine Gibbs, attorney, requests Special Use Permit approval for the expansion of a noncomplying automobile service station at 834 North Washington Street.

SITE DESCRIPTION

The subject site is one parcel of record with 115 feet of frontage on North Washington Street, 90 feet of frontage on Montgomery Street and a total lot area of approximately 10,300 square feet. The service station on the site has six gasoline pumps and a 1,460 square-foot, one-story commercial building. Currently, the building houses two car repair bays and a small retail and cashier area.



The surrounding area is comprised of a mix of commercial, residential, and institutional uses. The 900 North Washington residential condominium is located directly to the north. A multi-story office building and a bank are located to the east across North Washington Street. Another restaurant is located to the south, and a church is located directly to the west.

BACKGROUND

An automobile service station with gasoline sales and automobile repair has been operating at this location for many decades. The first Special Use Permit for the site was approved in 1967 and SUP amendments were approved in 1985 and 1994. Most recently, in 2006, staff administratively approved SUP#2006-0093 to change ownership of the business from Exxon Company USA to Washington Street Property LLC.

On July 6, 2011, staff inspected the premises for compliance with the conditions of SUP#2006-0093 and found no violations. In 2007 and 2008, staff issued five notices of violation concerning the retail portion of the business being operated later than the approved closing hour of 10:00pm Monday-Saturday.

PROPOSAL

The applicant, which is an entity co-owned by the current owner of the existing gas station business, seeks approval to expand a noncomplying automobile service station use by adding a gourmet and ethnic market to the site. The market will be located within the existing 1,460 square-foot building that today houses service bays for automobile repairs and an area for the sale of snacks and beverages. Under the applicant's proposal, automobile repair work will no longer be offered here and the interior of the building will be renovated to accommodate the new market. Other than the interior work, a new main door and the sealing of the existing service bay

doors are the only other building changes proposed. The main entrance will be through the gas station door and the interior will be one large room for customers. The market will offer a broad range of Middle Eastern pastries, cheese, breads and assorted foodstuffs, as well as seasonal fresh fruits and vegetables. No alcohol will be sold. The market proposes to operate from 7:00 am to midnight Monday through Saturday, which is an increase from the existing 10:00pm closing hour, and 9:00am to 7:00 pm on Sundays, which is an increase from the existing 5:00pm closing hour. The gas station will continue to operate up to 24 hours each day. Additional elements of the applicant's proposal are as follows:

- Market Hours of Operation: 7:00am – 12:00 midnight, Monday-Saturday
9:00am – 7:00pm, Sunday
- Gas Station Hours of Operation: Up to 24 hours/day
- Number of Gasoline Pumps: Three
- Number of Employees: Two employees per shift
- Number of Customers: 20-50 customers each day
- Noise: Typical noises from a market operation are expected
- Odors: No odors from the market operation are expected
- Trash: Typical market trash will be collected once each week or more often if necessary

PARKING

According to Sections 8-200(A)(12) and (16) of the Zoning Ordinance, automobile service stations are required to provide one off-street parking space for each gasoline pump and retail businesses in this location are required to provide one off-street parking space for every 200 square feet of floor area. A combined gas station with three gasoline pumps and retail business of 1,460 square feet is required to provide a total of 11 parking spaces. The applicant exceeds this parking requirement by providing a total of 18 spaces on-site, six of which are located adjacent to the pumps. The remaining 12 spaces, five of which are tandem, are located to the north and south of the building.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CDX / Commercial Downtown (Old Town North) zone. Automobile service stations are not permitted in the zone, but the business operates as a noncomplying use. Section 12-302(A) of the Zoning Ordinance allows for the expansion of a noncomplying use with a Special Use Permit.

OLD AND HISTORIC ALEXANDRIA DISTRICT

The property is located on the George Washington Memorial Parkway and within the Old and Historic Alexandria District. The building at 834 North Washington Street is therefore subject to review by the OHAD Board of Architectural Review. It is a one-and-one-half story Colonial Revival garage building and representative of mid-twentieth-century roadside architecture in Alexandria. Any exterior alterations, including signage, lighting, window changes, fences and the like require review and approval from the BAR. The applicant proposes to locate the store within the existing service bays. Any alterations to the existing garage doors or interior modifications that affect the exterior are also subject to BAR review. Obstructing interior windows or doors, such as with shelving fixtures or graphics, is discouraged by the BAR and would require BAR approval. Due to its prominent location and the BAR's charge to protect the memorial character of the GW Parkway, any exterior alterations must also conform to the Washington Street Standards in Sec. 10-105(3) of the Zoning Ordinance.

II. STAFF ANALYSIS

Staff does not object to the request to add a retail market to the gas station use at 834 North Washington Street. While an unusual combination of uses, the applicant believes he can be successful if he utilizes the existing automobile repair space for a food market, and staff supports his efforts.

The proposed market will feature Middle Eastern gourmet and ethnic food, and will be a unique spot for retail customers. It will appeal to both gas station customers and to pedestrians and employees from the nearby area. As such, it should be a good addition to the choices for shoppers in the area and may represent a further step in the evolution of the character of North Washington Street toward a residential neighborhood.

It is important to note that, based on Planning and Zoning's long standing definitional zoning policy, the proposal is not one for a convenience store. Staff believes the distinction is important for Washington Street, where the City has acted to enhance the character of this important historic street over many years. When gas stations were removed from the uses allowed on Washington Street in 1992, it was to avoid increased interruption in the pedestrian experience with further curb cuts and, from an architectural design standpoint, to maintain a continuous streetscape without more expanses of pavement for parking and vehicular attractions. Staff would therefore not support a convenience store similar to, for example, the Mobil station on Route 1, at this location.

It was also key to staff's support that the applicant is not intending to sell alcohol. Given the existing and proposed closing hours, and the combination of the market with potential driving customers, this fact is important.

In term of hours of operation, staff does not object to the applicant's request to extend the closing hour at the market from 5:00pm to 7:00pm on Sundays, since it does not involve late-night hours. However, staff is recommending that the current closing hour of 10:00pm be retained here rather than extended to 12:00midnight Monday through Saturday given the applicant's history of

not complying with the existing SUP condition language on the matter. The Police Department also supports keeping the closing hour at 10:00pm on Monday-Saturday out of concern that there is a greater potential for calls for service here between the hours of 10:00pm and 12:00 midnight.

Beyond questions about the proposed use and use combination, staff did review the site with in an effort to see whether site improvements are warranted. Staff notes that the site has a reasonable amount of both ornamental and screening vegetation which adds to its appeal and helps to visually soften its appearance. For the most part, the existing planting is in good condition and suitable for the setting. The existing plantings can be enhanced in several ways, however, and staff has amended Condition #4 to require the applicant to remove dead and dying plants, add additional plant material, and property maintain the landscaping in the future.

Finally, staff is recommending that any changes to existing signage be to the Director's satisfaction, in addition to the requirement that all exterior changes and signage, if beyond the range of administrative approval, be subject to BAR approval.

Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request.

III. RECOMMENDED CONDITIONS

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

1. The 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 #1762A)
2. **CONDITION AMENDED BY STAFF:** No repair work shall be done ~~outside on the subject property.~~ (P&Z) (T&ES) (P&CD) (SUP #1762-A)
3. No vehicle parts, tires or other materials shall be stored or permitted to accumulate outside, except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP #1762-A)
4. **CONDITION AMENDED BY STAFF:** The applicant shall ~~plant and maintain landscaping in accordance with the plan approved by the City Arborist.~~ fully implement landscaping improvements at the site with the following minimum elements to the satisfaction of the Director of Planning and Zoning:
 - a. All dead plants and weeds shall be removed and sheet mulching shall be provided in both landscaping strips along North Washington and Montgomery Streets,
 - b. The coniferous evergreens along North Washington Street shall be replaced with ornamental grasses, evergreen shrubs, or other plantings approved by the Director to a maximum of three feet in height,

- c. Low-growing evergreen material and seasonal color planting material shall be planted on the interior side of the North Washington Street landscaping strip,
- d. The southern-most timber edge restraint in the North Washington Street landscaping strip shall be repaired,
- e. The eastern-most existing yew in the Montgomery Street landscaping strip shall be replaced, and
- f. Additional evergreen material, ideally up to 2ft in height to screen the base of the existing sign, shall be planted in the Montgomery Street landscaping strip.

The applicant shall maintain all new and existing landscaping at the site to the satisfaction of the Director of Planning & Zoning. (P&Z) (City Council) (SUP #1762-A)

- 5. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall narrow-up the driveway on Montgomery Street from 38 feet to 30 feet; provide landscaping in corner around sign post. (T&ES) (SUP #1762-A)~~
- 6. **CONDITION DELETED BY STAFF:** ~~The color, etc., of the building shall be approved by the Board of Architectural Review, U. S. Park Service. (T&ES) (SUP #1762-A)~~
- 7. **CONDITION AMENDED BY STAFF:** The hours of operation shall be limited to the following for all operations except for the sale of gasoline: from 7:00 AM to 10:00 PM, Monday through Saturday and from 9:00 AM to ~~5:00PM~~ 7:00PM on Sunday. (P&Z) (SUP#2006-0093)
- 8. No junked, abandoned, or stripped vehicles shall be displayed, parked or stored outside. (P&Z)(SUP#94-0324)
- 9. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)(SUP#94-0324)
- 10. The applicant shall post the hours of operation at the entrance to the business. (P&Z)(SUP#94-0324)
- 11. **CONDITION AMENDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES) (P&Z)(SUP#94-0324)
- 12. **CONDITION AMENDED BY STAFF:** All waste products, including but not limited to organic compounds (solvents), motor oils, compressor lubricant and anti-freeze shall be disposed of in accordance with all local, state, and federal ordinances or regulations and

shall not be discharged into sanitary or storm sewers or discharged onto the ground.
(P&Z) (T&ES) (SUP#2006-0093)

13. **CONDITION AMENDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (P&Z) (SUP#2006-0093)
14. **CONDITION AMENDED BY STAFF:** The ~~new~~ applicant ~~is to~~ shall contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a robbery readiness presentation for all new employees and a security survey for the business. (Police) (SUP#2006-0093)
15. **CONDITION ADDED BY STAFF:** No alcohol sales shall be permitted. (P&Z)
16. **CONDITION ADDED BY STAFF:** All changes to the existing signage on the site shall be reviewed and approved to the satisfaction of the Director of Planning & Zoning. (P&Z)
17. **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)
18. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)
19. **CONDITION ADDED BY STAFF:** The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
20. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
21. **CONDITION ADDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
22. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if: (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact

on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed.
(P&Z)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;
Nathan Randall, 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:

- F-1 Parking space #5 as shown in the “Aerial with Parking Shown” document submitted by the applicant should not be striped or counted as a parking space in the parking tabulation since space #5 encroaches into the necessary drive aisle for parking spaces #1 and #2. Even with parking space #5 not included in the parking tabulation, the site meets all parking requirements contained within the Zoning Ordinance. (T&ES)
- R-1 **Condition Amended:** No repair work shall be done outside on the subject property. (P&CD/TES) (SUP2006-00093)
- R-2 **Condition Deleted:** ~~The applicant shall narrow up the driveway on Montgomery Street from 38 feet to 30 feet; provide landscaping in corner around sign post. (T&ES) (SUP2006-00093)~~
- R-3 **Condition Deleted:** ~~The color, etc., of the building shall be approved by the Board of Architectural Review, U. S. Park Service. (T&ES) (SUP2006-00093)~~
- R-4 **Condition Amended:** No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z//TES) (SUP2006-00093)
- R-5 **Condition Amended:** All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds or mechanical equipment shall be audible at the property line. (P&Z/TES) (SUP2006-00093)
- R-6 **Condition Amended:** All waste products, including but not limited to organic compounds (solvents), motor oils, **compressor lubricant** and anti-freeze shall be disposed of in accordance with all local, state, and federal ordinances or regulations and shall not be discharged into sanitary or storm sewers or discharged onto the ground. (P&Z/TES) (SUP2006-00093)
- R-7 **Condition Amended:** The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (P&Z/TES)(SUP2006-00093)
- R-8 **New Conditions Added:** The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES)

- R-9 **New Conditions Added:** The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
- R-10 **New Conditions Added:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-11 **New Conditions Added:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

Code Enforcement:

- F-1 The following comments are for preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Thomas Sciulli, Plan Review Supervisor at 703-746-4190 or thomas.sciulli@alexandriava.gov.
- C-1 The proposed use is a change in use group classification; a new Certificate of Occupancy is required (USBC 116.1).
- C-2 Construction permits are required for this project. Plans shall accompany the permit application that fully details the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-3 The building must conform to USBC Chapter 11 for handicapped accessibility.

- C-4 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
- (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.

Health:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities. Permits are not transferable.
- C-2 Permits must be obtained prior to operation.
- C-3 Six sets of plans of each facility must be submitted through the Permit Center and approved by this department prior to construction. Plans must comply with Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$200.00 fee for review of plans for food facilities.
- C-4 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Parks and Recreation:

- 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 market portion of the business shall not be open later than 10 P.M. consistent with prior S.U.P. approval.
- F-1 The applicant is not seeking an A.B.C. permit. The Police Department concurs.

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 834 N. Washington St., I hereby
(Property Address)
grant the applicant authorization to apply for the Gourmet/Ethnic Market use as
(use)
described in this application.

Name: Abdulelah Al-Keliddar, N. Washington St. Propertie, LLC Phone 703-786-8461

Please Print
Address: 834 N. Washington St., Alexandria, VA 22314 Email: _____

Signature:  Date: _____

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

- Required floor plan and plot/site plan attached.
- Requesting a waiver. See attached written request.

2. The applicant is the (check one):

- Owner
- Contract Purchaser
- Lessee or
- Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

Abdulelah Al-Keliddar - 834 N. Washington St., Alexandria, VA 22314	- 50%
Taysser Hijazi - 834 N. Washington St., Alexandria, VA 22314	- 50%

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. Abdulelah Al-Keliddar	834 N. Washington St. Alexandria, VA 22314	50%
2. Taysser Hijazi	834 N. Washington St. Alexandria, VA 22314	50%
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 834 N. Washington St. (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. North Washington St. Properties LLC	834 N. Washington St. Alexandria, VA 22314	100% owned by Abdulelah Al-Keliddar (address above).
2.		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. None Mr. Al-Keliddar	NONE	NONE
2. None Taysser Hijazi	NONE	NONE
3. N. Washington St Prop. LLC	NONE	NONE

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

6/21/11
Date

Mary Catherine Gibbs
Printed Name

Mary Catherine Gibbs
Signature

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

Yes. Provide proof of current City business license

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

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

The applicant is seeking to open a gourmet/ethnic market at the existing Old Town Gas station on North Washington Street. The list of items proposed to be sold at the market is attached on a separate sheet. The market would be located in the existing repair bays, which would be removed. No exterior changes are proposed except for signage, if approved. The bay doors would remain but would not be operational for the market. The proposed floor plan for the market is attached.

List of Items Proposed for Gourmet/Ethnic Market at 834 N. Washington St.:

Seasonal Fresh Fruit and Vegetables

Middle Eastern sweets and pastries

Melban
Nouget
Halva
Baklava

Middle Eastern Cheese

Feta
Egyptian
String
Hard Cheese

Snacks

Dips and Spreads
Yogurt
Pickled Lebneh
Humus
Tabuleh
Fetush
Tihini

Food and Salad

Kibby
Dolmma
Vegetarian Pastries
Meat Pastries
Cheese Pastries

Breads

Pita
Afghan
Lavash
Barbarg Bread
Italian bread
Bread Sticks

Meats

Sausages
Mortadella
Pastrami
Jerky

Jam and Preserves

Teas, Sugar, Coffee, Baking Supplies

Rice

- Parkol
- Couscous
- Grains
- Pasta

Olives and Olive Oils

Herbs & Spices

Canned & Packaged Food

- Canned vegetables
- Meats
- Seafood
- Soups
- Stews
- Pasta Mixes
- Potatoes

Breakfast Food

- Cereals
- Granola
- Oatmeal

Baby Food and Needs

Home & Family Care

- Laundry Supplies
- Haircare
- Vitamins

Drinks

- Coffee
- Energy Drinks
- Sodas
- Juices
- Tea
- Water
- Milk and Dairy Products

Coffee Bar

USE CHARACTERISTICS

4. The proposed special use permit request is for (check one):
- a new use requiring a special use permit,
 - an expansion or change to an existing use without a special use permit,
 - an expansion or change to an existing use with a special use permit,
 - other. Please describe: _____

5. Please describe the capacity of the proposed use:
- A. How many patrons, clients, pupils and other such users do you expect?
Specify time period (i.e., day, hour, or shift).
20-50 day.

- B. How many employees, staff and other personnel do you expect?
Specify time period (i.e., day, hour, or shift).
2 employees at a time, 2 shifts per day.

6. Please describe the proposed hours and days of operation of the proposed use:
- | | |
|----------------------------|-----------------------------------|
| Day:
Sunday | Hours:
9:00 a.m. to 7:00 p.m. |
| _____
Monday - Saturday | _____
7:00 a.m. to 12 midnight |
| _____
_____ | _____
_____ |
| _____
_____ | _____
_____ |

7. Please describe any potential noise emanating from the proposed use.
- A. Describe the noise levels anticipated from all mechanical equipment and patrons.
Normal noise from a market, patrons coming in and going out, driving in a driving away.

- B. How will the noise be controlled?
All transactions will be inside the market, so no noise, except car noise will be heard outside.

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

None.

9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)
Typical trash from a market.

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

C. How often will trash be collected?
Once a week, or more, if necessary.

D. How will you prevent littering on the property, streets and nearby properties?
The applicant will regularly survey the property to ensure trash is picked up, if necessary.

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

[] Yes. [x] 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. [x] No.

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

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

The applicant will be happy to work with police on a regular security plan, under the standard conditions normally imposed under SUP's.

ALCOHOL SALES

13.

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

[] Yes [x] No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

PARKING AND ACCESS REQUIREMENTS

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

- 8 Standard spaces
- _____ Compact spaces
- _____ Handicapped accessible spaces.
- 7 tandem Other.

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A _____</p> <p>Does the application meet the requirement?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
--

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

- on-site
- off-site

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

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

C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

Parking reduction requested; see attached supplemental form

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

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

<p>Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____</p> <p>Does the application meet the requirement?</p> <p style="text-align: center;"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>

B. Where are off-street loading facilities located? _____

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

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

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Street access is adequate.

SITE CHARACTERISTICS

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

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

How large will the addition be? _____ square feet.

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

@1470 sq. ft. (existing) + _____ sq. ft. (addition if any) = @1470 sq. ft. (total)

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

a stand alone building

a house located in a residential zone

a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

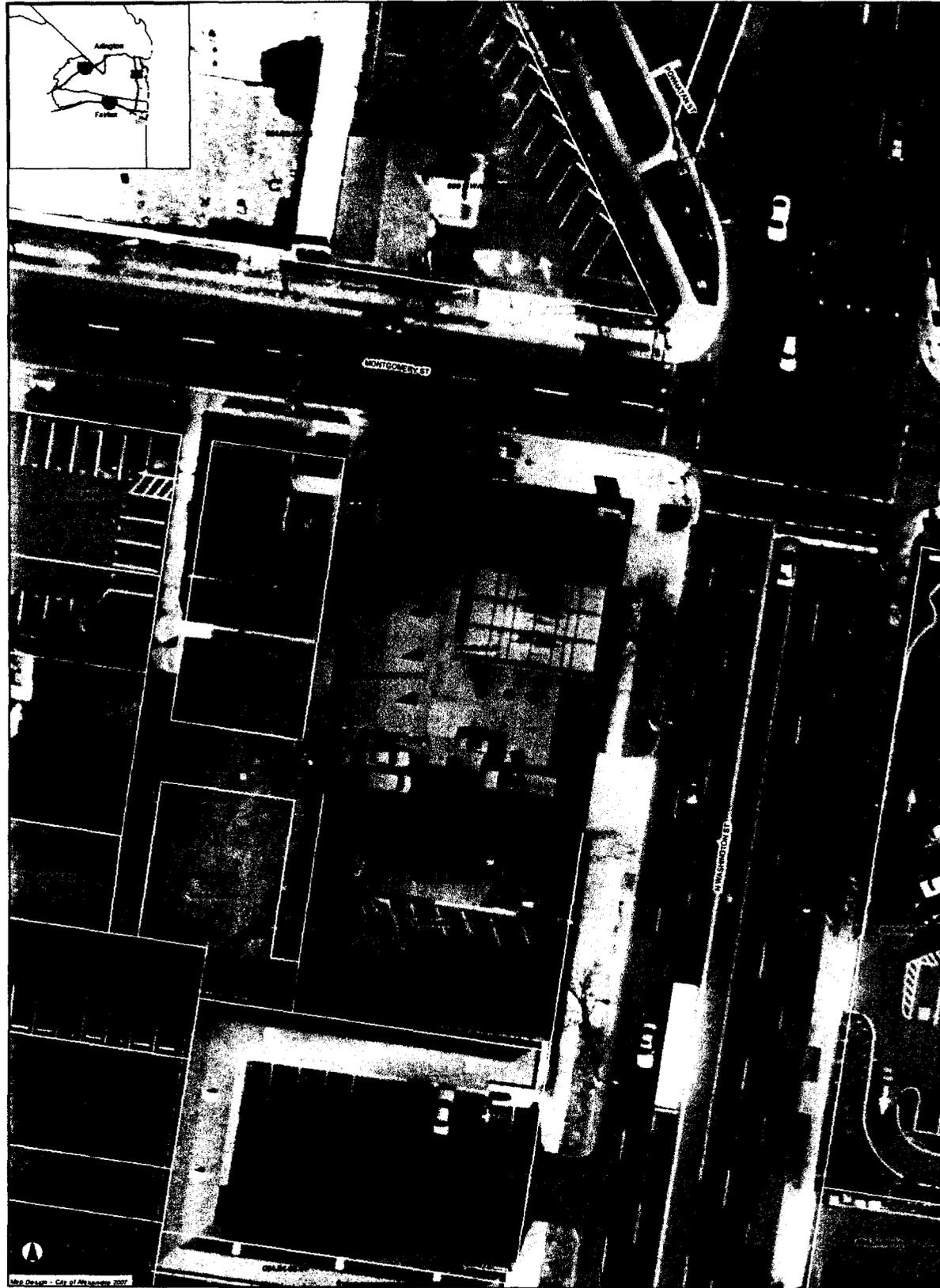
other. Please describe: _____

End of Application

SUP 2011-0042

City of Alexandria

Date Created: 6/20/2011



Legend for Parcel Map

Highlighted Feature

- Metrorail Stations
- City Boundary
- Address Points
- Metrorail Tracks

Line

- Blue
- Yellow
- Yellow-Blue

Parcels

- Road Labels
- 2007 Aerial
- Road Centerlines

Area/Primary Collector/Residential Collector

- Exempting
- Other Roads

- Roads
- Railroads
- Buildings
- Parks
- Water

Point

- Public River
- Other

City of Alexandria

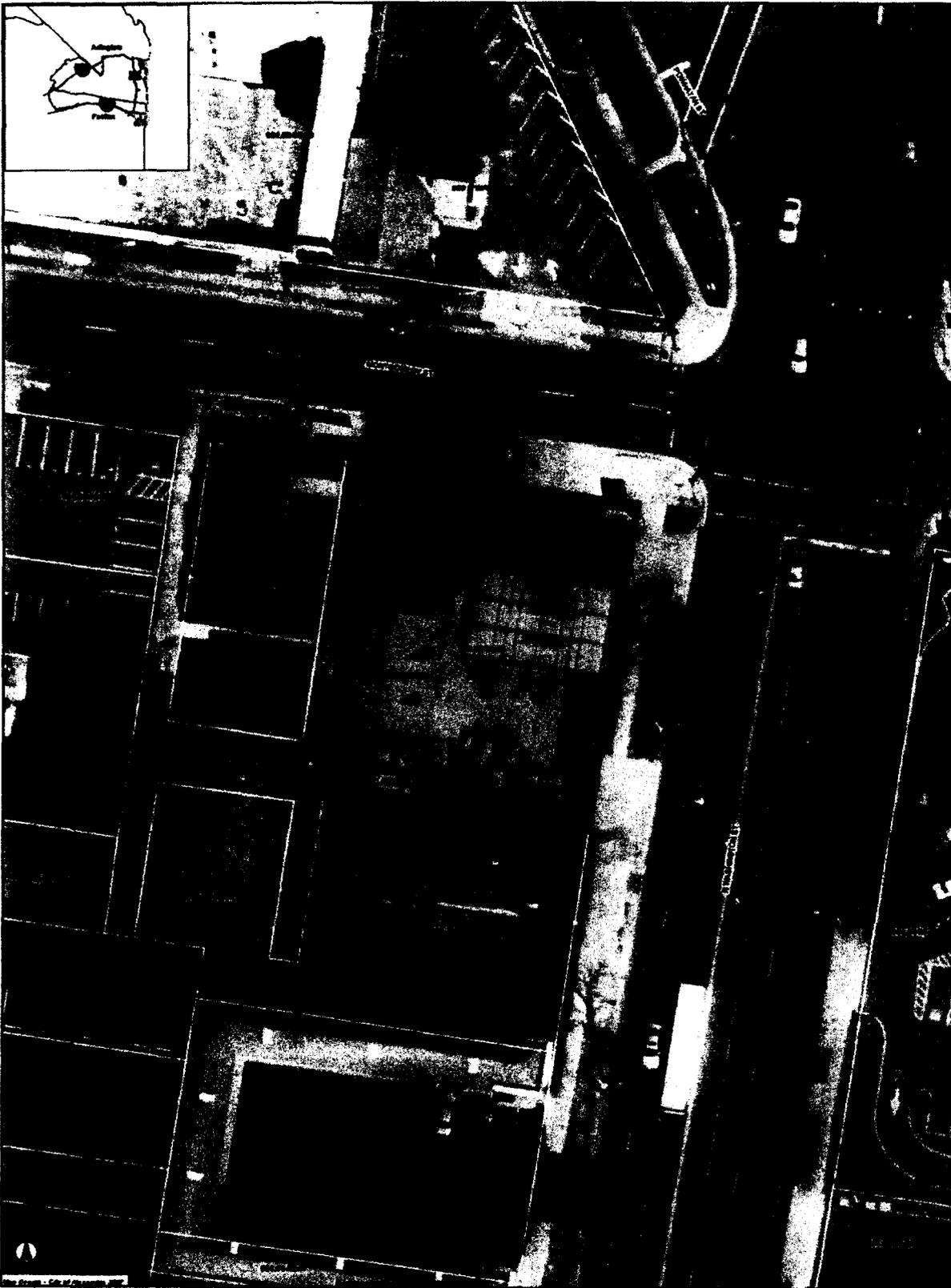
DISCLAIMER: The maps/data presented hereunder are provided "as is" and the City expressly disclaims all warranties, UCC and otherwise, express or implied, including warranties as to accuracy of the maps/data and merchantability and fitness for a particular purpose, and further expressly disclaims responsibility for all incidental, consequential or special damages arising out of or in connection with the use of the application. This information is not survey quality and should not be used to establish property lines or legal descriptions for plats or construction. All boundary information provided on this site is for informational purposes only and not considered official. Official documentation on the information presented are available through various departments within the City of Alexandria.

Old Town Gas

24

City of Alexandria

Date Created: 6/20/2011



Legend for Parcel Map
Highlights Feature

- Metrorail Stations
- City Boundary
- Address Points
- Metrorail Tracks
- Water
- Parcels
- Road Labels
- 2007 Aerial
- Road Centerlines
- External Property Submitter (Metropolitan Council of Governments)
- Water
- Roads
- Railroads
- Buildings
- Parks
- Water
- Metrorail
- City of Alexandria

DISCLAIMER: The information presented hereunder is provided "as is" and the City expressly disclaims all warranties, UCC and otherwise, express or implied, including accuracy as to currency of the information and non-liability and fitness for a particular purpose, and further expressly disclaims responsibility for all inaccuracy, unavailability or omitted data arising out of or in connection with the use of this application. This information is not survey quality and should not be used to establish property lines or legal descriptions for title or construction. All boundary information provided on this site is for informational purposes only and not intended for legal use. Online documentation on the information presented are available through various departments within the City of Alexandria.



URBAN DESIGN ADVISORY COMMITTEE

Urban Design Advisory Committee

Elisabeth Lardner
Marie Tavernini
Roger Waud
Bruce Machanic, Co-Chair
Daniel Straub, Co-Chair & Secretary

To: Kendra Jacobs, Commission Representative
kendra.jacobs@alexandriava.gov
Chair and Planning Commission Members

H. Stewart Dunn, Jr.
Donna Fossum
Jesse Jennings
John Komoroske
Mary Lyman
J. Lawrence Robinson
Eric Wagner

Re: Preliminary Docket Item #9
SUP #2011-0042
834 NORTH WASHINGTON STREET: GOURMET & ETHNIC MARKET

As the co-chair and secretary to the Urban Design Advisory Committee (UDAC) for OldTownNorth, I would like to request that you delay the vote on this item until UDAC has had a chance to properly review the project.

As noted by Planning Staff, this project has received attention and consideration with respect to the proposed uses, parking, potential neighborhood impacts, signage, potential site improvements, and potential BAR issues. UDAC was notified in late July that this project was submitted and asked if we would like to review it. We confirmed that a UDAC review would be appropriate because of the location of the project on Washington Street, the nature of the site, building, use and surroundings, and the established standards for reviewing concept plans and projects in OldTown North. However, since we indicated our interest in reviewing the project, a review has not been scheduled or completed. In addition, we have not been successful in obtaining a basic site plan, as required by the SUP process, that would enable us to properly evaluate the project from an urban design perspective.

We would like to review the project because it will introduce an expansion of a nonconforming auto service station by adding a food sales/gourmet market. Although the project has been described as not being a "convenience store", the proposed use will require "building adjustments" to accommodate the expansion, will introduce different traffic and parking movements to the site, will introduce building and health code issues, and will impact the historic streetscape along Washington Street. We would like to expect that the project will introduce positive changes to the neighborhood and streetscape, but we would certainly like to have the opportunity to come to that conclusion after properly reviewing the project. Essentially, we would like to have the opportunity to formally endorse the concept plan for this project subject to a presentation by the Applicant.

In summary, we would like to ensure that in the rush to "fast-track" certain projects for business purposes, we do not overlook some of the basic planning review procedures that have been created to make Alexandria a special place to live and work. UDAC is honored to have played a part in helping to shape the character of OldTownNorth, and we would like to continue in our role in the city's planning process. Thank you for your attention and consideration.

Respectfully submitted,
daniel straub APA ASLA RLA LEED
Professional Representative, Co-Chair & Secretary

PC Docket Item #9
SUP2011-0042

Kendra Jacobs

From: Barbara Ross
Sent: Thursday, September 08, 2011 12:24 PM
To: Kendra Jacobs
Subject: FW: SUP2011-0042 834 North Washington Street

From: Nathan Randall
Sent: Tuesday, September 06, 2011 11:23 AM
To: Barbara Ross
Subject: FW: SUP2011-0042 834 North Washington Street

From: Bruce Machanic [<mailto:bmachanic@mreproperties.com>]
Sent: Friday, September 02, 2011 3:20 PM
To: Nathan Randall
Subject: RE: SUP2011-0042 834 North Washington Street

Looks good.

From: Nathan Randall [<mailto:Nathan.Randall@alexandriava.gov>]
Sent: Friday, September 02, 2011 1:11 PM
To: elardner@lardnerklein.com; bmachanic@mreproperties.com; mtavernini@aol.com; waudr@comcast.net; dnstraub@netscape.net
Subject: SUP2011-0042 834 North Washington Street

Members of the Old Town North Urban Design Advisory Committee:

The staff report for 834 North Washington Street SUP case (see link below) has been provided to the Planning Commission and we also wanted you to have a copy of it. Staff is supporting the proposed uses, and is requesting some landscaping improvements. Thank you for your consideration. We have communicated earlier with Dan Straub, who raised issues about the application and whether a site plan would be required. We explained at that time that only "development" cases require site plans, not pure "use" cases such as this one. If you have any questions, or if we can provide additional information, please feel free to contact me or Deputy Director Barbara Ross.

Regards,
Nathan Randall
Urban Planner II
City of Alexandria Department of Planning & Zoning

<http://dockets.alexandriava.gov/icons/pz/pc/CY11/090811/di9.pdf>

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PC Docket Item #9
SUP #2011-0042

Kendra Jacobs

From: Barbara Ross
Sent: Thursday, September 08, 2011 12:26 PM
To: Kendra Jacobs
Subject: FW: SUP2011-0042 834 North Washington Street

From: dnstraub@netscape.net [mailto:dnstraub@netscape.net]
Sent: Tuesday, September 06, 2011 8:45 PM
To: Barbara Ross
Cc: BMachanic@MREProperties.com; sallyanngreer@msn.com
Subject: Re: SUP2011-0042 834 North Washington Street

Barbara,

Thank you for the follow-up note and explanation of current thoughts - I just got home and received your phone message...I will call you Wednesday morning. For possible future reference, I am usually out of pocket much of the day.

I do agree with you and Staff that there seems to be a current uncertainty of UDAC's role on "non-development" SUP cases, and a possible build-up of confusion of what role UDAC should play in the overall review process of "development" and SUP applications. As you would expect, we have been working under the definition of Sec 6-505(B): UDAC " is authorized to review applications for site plan approval and special use permits, and Sec 6-5-5(D): "the director... shall coordinate the review of each application for site plan approval or special use permit by UDAC with its own review... and each applicant will be encouraged to discuss its proposal with UDAC, including prior to the time an application is filed."

After being involved in UDAC for several years and working as a legal agent for a specific local project, I understood that the "planning process" was changed last year to require a "concept plan" prior to any formal development or SUP application. This change worked perfectly for UDAC since we could concentrate on reviewing the "concept plan" for a project early in the planning process while also helping to head off any potential major planning and "urban design" problems prior to a formal submission. However, this is the first time in my experience that I have encountered the distinction between a "development" and a "non-development" case. And, this is the first time whereby a special use permit in an area of special concern, i.e. Washington Street, did not trigger a UDAC review. As you note, UDAC was notified that the application was filed and we did discuss the appropriateness of a UDAC review. But the Applicant was certainly not encouraged to meet with UDAC prior to their formal submission and prior to Staff review. UDAC has always relied on excellent Staff support. But we have also witnessed a recent situation whereby basic zoning information was overlooked in an apparent nod to an attractive graphic presentation causing a retraction of the large-scale project. We have also witnessed the recent "fast-track process" of allowing projects to proceed prior to formal concept plan approval (this is of special concern for large scale "development" projects). Perhaps, UDAC could benefit from a update meeting with Staff.

In any event, both Bruce and I have been discussing the need to meet with you to discuss the general issue of UDAC involvement and what would be the most appropriate way to ensure and implement UDAC involvement. I have also discussed the issue with SallyAnn Greer, past chair of UDAC. We look forward to the possibility of meeting with you, Gwen and Faroll. And we look forward to the opportunity of improving on our interaction/collaboration with Staff in order to improve the quality of the physical environment in OldTownNorth.

Respectfully and best wishes,

daniel straub APA ASLA RLA LEED
Planner/Landscape Architect
Alexandria, Virginia 22314
703.684.8575
dnstraub@netscape.net

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

From: Barbara Ross <Barbara.Ross@alexandriava.gov>
To: dnstraub <dnstraub@netscape.net>
Sent: Tue, Sep 6, 2011 5:33 pm
Subject: FW: SUP2011-0042 834 North Washington Street

Dan:

Staff is concerned that there seems to be uncertainty about UDAG's role with regard to planning applications. Under section 6-505, the zoning ordinance establishes the Urban Design Advisory Committee to assist the City in reviewing applications for *development* approval. The ordinance does not require that UDAG review non-development SUP cases, even if they are located within the Old Town North area. Planning staff does, however, as a courtesy, reach out to all citizen groups who may be interested in every non-development SUP case, in order that as many citizens as possible are aware of docket cases and have an opportunity to express their thoughts. Although we did not formally "schedule a review" by UDAG in the 834 North Washington case, we did contact UDAG when the application was filed and sought its input. You have communicated several times earlier this summer about the case with me, with Nathan Randall, and with the applicant's attorney. We have received your correspondence and are forwarding it to the Planning Commission for its consideration as part of the case.

We would very much like to schedule a meeting to discuss the general issue of UDAG involvement so that there is no confusion in the future. Please contact me so we can discuss further. Thanks, much.

Barbara Ross

Deputy Director
Planning and Zoning
(703)746-3802

From: Nathan Randall
Sent: Tuesday, September 06, 2011 11:24 AM
To: Barbara Ross
Subject: FW: SUP2011-0042 834 North Washington Street

From: dnstraub@netscape.net [mailto:dnstraub@netscape.net]
Sent: Friday, September 02, 2011 4:22 PM
To: Nathan Randall; Faroll Hamer
Cc: elardner@lardnerklein.com; bmachanic@mreproperties.com; mtavernini@aol.com; waudr@comcast.net
Subject: Re: SUP2011-0042 834 North Washington Street

Mr Randall,

Thank you for the response and partial explanation with respect to the need for a site plan. Can you also explain why a review of the project by UDAC was not scheduled?
By the way, the conditions for "landscaping improvements" are certainly an improvement in the review process.

daniel straub ASLA RLA LEED
Planner/Landscape Architect
Alexandria, Virginia 22314
703.684.8575
dnstraub@netscape.net

—Original Message—

From: Nathan Randall <Nathan.Randall@alexandriava.gov>

To: elardner <elardner@lardnerklein.com>; bmachanic <bmachanic@mreproperties.com>; mtavernini <mtavernini@aol.com>; waudr <waudr@comcast.net>; dnstraub <dnstraub@netscape.net>

Sent: Fri, Sep 2, 2011 1:10 pm

Subject: SUP2011-0042 834 North Washington Street

Members of the Old Town North Urban Design Advisory Committee:

The staff report for 834 North Washington Street SUP case (see link below) has been provided to the Planning Commission and we also wanted you to have a copy of it. Staff is supporting the proposed uses, and is requesting some landscaping improvements. Thank you for your consideration. We have communicated earlier with Dan Straub, who raised issues about the application and whether a site plan would be required. We explained at that time that only "development" cases require site plans, not pure "use" cases such as this one. If you have any questions, or if we can provide additional information, please feel free to contact me or Deputy Director Barbara Ross.

Regards,
Nathan Randall
Urban Planner II
City of Alexandria Department of Planning & Zoning

<http://dockets.alexandriava.gov/icons/pz/pc/CY11/090811/di9.pdf>



North Old Town Independent Citizens Civic Association of Alexandria, Virginia
P.O. Box 25571 Alexandria, VA 22313
703-838-7603

September 8, 2011

Sally Ann Greer, President

1168 North Pitt St., Alexandria, 22314

Re: 834 North Washington St. Remodeling two mechanical- repair bays, located within a working gas station, to be used as a site for the preparation of hot and cold Middle Eastern fast food site . The gasoline pumps are to continue working.

Attorney, Mary Catherine Gibbs, contacted me in regard to the above project. I was asked to inquire about how this change was viewed by the residents in the area. The overall reaction was positive to the addition of prepared food.

However, the following concerns were verbalized and discussed by all of the residents contacted:

1. Appearance of the site. Washington St. is within the Old and Historic area of Alexandria and the Guidelines for signage need to be followed for this site. It is one of the first business sites seen as one comes from the north on the George Washington Memorial Parkway.
2. It is located 50', the width of Montgomery St., from a new group of condominiums at 900 N. Washington St. These condos range from \$400,000. to \$500,000.00 and they have not been selling very well. The appearance of the changes at the gas station need to be in keeping with newly built condos.
3. Concern about the hours of operation and that the signage may reflect light into the windows of the condos across the street at night.
4. Parking – application simply states, “off site”. At this time parking is available on both sides of Montgomery (well used during business hours). Will customers park on the gas station site?
5. Entrance and Exit. How will the current bay doors be handled and how will customers come and go?
6. Cleanliness. Health Dept. must be involved during the complete renovation of the mechanical bays and supervise where and how food will be stored, prepared and displayed.

Respectfully submitted,

Sally Ann Greer, President
Sally Ann Greer, President

SPEAKER'S FORM

DOCKET ITEM NO. 10

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 N. Washington St.
TELEPHONE NO. 703-836-5757 **E-MAIL:** mch.hcgk@verizon.net
3. **WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF?**
The 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
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.