

EXHIBIT NO. 1

3
3-17-07

Docket Item #4
SPECIAL USE PERMIT #2006-0121

Planning Commission Meeting
March 6, 2007

ISSUE: Consideration of a request for the continuance of a nonconforming convenience store use.

APPLICANT: 7-Eleven, Incorporated
by Maynard Sipe, attorney

STAFF: James Hunt, Planner
james.hunt@alexandriava.gov

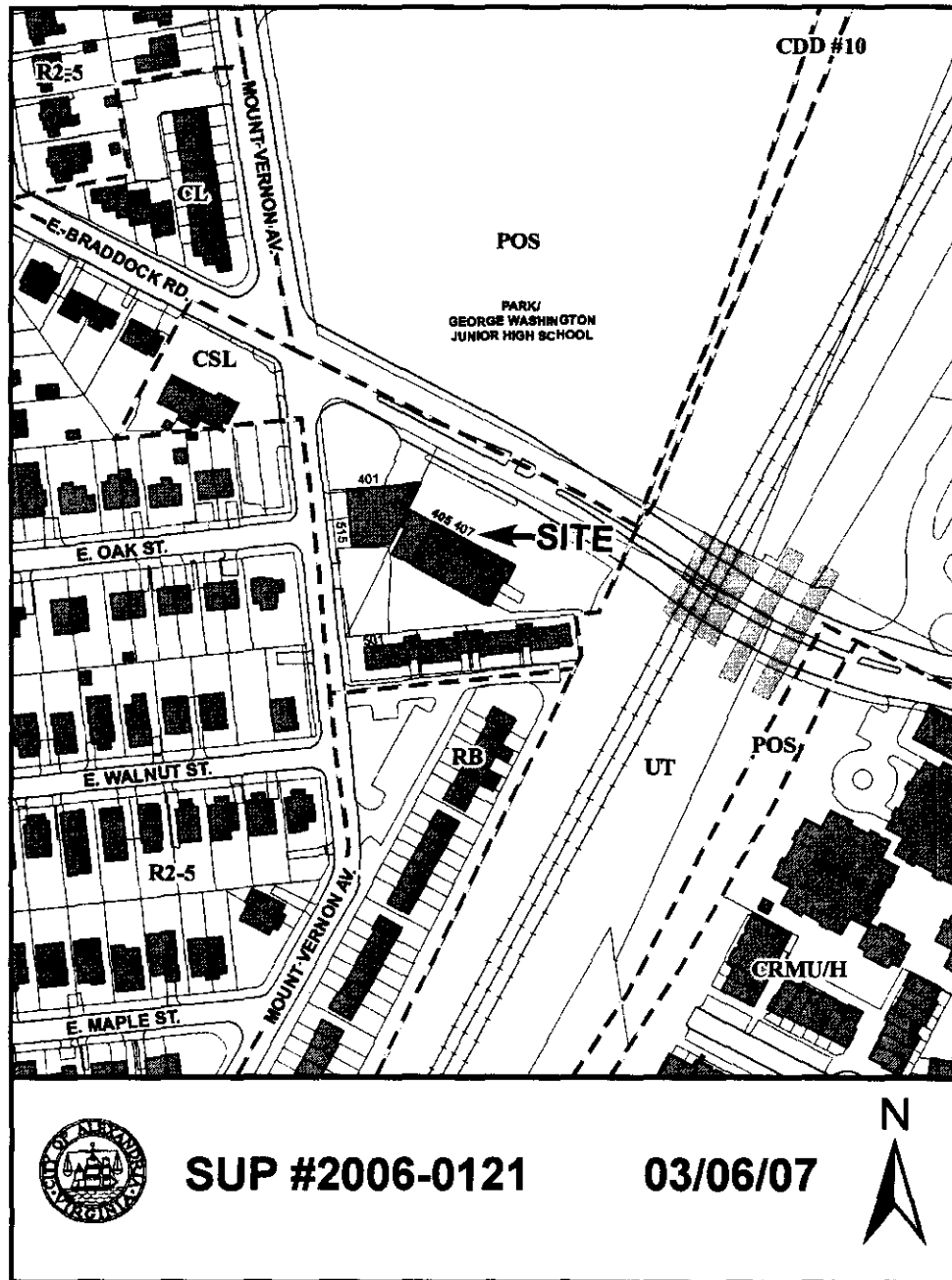
LOCATION: 405 East Braddock Road (Unit Address: 407 East Braddock Road)

ZONE: CSL/Commercial Service Low

PLANNING COMMISSION ACTION, MARCH 6, 2007: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

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



I. DISCUSSION

REQUEST

The applicant, 7-Eleven Inc., requests special use permit approval for the continued operation of a nonconforming convenience store located at 405 East Braddock Road.

SITE DESCRIPTION

The subject property is one lot of record with 234 feet of frontage on East Braddock Road, 76 to 233 feet of depth, with a total lot area of approximately .85 acres. The site is developed with a small neighborhood retail center, owned by the Southland Corporation (7-Eleven), that contains approximately 5,064 square feet and is divided into four commercial spaces which include the 7-Eleven, a beauty salon, cleaners, and a Subway restaurant. The store is 5,573 square feet in size.



SURROUNDING USES

To the north of the site is the George Washington Middle School. To the east is the Braddock Road Metro Station and Colecroft development. To the west is a one story building occupied by Kaufman's office equipment. To the south are single family residences.

BACKGROUND

On May 14, 2005, City Council approved Special Use Permit #2005-0016, to operate a nonconforming convenience store use.

At the time of approval of the SUP, it was anticipated that the 7- Eleven site would be redeveloped within two years. Redevelopment of the site is expected to incorporate the existing 7-Eleven store and other existing and new uses into a small, well designed and neighborhood compatible commercial area. Based on this anticipated time table, staff recommended that the special use permit be reviewed in two years after the date of approval to coincide with the anticipated redevelopment of the property.

On February 2, 2007, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

PROPOSAL

The applicant requests a two year extension to finalize redevelopment plans for the property. The 7-Eleven store is a typical convenience retail store selling a variety of goods including food and beverages, which are consumed off the premises.

7-Eleven has been working with the City to review options for redevelopment of the property in conjunction with the adjoining two property owners at the corner of Braddock and Mount Vernon Avenue, which includes the City and Yates Holdings, LLC. Since the approval of SUP#2005-0016, the applicant has had the property surveyed and appraised as a part of the redevelopment efforts. 7-Eleven has reviewed several conceptual redevelopment plans and has had some preliminary discussion with the adjoining landowner.

The proposed redevelopment is proposed to include a new 7-Eleven store. While redevelopment plans are being refined, the applicant requests approval of a SUP to allow the convenience store use for an additional two years. This should provide adequate time to conclude the redevelopment planning and submission of a SUP for the revised site layout of a new store.

The 7-Eleven will continue to operate as follows:

<u>Hours:</u>	The store is open 24 hours a day.
<u>ABC License:</u>	The store has an Alcoholic Beverage Control license for off-premise sale of beer and wine between the hours of 6:00 a.m. and midnight.
<u>Landscaping:</u>	At staff's suggestion, the applicant will be maintaining landscaping according to the attached plan.
<u>Parking:</u>	There are thirteen parking spaces provided for the center, which will remain. Section 8-200 (F) (1) of the Zoning Ordinance states that any land that was in use on June 25, 1963, is not required to provide off-street parking to meet the current zoning. In this case, the store has been operating at this location since 1960; therefore, there is no technical parking requirement.
<u>Trash Dumpster and Litter:</u>	Trash generated is typically solid waste from a small retail establishment, largely consisting of paper, cardboard and plastic. The applicant anticipates approximately 36 cubic yards each week of recycling and waste. Trash is picked up by a private hauler several times per week. The dumpster is enclosed with a fence. Store employees perform a minimum of two litter walks per day to

pick up litter around the store. Additional litter walks are performed three times per week by a contractor. To control litter, there are three private trash cans located on the property, and one City trash can located along the sidewalk.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CSL/Commercial Service Low zone. The CSL zone allows a convenience store only with a special use permit.

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for uses compatible with CSL zoning.

II. STAFF ANALYSIS

Staff does not object to the continuation of the 7-Eleven at 405 East Braddock Road for an additional two years. Staff finds that the use is consistent with other neighborhood uses and provides a valuable convenience retail service needed for the area. Subsequent to the previous SUP approval, the applicant has complied with the requested landscaping and parking lot improvements.

Staff maintains the standard conditions that have been included in other 7-Eleven stores throughout the city, including the prohibition of single sales of alcoholic beverages.

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

III. RECOMMENDED CONDITIONS

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

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP#2005-0016)
2. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z) (T&ES)(SUP#2005-0016)
3. No food, beverages, or other material shall be stored outside. (P&Z) (SUP#2005-0016)

4. Outdoor storage shall be limited to firewood. The firewood shall be located inconspicuously in a rack at the front of the store to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP#2005-0016)
5. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of 40 fluid ounces or more. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (Police) (SUP#2005-0016)
6. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be permitted to accumulate on site outside of those containers. Trash collection shall occur between 7:00 a.m. and 8:00 p.m. (P&Z) (PC) (SUP#2005-0016)
7. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police) (SUP#2005-0016)
8. The applicant shall require its employees who drive to work to use off-street parking. (P&Z) (SUP#2005-0016)
9. No seats or tables shall be provided for the use of patrons. (P&Z) (SUP#2005-0016)
10. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements, and on how to prevent underage sales of alcohol. (P&Z) (SUP#2005-0016)
11. Lighting shall be to the satisfaction of the Director of Transportation and Environmental Services in consultation with the Chief of Police. (P&Z) (SUP#2005-0016)
12. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)(SUP#2005-0016)
13. The applicant shall repair the potholes in the parking lot within 60 days of the approval of this permit to the satisfaction of the Directors of T&ES and Planning and Zoning. (T&ES) (P&Z) (SUP#2005-0016)

14. The applicant shall install, and thereafter maintain in good condition, landscaping according to the attached landscaping plan to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Services. The landscaping shall be installed within 60 days of the approval of this permit. (P&Z) (SUP#2005-0016)
15. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP#2005-0016)
16. The applicant shall maintain the dumpster screening in good condition. (P&Z) (SUP#2005-0016)
17. Lighting on the property shall be shielded to prevent glare on adjacent properties. (P&Z) (SUP#2005-0016)
18. **CONDITION AMENDED BY STAFF:** This permit shall ~~expire two years after City Council approval~~ expire on May 14, 2009. (P&Z) (SUP#2005-0016)
19. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (Police) (SUP#2005-0016)
20. **CONDITION ADDED BY STAFF:** The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)

21. **CONDITION ADDED BY STAFF:** Applicant shall provide the City \$2,000.00 for two Model SD-42 Bethesda Series litter receptacles for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
22. **CONDITION ADDED BY STAFF:** Replace all required landscaping that is dead, missing or in poor condition. (RP&CA)
23. **CONDITION ADDED BY STAFF:** Maintain landscaping to be free of litter and weeds and endue plants receive proper care. (RP&CA)

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning;
James Hunt, Urban Planner.

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

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 Loudspeakers shall be prohibited from the exterior of the building.
- R-2 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- R-3 Applicant shall provide the City \$2,000.00 for two Model SD-42 Bethesda Series litter receptacles for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
- R-4 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 Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.
- C-2 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).

Code Enforcement:

- F-1 No comment.

Health Department:

F-1 No comment.

Police Department:

F-1 The Police Department has no objections to the continued operation of the 7-11 located at 411 (405) E. Braddock Road for another two years while planning for redevelopment proceeds as long as the alcohol conditions listed below continue in force.

The applicant is seeking an "ABC Off" license only. The Police Department has no objections to the sale of alcohol off premise subject to the following conditions:

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

Recreation, Parks, & Cultural Activities

R-1 Replace all required landscaping that is dead, missing or in poor condition.

R-2 Maintain landscaping to be free of litter and weeds and endue plants receive proper care.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0121

PROPERTY LOCATION: 405 East Braddock Road

TAX MAP REFERENCE: 53.04-6-2 **ZONE:** CSL

APPLICANT

Name: 7-Eleven, Inc.

Address: 5300 Shawnee Road, Alexandria, VA 22312

PROPERTY OWNER

Name: 7-Eleven, Inc. (formerly The Southland Corporation)

Address: PO Box 711, Dallas, TX 75221-0711

PROPOSED USE: Convenience store

☒ **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

☒ **THE UNDERSIGNED** hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Michael R. Vanderpool, Esquire

Maynard Sipe, Esquire

Print Name of Applicant or Agent

Vanderpool, Frostick & Nishanian, P.C.

9200 Church Street, Suite 400

Mailing/Street Address

Manassas, Virginia 20110

City and State Zip Code

Signature Maynard Sipe

(703) 369-4738 (703) 369-3063

Telephone # Fax #

msipe@vfnlaw.com

Email address

22 December 2006

Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: 12-27-06 Date & Fee Paid: \$ 500.00 12/27/06

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

SUP #

2006-0121

**APPLICATION****SPECIAL USE PERMIT**

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

1. 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, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

IYG Holding Co.

4-1-4 Shibakoen

Minato-ku, Tokyo

Japan 105

72.51% of common stock

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 11" x 17" or smaller. Twenty-four copies are required for plans larger than 11" x 17" 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.

SUP # 2006-0121

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 include 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.)

See Attached.

**SPECIAL USE APPLICATION
7-Eleven, Inc.**

405 East Braddock Road, Alexandria

WRITTEN NARRATIVE

7-Eleven, Inc. ("7-Eleven"), formerly The Southland Corporation, is the owner of the property described in the City of Alexandria land records as Tax Map Parcel Number 053.04-06-02 and having a street address of 405 East Braddock Road, Alexandria, Virginia (the "Property"). 7-Eleven requests approval of a Special Use Permit (SUP) to continue operating the existing use of a convenience store (the "Store") for two years. This request is in accordance with Section 12-214 of the City of Alexandria's Zoning Ordinance that requires such SUP for continuance of any existing legal non-conforming use.

7-Eleven currently operates the Store under a SUP approved on May 14, 2005 (SUP 2005-0016). This existing SUP permitted continued operation of the existing store for two years, with the understanding that 7-Eleven would pursue redevelopment of the Property, preferably in conjunction with an adjoining landowner and the City. 7-Eleven has steadily pursued such redevelopment since the existing SUP was approved, but needs additional time to finalize a redevelopment plan and conclude negotiations with the adjoining landowner and the City. 7-Eleven is thus requesting a new SUP to allow continued operation of the Store for another two years while planning for redevelopment proceeds.

Property and Store Description

The Property comprises approximately 36,997 square feet and is designated as Commercial Service Low (CSL) zoning district. The Store itself is approximately 2,735 square feet in size, and is part of an approximately 5,095 square foot retail shopping center.

The Store is located on Braddock Road at its intersection with Mt. Vernon Avenue. The surrounding area is one of mixed uses including both commercial and residential uses. 7-Eleven has operated the existing convenience store on the Property since 1960. The Store is well integrated into the community and provides a valuable service to residents of the immediate neighborhood.

Nature of Activity

The 7-Eleven store is a typical convenience retail store selling a variety of goods including food and beverages. The Store provides quick and convenient shopping and goods are typically purchased in small quantities. Food and beverages are purchased by customers for consumption off premises. The Store is open 24 hours a day, 365 days a year.

Redevelopment

7-Eleven is working with an adjoining landowner and the City to redevelop the Property as part of a larger redevelopment project for the commercial zoned properties at the corner of Mount Vernon Avenue and Braddock Road. Over the course of the past two years, 7-Eleven has had the Property surveyed and appraised as part of the redevelopment efforts. 7-Eleven has reviewed several conceptual redevelopment plans as part of its negotiations with the adjoining landowner. 7-Eleven has also met with City Planning staff to apprise them of the progress in redevelopment planning. While redevelopment plans continue to be refined, 7-Eleven requests approval of a SUP to allow it to continue the existing convenience store use for two more years. This should provide adequate time to conclude redevelopment planning and submission of a SUP request based upon a new site layout.

Parking

Existing parking is adequate for the Store's level of operations. Since the existing non-conforming use was established prior to 1992, the existing parking is grandfathered.

Waste Management

Trash generated is typical solid waste from a small retail establishment, largely consisting of paper, cardboard and plastic. Trash is picked up by a private hauler several times per week.

Store employees perform a minimum of two litter walks per day to pick up litter around the Store and the adjacent public right-of-way. Additional litter walks are performed three times per week by a contractor.

Improvements

7-Eleven has provided new landscaping on the Property comprised of evergreen shrubs to screen the existing parking area, and shrubs and trees along the edge of the property near the railroad tracks. As this SUP will be for a short duration of time, and the site is to be completely redeveloped with new construction, no further physical improvements to the Property are proposed at this time.

Conclusion

The nature of the existing convenience store use and its scale of operations have proven compatible with the neighborhood and the existing uses in the surrounding area and, thus, no significant change in operations is necessary. 7-Eleven will continue to work closely with an adjoining landowner and the City of Alexandria to adopt a redevelopment plan for the site. Approval of the requested SUP will permit the Store to continue providing convenience shopping for residents of the immediate neighborhood until redevelopment plans are finalized.

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: Continuation of non-conforming use (under Section 12-214 of
the zoning ordinance.

5. Please describe the capacity of the proposed use:**A.** How many patrons, clients, pupils and other such users do you expect?

Specify time period (i.e., day, hour, or shift).

Approximately 1,100 to 1,500 customers per day**B.** How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

Maximum of four employees per shift.Approximately twelve employees total.**6.** Please describe the proposed hours and days of operation of the proposed use:

Day:

365 days per year

Hours:

24 hours per day**7.** Please describe any potential noise emanating from the proposed use.**A.** Describe the noise levels anticipated from all mechanical equipment and patrons.No significant noise beyond that generated by typical retailbusiness activities.**B.** How will the noise from patrons be controlled?No significant noise from patrons anticipated.

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

No significant odors generated by use.

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?

Typical solid waste from small retail establishment (consisting largely of paper, cardboard and plastic).

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

Approximately 32 yards of trash and 16 cubic yards of recyclables per week.

C. How often will trash be collected?

Multiple pick ups (by BFI) per week.

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

Contract with outside vendor for "litter walk" around property and adjacent sidewalks three times per week. Employees will perform litter walks twice per day on the property.

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:

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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. [x] No.

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

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

Store has closed-circuit TV and monitored alarm system.

ALCOHOL SALES

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

[x] 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.

Current ABC license for off-premises sale of beer and wine 6 a.m. to 12 a.m. (midnight).

Alcohol sales are restricted in accordance with Condition 5 of the existing SUP. No change in alcohol sales is proposed.

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?

13

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

- 7 Standard spaces (delineated)
 Compact spaces
1 Handicapped accessible spaces.
6 Other. Shared parking with other tenants. Additional undelineated parking also available on site.

C. 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?

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:

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

One space.

B. How many loading spaces are available for the use? None delineatedC. Where are off-street loading facilities located? Undelineated area is available for

loading on-site adjacent to store.

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

A consolidated delivery is made to minimize the number of truck deliveries.

Large truck deliveries are scheduled to comply with the City's noise ordinance.

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

Consolidated deliveries arrive daily. Other vendors deliver several times per

week. Typically, three or four trucks deliver per 24-hour period.

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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?

Existing 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? 0 square feet.

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

approx. 2735 sq. ft. (existing) + 0 sq. ft. (addition if any) = 2735 sq. ft. (total) approx.

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

☐ a stand alone building ☐ a house located in a residential zone ☐ a warehouse

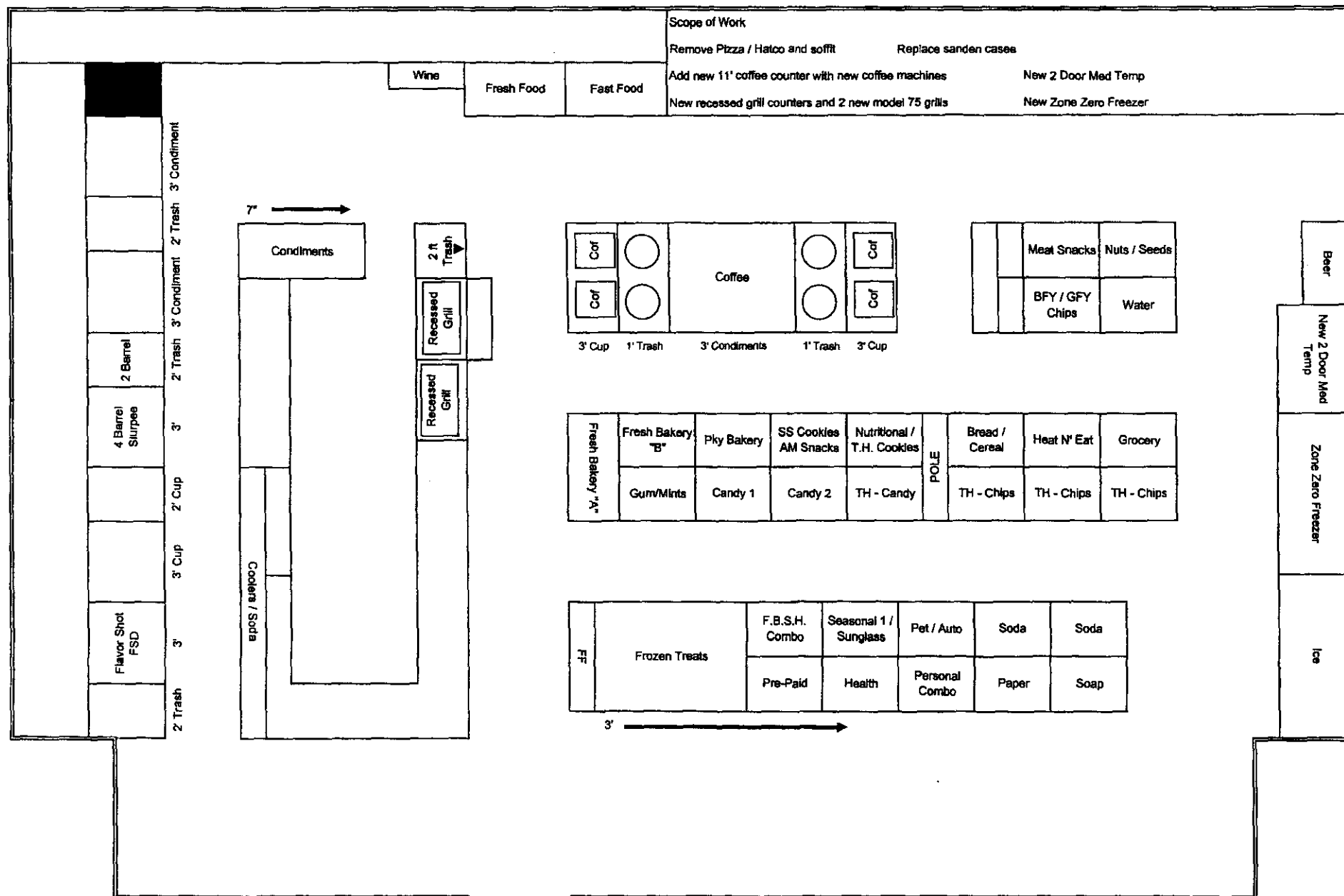
☒ a shopping center. Please provide name of the center: None

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

☐ other. Please describe: _____

Chesapeake Division

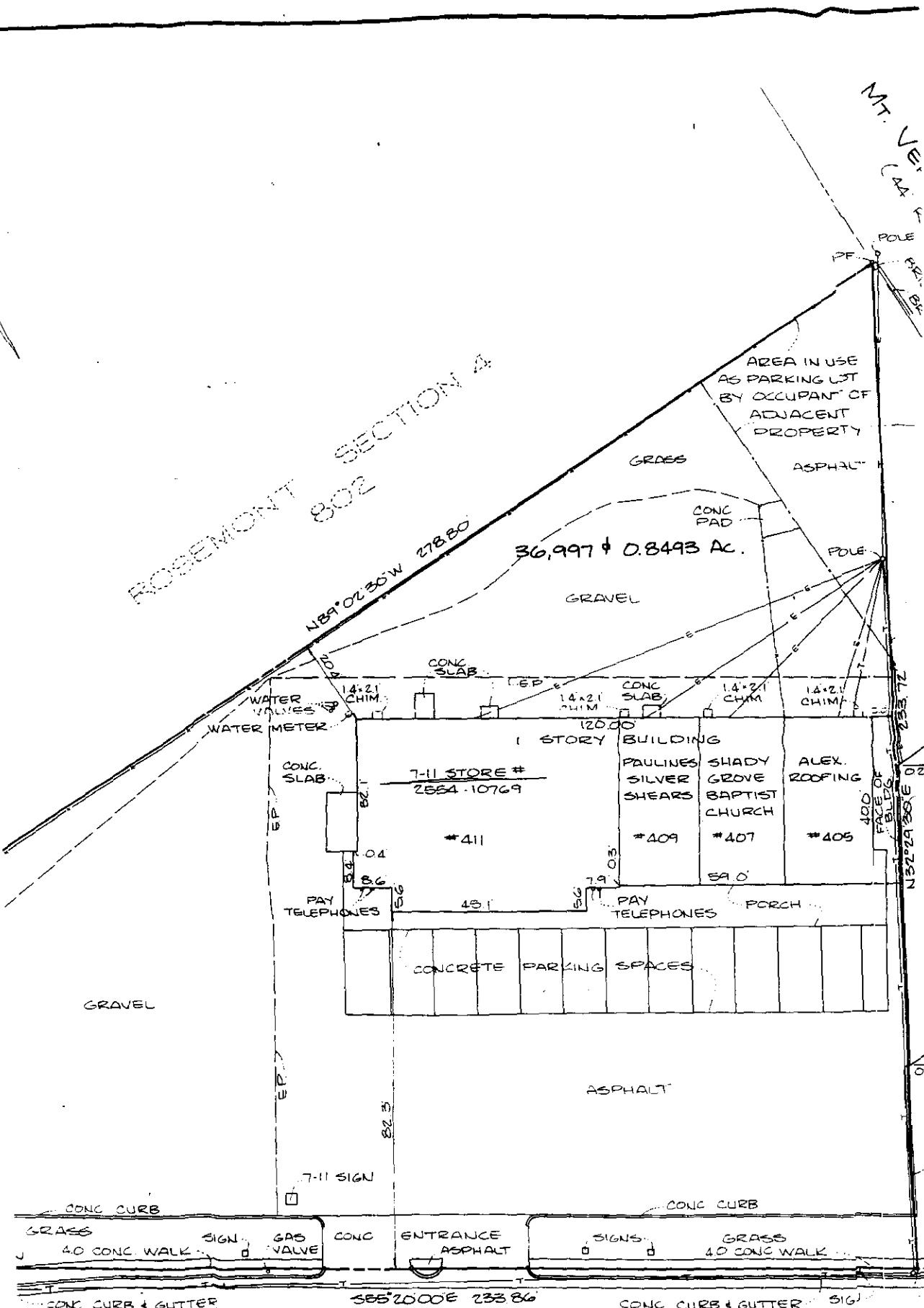
Spring / Summer 2004



SLIP 2006-0121

ROSEMONT SECTION 4
802

MT. VERNON (44' E)



BRADDOCK ROAD
(60' R/W)

SUP 2006-0121

Del Ray Citizens Association 3 3-17-07

Established 1954
delraycitizens@yahoo.com

P.O. Box 2233, Alexandria, VA 22301
<http://www.delraycitizen.org>

March 2, 2007

Acting Director Rich Josephson
Department of Planning and Zoning
301 King Street, Room 2100
Alexandria, VA 22314

Subject: SUP# 2006-0121; 7-Eleven

Dear Mr. Josephson,

At their meeting of February 19, 2007 the Executive Board concurred with the analysis and recommendation made by the Land Use Committee. On behalf of the general membership the Executive Board supports the applicant's request for a 2-year extension of their current SUP that allows continued operation of a non-conforming use. We expect all conditions of the existing SUP to remain in force and that 7-Eleven will adhere to any recently adopted City policies.

A Land Use Committee discussion with 7-Eleven's legal representative, Maynard Sipe, and with Planning staff confirm that the applicant is in negotiations with adjacent parcel owners regarding site redevelopment - general layout and the overall design. Mr. Sipe shared comments he'd received from the Police Department, Department of Transportation and Environmental Services, and the Recreation, Parks and Cultural Affairs Department that had no objection to a temporary continuance of the SUP.

We look forward to presentation of specific plans in the future as promised by Mr. Sipe.

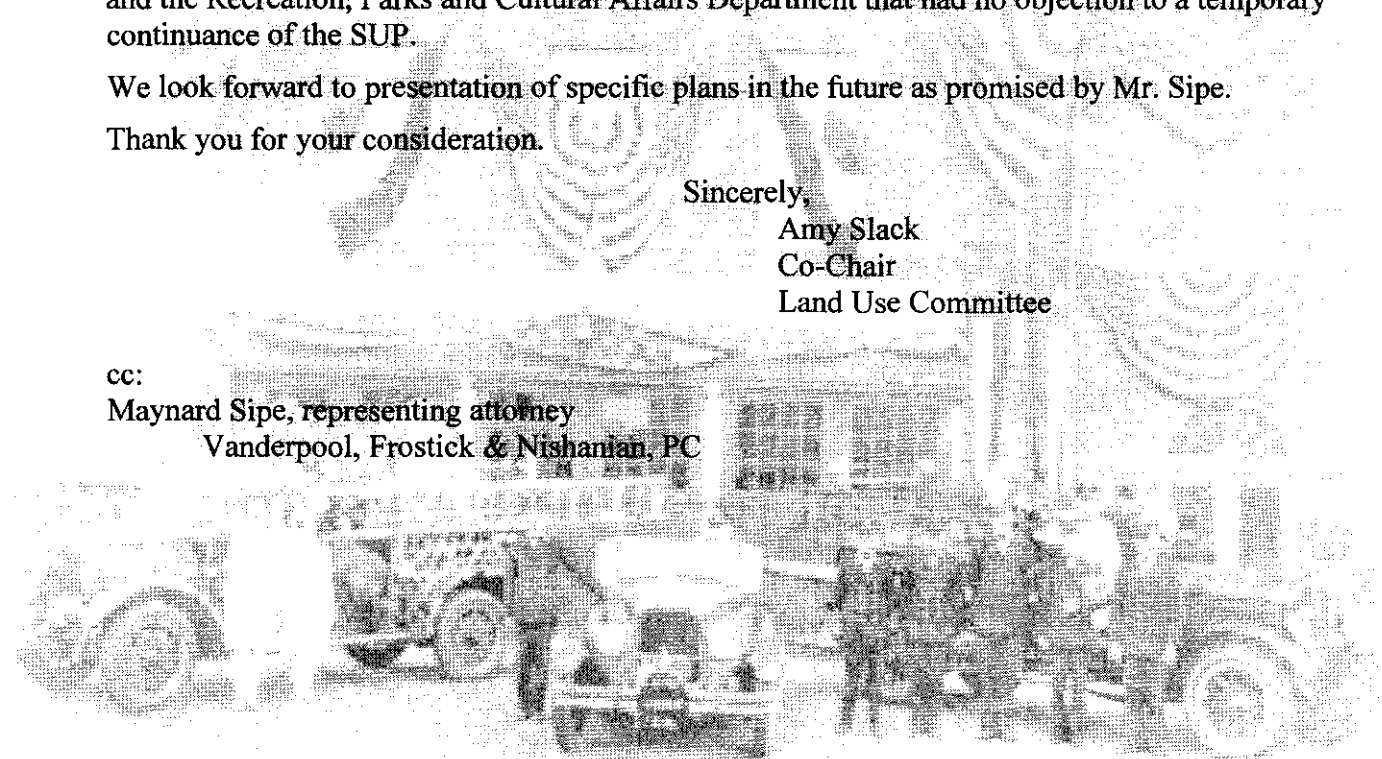
Thank you for your consideration.

Sincerely,

Amy Slack
Co-Chair
Land Use Committee

cc:

Maynard Sipe, representing attorney
Vanderpool, Frostick & Nishanian, PC



*Celebrating 100 years of the Town of Potomac
1908 - 2008*



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2006-0121

PROPERTY LOCATION: 405 East Braddock Road

TAX MAP REFERENCE: 53.04-6-2 **ZONE:** CSL

APPLICANT

Name: 7-Eleven, Inc.

Address: 5300 Shawnee Road, Alexandria, VA 22312

PROPERTY OWNER

Name: 7-Eleven, Inc. (formerly The Southland Corporation)

Address: PO Box 711, Dallas, TX 75221-0711

PROPOSED USE: Convenience store

[X] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[x] **THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

[X] **THE UNDERSIGNED** hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Michael R. Vanderpool, Esquire
Maynard Sipe, Esquire
Print Name of Applicant or Agent
Vanderpool, Frostick & Nishanian, P.C.
9200 Church Street, Suite 400
Mailing/Street Address
Manassas, Virginia 20110
City and State Zip Code

Maynard Sipe
Signature
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Telephone # Fax #
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Email address
22 December 2006
Date

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

Application Received: 12-27-06 Date & Fee Paid: \$ 500.00 12/27/06
ACTION - PLANNING COMMISSION: By unanimous consent, recommended approval 3-6-07
ACTION - CITY COUNCIL: 3/17/07 - CC approved PC Recommendation 7-0