EXHIBIT NO. 16
3-14-09

DOCKET ITEM #7

Special Use Permit #2008-0095**411 East Braddock Road (Parcel Add.: 405 E. Braddock Rd.)**

Application		General Data	
Request: Consideration of a request for the continuance of a convenience store use	Planning Commission Hearing:	March 5, 2009	
	City Council Hearing:	March 14, 2009	
Address: 411 East Braddock Rd (Parcel Address: 405 East Braddock Rd.)	Zone:	CSL/Commercial Service Low	
Applicant: 7-Eleven, Incorporated by Michael Vanderpool	Small Area Plan:	Potomac West	

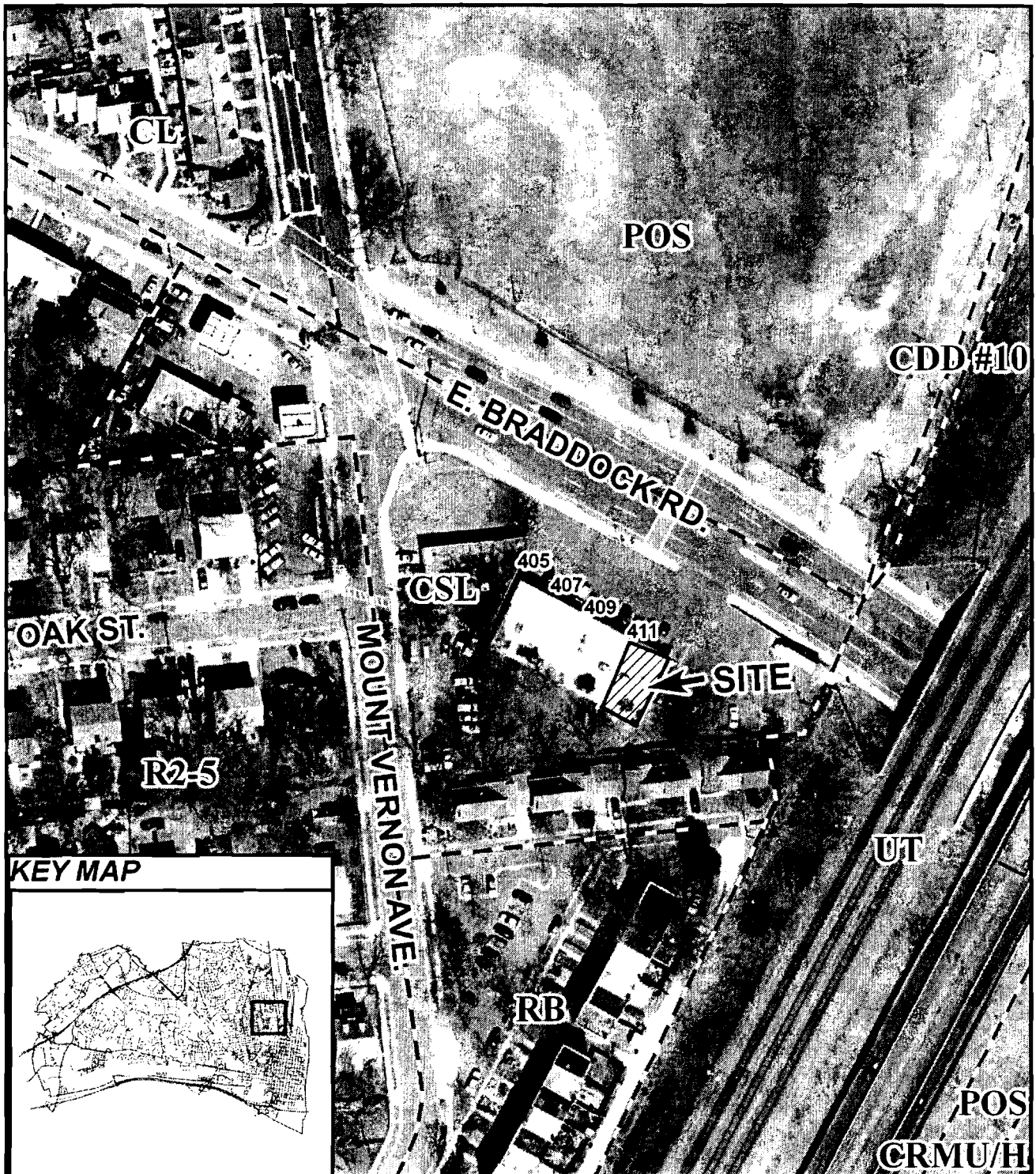
Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

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

PLANNING COMMISSION ACTION, MARCH 5, 2009: 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.

CITY COUNCIL ACTION:



SUP #2008-0095

03/05/09



I. DISCUSSION

REQUEST

The applicant, 7-Eleven Inc., requests special use permit approval for the continued operation of a convenience store located at 411 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, and 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 7-11 store is 2,735 square feet in size.



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 commercial building. 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. Approximately two years later, on March 17, 2007, City Council approved Special Use Permit #2006-0121 for the continued use of the convenience store while plans for redevelopment continued. At that time City Council conditioned an expiration date of May 2009 for the Special Use Permit.

In April 2008 staff discovered violations of the prior SUP through its routine inspection program and issued a warning ticket. These violations were subsequently corrected. On February 19, 2009 staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found two minor violations of the special use permit that have since been corrected.

PROPOSAL

The applicant requests a two-year extension of the convenience store use 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 consumed off premises. No changes in store operations, as indicated below, have been proposed.

<u>Hours</u>	The store is open 24 hours a day.
<u>Alcohol</u>	The store has an Alcoholic Beverage Control license for off-premises sale of beer and wine between the hours of 6:00 a.m. and midnight.
<u>Continuation of Use</u>	The applicant seeks to extend the SUP two additional years to expire in March 2011.
<u>Customers</u>	Approximately 1,100 – 1,500 customers per day
<u>Noise</u>	Typical retail business noise, no significant noise from customer patrons is expected
<u>Trash/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 two City trash cans located along the sidewalk.

PARKING

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 and therefore there is no technical parking requirement.

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 applicant's request to extend the Special Use Permit expiration date for an additional two years. Prior to approval of SUP#2006-0121, 7-Eleven worked 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. The proposed redevelopment would include a new 7-Eleven store.

Since approval of the prior SUP in March 2007, 7-Eleven and Yates Holdings, LLC have been in discussions on a potential redevelopment project. The two parties indicated at a meeting with staff on February 5, 2009 that Yates Holdings would be the primary developer for the project. Under a potential redevelopment scenario, the company would purchase both the Southland Corporation (7-Eleven) property and the City-owned parcel at the corner of Mt. Vernon Avenue and Braddock Road. Yates Holdings LLC anticipates submitting a concept plan for staff review in the next several months.

While redevelopment plans are being refined, and while the project proceeds through the public outreach and City review process, the applicant requests the continuation of the SUP for an additional two years. Staff believes that this is an acceptable timeframe but has conditioned the continuation for three years instead of two years. This will afford the applicant more time to complete redevelopment plans and obtain City approval, especially considering the current economic climate.

Subject to the conditions contained in Section III of this report, staff recommends approval of the applicant's 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 only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP#2005-0016)
2. **CONDITION AMENDED 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. (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. **CONDITION PARTIALLY SATISFIED AND AMENDED BY STAFF:** The applicant shall ~~repair the potholes in~~ maintain 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. **CONDITION SATISFIED:** ~~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 on ~~May 14, 2009~~ March 14, 2012, or three years from City Council approval, whichever is later. (P&Z) (SUP#2006-0121)
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. 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 SATISFIED:** ~~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) (SUP#2006-0121)~~
22. **CONDITION AMENDED BY STAFF:** Landscaping shall be reviewed on an annual basis to ensure compliance with landscape plans and SUP conditions. The applicant shall replace all required landscaping that is currently dead, missing or in poor condition, within 90 days of City Council approval, to the satisfaction of the Directors of Recreation, Parks and Cultural Activities and Planning and Zoning. The applicant shall also thereafter replace all required landscaping that is in the future becomes dead, missing or in poor condition. (RP&CA) (SUP#2006-0121)
23. Maintain landscaping to be free of litter and weeds and ensure plants receive proper care. (RP&CA) (SUP#2006-0121)

24. **CONDITION ADDED BY STAFF:** Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
25. **CONDITION ADDED BY STAFF:** The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services. (T&ES)
26. **CONDITION ADDED BY STAFF:** Deliveries, loading, and unloading activities, excepting fresh food deliveries by panel trucks, shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

STAFF: Richard Josephson, 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 Payment for 2 trash cans required by SUP2006-0121 made May 22, 2008. (T&ES)
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
- 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. (T&ES)
- R-3 Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-4 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
- R-5 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-6 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)
- R-7 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)
- 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).

- 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 No Comment

Health Department:

- F-1 No Comment

Parks and Recreation:

- R-1 Replace all required landscaping that is dead, missing or in poor condition within 90 days of City Council approval, to the satisfaction of the Directors of Recreation, Parks and Cultural Activities and Planning and Zoning. (RP&CA)
- R-2 Landscaping shall be reviewed on an annual basis to ensure compliance with landscape plans and SUP conditions. (RP&CA)
- R-3 Maintain landscaping to be free of litter and weeds and endue plants receive proper care. (SUP2006-0121) (RP&CA)

Police Department:

- F-1 The Police Department has no objections to the approval of this SUP allowing continued operations for 7-eleven, a non-conforming convenience store.



APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2008-0095

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

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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

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

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

Michael R. Vanderpool, 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] 12/9/08
Signature Date
(703) 369-4738 (703) 369-3653
Telephone # Fax #
mvanderpool@vfnlaw.com
Email address

ACTION-PLANNING COMMISSION:	DATE:
ACTION-CITY COUNCIL:	DATE:

SUP # 2008-0075

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 405 East Braddock Road, I hereby
(Property Address)
grant the applicant authorization to apply for the SUP use as
(use)
described in this application.

Name: 7-Eleven, Inc. (Formerly the Southland Corp.)

Phone 702-658-8567

Please Print
Address: P. O. Box 711, Dallas, TX 75221-0711

Email BOB.FITZGERALD@711.COM

Signature: [Signature]

Date: 12/10/08

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.

IYG Holding Co.

4-1-4 Shibakoen

Minato-Ku, Tokyo

Japan 105

72.51% of common stock

SUP # 2008 0095

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.)

See Attached.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

7-Eleven, Inc.
405 East Braddock Road

SUP 2008 0015

SUP Application

Issue Description

7-Eleven, Inc. requests approval of a Special Use Permit to allow continued operation of an existing convenience store located at 405 East Braddock Road. No changes to the site or to the current operations of the store are proposed.

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

SUP 2008 0095

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 12-200 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 March 17, 2007 (SUP 2006-0121). This existing SUP permitted continued operation of the existing store until May 14, 2009, 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 operate the Store will approval is obtained from the City for the redevelopment plan. 7-Eleven is thus requesting a new SUP to allow continued operation of the Store for another two years while approval is obtained for redevelopment and the redevelopment work is undertaken which will include razing the existing structure at a future date.

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. 7-Eleven and the adjacent property owner are close to finalizing the legal documents necessary for the project to proceed. Once that occurs, the adjacent property

owner will process the approvals necessary for the redevelopment. 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 the redevelopment, including approval 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

SUP2008-0075

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 is complete.

V:\Company\7-Eleven\Alexandria SUPs\Braddock Road\SUP Application 2008\Braddock Road Narrative_120908_Bgs.doc

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: Continuation of non-conforming use (under section 12-200
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 a 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 retail business
activities.

- B. How will the noise 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? (i.e. office paper, food wrappers)

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? (i.e. # of bags or pounds per day or per week)

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

- C. How often will trash be collected?

Multiple pick ups 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. ☒ No.

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

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

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

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

Store has closed-circuit TV and monitored alarm system.

ALCOHOL SALES

13.

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

☒ Yes ☐ No

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

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 (SUP 2006-0121). No change in alcohol sales is proposed.

PARKING AND ACCESS REQUIREMENTS

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

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

<p align="center">Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A <u> </u></p> <p>Does the application meet the requirement?</p> <p 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? None delineated.

<p align="center">Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 <u> </u></p> <p>Does the application meet the requirement?</p> <p align="center"><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
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B. Where are off-street loading facilities located? Undelineated area is available for loading on-site adjacent to store.

C. 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.

D. 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.

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)

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: _____

End of Application

B.664-10767

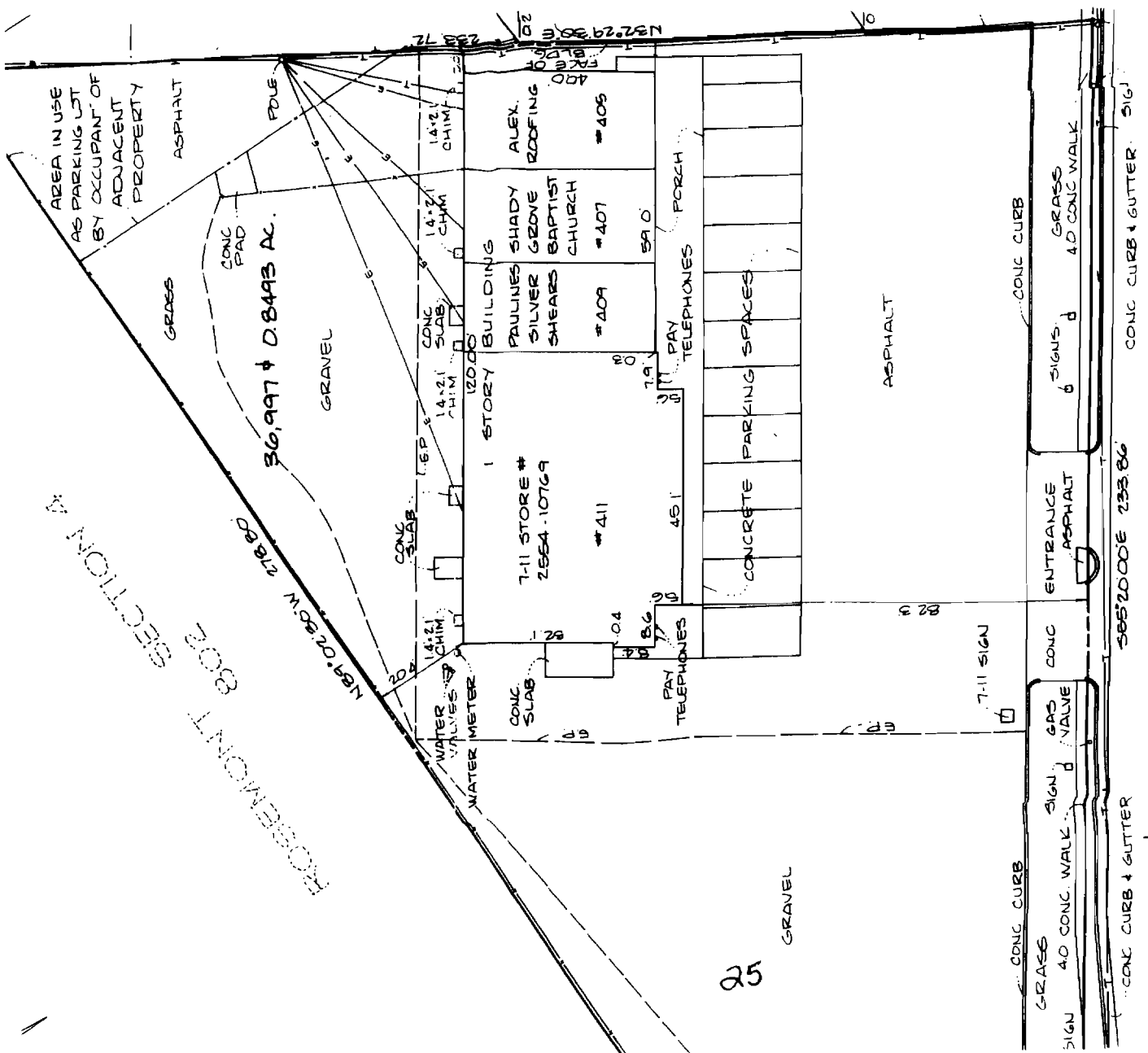
3ft. Wire Shelving

The floor plan shows a food service area with the following stations and equipment:

- Top Left:** A long counter area with a "Wine" station, "Fast Food", and "Fresh Food" stations. Above this counter is a "Scope of Work" section with three columns: "Remove Pizza / Halco and soft", "Replace sanden casse", and "New 2 Door Med Temp". Below the counter are three trash bins labeled "2 Trash", "3 Condiment", and "2 Trash 3 Condiment".
- Top Center:** A "Condiments" station with a "2 Trash" bin and a "Recessed Grill" bin.
- Top Right:** A "Coolers / Soda" station with a "2 Trash" bin and a "Recessed Grill" bin.
- Bottom Left:** A "Beer" station with a "New 2 Door Med Temp" freezer and a "Zone Zero Freezer".
- Bottom Center:** A "Meat Snacks" station with a "Nuts / Seeds" bin and a "Water" bin. Below this is a "Coffee" station with a "3 Cup" bin and a "1' Trash" bin. To the right of the coffee station is a "3 Cup" bin and a "3' Cup" bin.
- Bottom Right:** A "Fresh Bakery" station with a "Fresh Bakery 'A'" bin and a "Fresh Bakery 'B'" bin. To the right of the bakery station is a "Nutritional / T.H. Cookies" bin and a "TH - Chips" bin. Below the bakery station is a "TH - Chips" bin and a "TH - Chips" bin. To the right of the chips bin is a "Soda" bin and a "Soap" bin.
- Far Right:** A "Frozen Treats" station with a "FF" bin and a "Frozen Treats" bin. To the right of the frozen treats bin is a "Pet / Auto" bin and a "Personal Combo" bin. Below the frozen treats bin is a "Seasonal 1 / Sunglass" bin and a "Health" bin. To the right of the health bin is a "Pre-Paid" bin and a "Pre-Paid" bin. Below the pre-paid bin is a "F.B.S.H. Combo" bin and a "F.B.S.H. Combo" bin. To the right of the F.B.S.H. bin is a "Soda" bin and a "Soda" bin.

2554 - 10769 SUP Remodel
Sub./Blk.

SUP2008 0095



BRADDOCK ROAD
(600 R/W)

SPEAKER'S FORM

DOCKET ITEM NO. 6

**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: PAUL GAUTHIER
2. ADDRESS: 200 CHURCH ST, SUITE 400, MANASSAS, VA 20110
TELEPHONE NO. 703-369-4738 E-MAIL ADDRESS: pgauthier@vfnlaw.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? 7 ELEVEN INC ITEM #6 SPECIAL EXCEPTION 1
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: ✓ 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 ✓ 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, except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard on a docket item shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation. If you have a prepared statement, please leave a copy with the Clerk.

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

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

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

Guidelines for the Public Discussion Period

(a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the city clerk.

(b) No speaker will be allowed more than three minutes; except that one officer or other designated member speaking on behalf of each *bona fide* neighborhood civic association or unit owners' association desiring to be heard during the public discussion period shall be allowed five minutes. In order to obtain five minutes, you must identify yourself as a designated speaker, and identify the neighborhood civic association or unit owners' association you represent, at the start of your presentation.

(c) If more speakers are signed up than would be allotted for in 30 minutes, the mayor will organize speaker requests by subject or position, and allocated 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.