

Docket Item #3
SPECIAL USE PERMIT #2004-0056

Planning Commission Meeting
September 9, 2004

ISSUE: Consideration of a request for a special use permit to operate a nonconforming convenience store.

APPLICANT: 7-Eleven, Inc.
by Maynard Sipe

LOCATION: 1025 West Glebe Road

ZONE: CG/Commercial General

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

SITE GRAPHIC

I. DISCUSSION

REQUEST

The applicant, 7-Eleven Inc., requests special use permit approval for the continued operation of a nonconforming convenience store located at 1025 West Glebe Road.

SITE DESCRIPTION

The subject property is one lot of record with 125 feet of frontage on West Glebe Road, 130 feet of depth, with a total lot area of 16,203 square feet. The site is developed with a one story commercial building and surface parking. The subject building is approximately 3,650 square feet.

SURROUNDING USES

The surrounding uses are commercial. Immediately to the west is a small shopping center with a Chinese carry-out, pizza restaurant, and a hair salon. Further west is a Pizza Hut. To the east is a Citgo gas station, and the Bread and Chocolate baking facility. To the north is Four Mile Run. Across Glebe Road, to the south, is the Charles Barrett school.

PROJECT DESCRIPTION

The applicant proposes to continue operating the nonconforming 7-Eleven convenience store. The applicant is the lessee of 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. Consistent with staff's approach in the other 7-Eleven cases, the features of the continued operation are proposed:

Hours: The store is open 24 hours a day, 365 days a year.

ABC License: 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 12:00 midnight.

Architecture: The applicant proposes facade improvements including: removing the existing color bands from the fascia, and installing a gabled roof feature and adding new moldings and trim above the existing windows for extra detail. (See attached plan)

Landscaping: At staff's suggestion, the applicant will be removing paving and installing a planter island at the front of the store and on the west side of the property. Two trees will also be planted at the east side of the property. (See attached plan)

Sign: The existing sign over the entrance is proposed to remain. There is also a freestanding sign located closer to the street, which the applicant has agreed to remove; it proposes to install a monument sign.

Parking: According to Section 8-200 (A)(16) of the zoning ordinance, a retail use of 3,650 square feet at this location is required to provide 1.1 parking spaces for every 210 square feet of floor area, totaling 19 spaces. The existing use has only nine spaces on site. According to Section 8-200 (F)(1) of the zoning ordinance, no off-street parking need be provided for land actually in use on June 25, 1963. In this case, the building has been used as a retail store since prior to 1963, therefore, parking is not required. According to the applicant, the existing parking has proven adequate because of the quick turnover of customers.

Waste

Management: Trash generated is typically 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. Additional litter walks are performed three times per week by a contractor. To control litter, there is one trash can located at the front of the store and one located along the sidewalk.

Security: A Police Community Substation (office) is located on site within the store.

ZONING

The subject property is located in the CG/Commercial General zone. Section 4-404 (G) of the zoning ordinance allows a convenience store in the CG zone only with a special use permit.

MASTER PLAN

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 CG zoning.

II. STAFF ANALYSIS

Staff does not object to the continued use of the 7-Eleven located at 1025 West Glebe Road. The store is compatible with the mix of uses already in the area and provides a valuable convenience retail service to the community. On the other hand, this property and its neighbors create an unattractive area because of the extensive asphalt, the lack of landscaping, and the cluttered signage.

As to the 7-Eleven, staff sought to improve this site and the appearance of this large site by suggesting changes to the facade of the building and the lack of landscaping on the premises. In response to staff's concerns, the applicant proposes a number of facade improvements for the entire building including the removal of the colored bands at the front of the facade, the installation of a gabled roof structure, and the addition of new mouldings and trim above the existing windows. Staff recommends a few minor changes to the facade which it has included in the condition requiring facade improvements. The existing 7-Eleven sign will remain above the entrance.

In response to staff's concern regarding the lack of landscaping on the property, the applicant proposes to remove pavement between the two curbcuts and install a large landscaping bed and new monument sign. The existing freestanding sign will be removed. The applicant also proposes a new landscaping bed on the west side of the property, and two trees on the east side of the property. Staff recommends additional shrubs in the landscaped area on the east side of the property, which the applicant has agreed to, and staff has included in the condition. The landscaping will make the site more attractive and will use wasted pavement area as landscaping.

In regard to alcohol sales, staff supports the Police recommendation prohibiting single sales to prevent any potential problems, such as littering and loitering, and to be consistent with Police's policy to limit such sales city-wide.

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

III. RECOMMENDED CONDITIONS

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

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)
3. No food, beverages, or other material shall be stored outside. (P&Z)
4. The business shall be permitted to operate for 24 hours daily. (P&Z)

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)
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. (P&Z)
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)
8. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
9. No seats or tables shall be provided for the use of patrons. (P&Z)
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)
11. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
12. 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)
13. All loudspeakers shall be prohibited from the exterior of the building and no amplified noise shall be audible at the property line. (T&ES)
14. Lighting shall be to the satisfaction of the Director of Transportation and Environmental Services in consultation with the Chief of Police. (P&Z)

15. The applicant shall implement the facade improvements consistent with the attached plans except that the slope of the mansard roof shall be shallower, within the range of 6:12 and 8:12, that the siding in the gable shall be horizontal, that the entablature be continuous, and that the front paneling be divided, to the satisfaction of the Director of Planning and Zoning. (P&Z)
16. The applicant shall install, and thereafter maintain in good condition, landscaping according to the attached landscaping plan, except that the applicant shall install on the east side of the property two Crape Myrtles in place of the London Plane trees, and shall plant 20 to 25 Blue Pacific juniper shrubs in the same bed, to the satisfaction of the Director of Planning and Zoning. (P&Z)
17. The applicant shall remove the existing freestanding sign, and install a new monument sign to the satisfaction of the Director of Planning and Zoning. (P&Z)
18. 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)
19. The applicant shall maintain the dumpster screening in good condition to the satisfaction of the Director of Planning and Zoning. (P&Z)
20. The pay phone on the property shall be for outgoing calls only. (P&Z)
21. 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)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Valerie Peterson, 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 The public improvements; curbs, sidewalks, and driveway aprons are in good condition and no repairs are needed.
- F-2 Alexandria Police Department Satellite Facility is located in this building.
- F-3 A lighting survey conducted by T&ES, found that the site meets city lighting standards.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers.
- R-2 The applicant shall control 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.
- R-3 All loudspeakers shall be prohibited from the exterior of the building and no amplified noise shall be audible at the property line.
- 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.

Code Enforcement:

- C-1 A construction permit is required for the proposed changes to the facade.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

Health Department:

- F-1 This facility is currently operating as 7-Eleven under Alexandria Health permit, issued to Southland Corporation.
- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 This facility and all modifications must meet current Alexandria City Code requirements for food establishment.
- C-3 Five sets of plans must be submitted to and approved by this department prior to construction/modifications. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-4 Permits and/or approval must be obtained prior to operation.
- C-5 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-6 Certified Food Managers must be on duty during all hours of operation.
- C-7 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.
- C-8 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

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

R-3 If an “ABC Off” license is approved we recommend the following conditions;

1. 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 content of 14% or more by volume) may not be sold.
2. That the SUP is reviewed after one year.

The following recommendation related to site lighting has not been included as a condition; rather, staff has recommended that the applicant maintain lighting to the satisfaction of the Director of T&ES in consultation with the Chief of Police, which will likely result in lower lighting levels than recommended by the Police. T&ES conducted a lighting survey and made a finding that the existing lighting on the property is adequate.

R-4 The lighting for the parking lot is to be a minimum of 2.0 foot candles minimum maintained.

The following recommendation related to landscaping has not been included as a condition because staff finds that mature landscaping at this location will enhance the property.

R-5 The shrubbery is to be a maximum height of 36 inches when it is mature.

SUP#2004-0056
1025 West Glebe Road

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**