

Docket Item #14  
SPECIAL USE PERMIT #2005-0077

Planning Commission Meeting  
October 4, 2005

**ISSUE:** Consideration of a request for a special use permit to operate a convenience store in a residential building.

**APPLICANT:** Potomac Club Residences, LP

**LOCATION:** 1201 Braddock Place

**ZONE:** OCH/Office Commercial High

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**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.

**SITE GRAPHIC**  
**AVAILABLE IN THE PLANNING AND ZONING OFFICE**

## I. DISCUSSION

### REQUEST

The applicant, Potomac Club Residences, LP requests special use permit approval for the operation of a convenience store located at 1201 Braddock Place.

### SITE DESCRIPTION

The subject property is one lot of record with 247 feet of frontage on Braddock Place, 133 feet of depth and a total lot area of 32,698 square feet. The site is developed with a 183-unit hi-rise apartment building. Access to the property is from Braddock Place.

The surrounding area is occupied by a mix of office, residential, and light industrial uses. Immediately to the north is a hi-rise apartment building that is part of the same development. To the south is a hi-rise condominium building. To the east is an auto repair garage and to the west is an office building.



### BACKGROUND

On June 12, 1999, City Council approved Development Special Use Permit #99-2004 for **Phase II** of Potomac Club Residences. Phase II approval included a convenience delicatessen, which the applicant has not yet constructed. The applicant now proposes to construct a convenience store located in the **Phase I** building. A convenience store was not part of the original approval of the Phase I building (approved May 14, 1988, SUP2104), requiring the applicant to obtain a separate Special Use Permit for the convenience store.

### PROPOSAL

The subject convenience store will be located at the front of the building in the former location of the management office. As part of the construction of the convenience store, the applicant proposes to remove a window and replace it with a door (see hatched portion on above illustration), allowing access to the convenience store from the outside. Additionally, residents of the building will have access through a controlled interior entrance that is adjacent to the building's lobby.

Hours: The applicant proposes to operate from 6:00 a.m. to 10:00 p.m. daily.

Noise: Noise levels will be consistent with the previous use, which was the management office for the Phase I apartment building.

Trash/Litter: Staff anticipates that trash generated by the convenience store will be consistent with a small retail establishment, largely consisting of paper, cardboard and plastic. Trash collection will be part of the residential trash collection for the building. It is collected four days a week.

ABC License: The applicant proposes to have an off-premise sales license.

#### PARKING

According to Section 8-200(A)(16) of the Zoning Ordinance, a convenience store of less than 1,500 square feet requires one parking space for every 200 square feet. A convenience store with 550 square feet is required to provide three off-street parking spaces. As part of the Phase II development approval, parking was considered for the entire site as the parking for Phase I and II are shared. As stated earlier, the approval included a convenience delicatessen. The applicant has indicated that three parking spaces in the surface parking lot between the Phase I and Phase II buildings will be designated for the convenience store use. One space will be provided in the parking garage for employees of the convenience store.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the OCH/Office Commercial High zone. Section 4-1103(F) of the Zoning Ordinance allows a convenience store in the OCH zone only with a special use permit.

The proposed use is consistent with the Braddock Road Metro Station Small Area Plan chapter of the Master Plan which designates the property for Medium and High Density Commercial use.

## **II. STAFF ANALYSIS**

Staff supports this convenience store use at this location. The original approval of Phase II of Potomac Club included a convenience delicatessen. Although the location has moved to the Phase I building, the convenience store is consistent with the original intent. The store will mainly serve the residents of the two apartment buildings as well as the neighboring office and residential complexes within the block surrounding Braddock Place. Staff anticipates that the majority of the traffic to the convenience store will be pedestrian traffic; however, the applicant is providing the required parking spaces and one employee space in the parking garage.

Regarding alcohol sales, staff supports the Police recommendation prohibiting single sales to prevent potential problems, such as littering and loitering. This recommendation is consistent with the Police policy to limit such sales throughout the City. Additionally, staff from Planning and Zoning and the Police Department met with the applicant to discuss alcohol sales at this location. Staff advised the applicant that there have been problems with alcohol sales in the past with other convenience stores in the area. In addition, there were concerns from citizens in the neighborhood

regarding alcohol sales and the ratio of alcohol sales to other types of sales. The applicant responded that if there were problems with alcohol sales that he would take action through the tenant lease to limit alcohol sales. He further explained that this is an accessory use and his main priority is to ensure the safety of his residential tenants and to have the ability to lease apartments at this location. Staff has also added a condition requiring an annual inspection for the first three years of operation, which will allow staff an additional period of time to review this special use permit for any problems associated with alcohol sales. The applicant has agreed to this condition.

With the following 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 corporation 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. 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)
4. 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. (Police)
5. The hours of operation of the convenience store shall be limited to 6:00 a.m. until 10:00 p.m. daily. (P&Z)
6. No seats or tables shall be provided for the use of patrons. (P&Z)
7. There shall be no outdoor storage or display of merchandise. (P&Z)

8. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
9. The applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way. A monetary contribution is to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street. Contact T&ES Solid Waste Division (703/751-5130) for information. (T&ES)
10. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)
11. 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)
12. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
13. 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. This is to be completed prior to opening for business. (Police)
14. 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)
15. 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)

16. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year and annually for two years thereafter, 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, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;  
Richard Josephson, Deputy Director;  
Katrina Newton, Urban Planner.

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Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the 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 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-4 No amplified sounds shall be audible at the property line.
- R-5 Applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way. A monetary contribution is to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation.

##### Code Enforcement:

- F-1 The application does not detail if food preparation or seating is intended for this proposed operation. Should food preparation and / or seating be intended, additional requirements including Fire Prevention Permits and cooking ventilation will be required.
- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.



- C-3 This structure contains mixed use groups and is subject to the mixed use and occupancy requirements of USBC 302.3.
- C-4 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 Five sets of plans must be submitted to and approved by this department prior to construction. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for plans review of food facilities.
- C-3 Permits must be obtained prior to operation.
- C-4 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-5 Certified Food Managers must be on duty during all hours of operation.
- R-1 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 If "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 alcohol content of 14% or more by volume) may not be sold.
  - 2. That the SUP is reviewed after one year.

SUP#2005-0077  
1201 Braddock Place

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