

**STATEMENT OF JUSTIFICATION**  
**November 29, 2018**

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Department of Planning & Zoning  
**NOV 30 2018**  
Zoning Evaluation Division

Special Exception Application (SE # not yet assigned)  
Application of 7-Eleven, Inc.,  
Case Name: 7-Eleven Lukens Lane  
Tax Map #s: 1013 01 0101, 0102, and 0104

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**I. Overview**

Applicant: 7-Eleven, Inc.,  
Application Type: Special Exception  
Proposed Use: Service Station with Quick Service Food Store  
Zoning District: C-8 (Highway Commercial District)  
Overlay District: Highway Corridor Overlay and Richmond Highway Commercial  
Revitalization District  
Site Area: 59,939 square feet

**II. Introduction**

7-Eleven, Inc., the "Applicant," is seeking a Category 5 & 6 Special Exception to permit the redevelopment of an existing 7-Eleven store, located on the corner of Richmond Highway and Lukens Lane. The proposed use is a 7-Eleven service station with quick service food store, as permitted with a special exception under Zoning Ordinance Articles 4-804 and 7-607. The Subject Property is located at the southeast corner of the intersection of Lukens Lane and Richmond Highway in Alexandria, Virginia (tax map #s: 1013 01 0101, 0102, and 0104). The property is zoned C-8 and located within the Highway Corridor Overlay and Richmond Highway Commercial Revitalization District. The existing site is currently improved with a 7-Eleven store with an adjacent retail use and surface parking and has been in operation on this property since January 1, 1973. A large portion of the site is unimproved land, which currently sits dormant.

The Applicant proposes to scrap the site and improve it with a newly designed 7-Eleven store and service station with 8-pumping stations. The proposed service station has been designed to accommodate the Embark Richmond Highway ("Embark") plan for Richmond Highway and leaves room for necessary dedications to accomplish several proposed road improvements. The service station and 7-Eleven quick service food store will continue to serve the Mount Vernon community as well as travelers driving along Richmond Highway. The Applicant anticipates that due to the nature of the future road improvements planned for Richmond Highway, several of the nearby existing services stations will be forced to close or reduce the number of pumping stations. This project will benefit from being designed with the Richmond Highway improvements in mind and will meet a continuing need within the corridor for convenience stores and service stations to support residents and travelers.

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### **III. The Subject Property**

The Subject Property is made up of three parcels (with common ownership) comprising a total of 59,939 square feet. The Subject Property is located at the southeast corner of the intersection of Lukens Lane and Richmond Highway. The Subject Property is situated within the Mount Vernon District and is currently improved with an approximately 3,500 square foot building with a 7-Eleven convenience store and adjacent retail space (currently occupied by a nail salon). According to County tax records, the current building was constructed in 1961. The property is zoned C-8 and located within the Highway Corridor Overlay and Richmond Highway Commercial Revitalization District.

### **IV. Proposed Use and Building on the Subject Property**

#### **A. Type of Operation**

The Applicant is now requesting approval for a service station with 8 pumping stations and an approximately 4,000 square foot 7-Eleven convenience store as well as adjacent retail space of approximately 2,400 additional square feet as shown in the enclosed Special Exception Plat, sheet C-3.

#### **B. Hours of Operation**

The gasoline fueling stations and 7-Eleven convenience store will operate on a 24-hour basis, seven days a week, including holidays. The separate retail space will have a tenant and may have more limited hours of operation.

#### **C. Estimated Number of Patrons/Clients**

The Applicant estimates that approximately 1,000 customers will visit the service station on a daily basis.

#### **D. Estimated Number of Employees**

The service station will have approximately 12-16 employees.

#### **E. Estimate of Traffic Impact of the Proposed Use**

The existing 7-11 store has been in operation on this property since 1973. This site is located in a general commercial area with many automobile oriented uses. The addition of the service station with 8 gasoline pumping stations is expected to increase overall daily trips by between 983 and 1111 daily trips. It is expected that the service station will draw primarily upon customers that are already living nearby, visiting, or traveling along Richmond Highway. Trips to the service station will continue to be made by automobile. The hours of operation are expected to be 24 hours a day, seven days a week, and the trips are expected to be distributed



over that time. The Applicant is proposing to close one entrance to the site along Richmond Highway. This will improve vehicle circulation through the site.

Michelle Guthrie of the Fairfax County Department of Transportation reviewed this proposed project and determined by e-mail that this Application does not require a Chapter 870 Traffic Impact Analysis. Ms. Guthrie's email is attached with this Application, per her direction. Ms. Guthrie has requested a Traffic Operational Analysis (a "TOA") be completed for this site and our traffic engineer will complete this analysis for staff review.

#### **F. Vicinity or General Area to be Served by the Use**

The service station and convenience store will continue to primarily serve the surrounding residential neighborhoods within the Mount Vernon District and will also serve travelers driving along Richmond Highway. The service station will be accessible from Richmond Highway and Lukens Lane.

#### **G. Description of Building Façade and Architecture of Proposed New Building**

The service station and convenience store will receive an upgraded appearance from the current store, which has been on the site for over 50 years. The Applicant proposes to build a new prototype store which features an attractive 1" Nichiha panel system on all elevations, with a taupe EIFS wall treatment. The Nichiha panels are an industry recognized environmentally sensitive product that qualifies for points on LEED certified projects. The proposed architectural elevations represent a major upgrade and improvement over the existing building on-site.

#### **H. Hazardous or Toxic Substances**

The Applicant has no knowledge of existing hazardous or toxic substances currently on-site. Historical imagery does not indicate commercial fueling uses on site in the past. Virginia DEQ does not indicate any petroleum releases reported on the Subject Property.

The proposed service station will include installation of a grit trap or oil/water separator to collect stormwater runoff from the vehicular fueling pad area and remove petroleum contamination prior to stormwater discharge from the site. Additionally, underground storage tanks for the storage of automotive fuels will be present on site and will comply with all Laws and Regulations set by the U.S. Environmental Protection Agency and Commonwealth of Virginia UST/LUST Program.

#### **I. Conformance With All Applicable Ordinances, Regulations, Adopted Standards, and Applicable Conditions**

As discussed more fully in Section V below, and with the exception of two waivers requested below, the proposed project on the Subject Property conforms to the provisions of all applicable ordinances, regulations, adopted standards, and any applicable conditions.

## V. Zoning Ordinance Requirements and Special Exception Standards

### A. **Special Exception General Standards (Article 9-006)**

The General Standards for Special Exceptions in Fairfax County, found in Article 9-006, are addressed below.

#### 1. **The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.**

The proposed use on the Subject Property is and will remain in harmony with the Comprehensive Plan. The Subject Property is located within the Mount Vernon District along the Richmond Highway Corridor and more specifically within the Suburban Neighborhood Area ("SNA") between the South County and Woodlawn CBCs. The Comprehensive Plan calls for this site to be developed as residential use at 5-8 dwelling units per acre, retail and/or office use up to .35 FAR. The comprehensive plan envisions Richmond Highway continuing to function as a "Main Street" which serves many commercial uses and residential communities located near the corridor. The CBC districts surrounding the SNA are intended to be the focus of a mix of residential and non-residential uses in a compact, pedestrian-friendly urban form. The SNAs are planned for predominantly residential uses, but may also include neighborhood-serving retail and other non-residential uses. The comprehensive plan encourages redevelopment in the SNAs where appropriate. This proposed neighborhood-serving retail use with a service station is in conformance with the Comprehensive Plan. Moreover, redevelopment of the site will benefit the community and advance several of the goals found within the Comprehensive Plan for the Richmond Highway corridor, including the following guiding planning principles:

**3(d) Improving traffic circulation and safety by enhancing intersections, consolidating entrances, reducing curb cuts, providing better signage and improving access to uses.**

This proposal improves traffic circulation and reduces the curb cuts along Richmond Highway from two to one.

**3(e) Encouraging dedication of right-of-way and repurposing existing service drives to accommodate the proposed multimodal cross-section that supports transit riders, pedestrians, bicyclists and motorists of all ages and abilities.**

This proposal repurposes the existing service drive to allow for the future incorporation of the right-of-way improvements envisioned for Richmond Highway. The proposal includes the closure of one access point off Richmond Highway, decommissioning of the existing service drive and a dedication of +/-0.17 acres on the southwest corner of the site as shown on the SE Plat included herein to accommodate the streetscape improvement goals in the Comprehensive Plan.

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**4. Encourage high-quality urban design.**

This proposal will improve the overall design of the existing building and incorporate superior architectural design and building materials. The Applicant proposes to build a new prototype store which features an attractive 1" Nichiha panel system on all elevations, with a taupe EIFS wall treatment. The Nichiha panels are an industry recognized environmentally sensitive product that qualifies for points on LEED certified projects.

**2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.**

The proposed use is in harmony with the general purpose and intent of the C-8 District regulations. The C-8 District is a Highway Commercial District. The purpose and intent of the C-8 District is to provide locations on heavily-traveled highways for commercial and service uses that are oriented to the automobile and require good access. The proposed service station and quick-service food store uses are permitted in the C-8 District with approval of a Category 5 special exception under Zoning Ordinance Section 4-804.

The site is located within the Highway Corridor and Richmond Highway Commercial Revitalization District overlay districts.

Approval of quick-service food stores and service stations in a Highway Corridor Overlay district are permitted as a Category 6 special exception use, so long as they conform to the provisions found in Zoning Ordinance section 7-600. As further addressed below, the proposed redevelopment will meet the standards outlined in Zoning Ordinance section 7-600, and more particularly Zoning Ordinance section 7-608, regulating quick service food stores and services stations located within highway corridor overlay districts.

The site is also located within the Richmond Highway Commercial Revitalization District (Appendix 7 of the Zoning Ordinance) which was established to encourage economic development activity in older commercial areas of the County. Redevelopment is envisioned and encouraged in the CRDs. The Richmond Highway CRD permits all special exception uses permitted in the underlying zoning district within the CRD so long as they are in accordance with Section 9-622 of the Zoning Ordinance. The proposed use satisfies the requirements of Section 9-622.

**3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.**

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The proposed use on the Subject Property will be harmonious with and will not adversely affect the use or development of neighboring properties. The 7-Eleven store has been a part of the community since 1973. The location, size, and height of buildings, structures, walls and fences will comply with all applicable Zoning Ordinance regulations. The Subject Property has direct frontage along Richmond Highway and Lukens Lane, and faces other commercial uses to its east, south and west. To the rear of the site are the Terrace Towne Home apartments. The existing 7-Eleven building is buffered by a 6' wooden fence and several existing trees. The condition of the existing fence is failing in some places and in need of repair. The Applicant proposes to improve the existing buffer by building a new 7' architectural block screening wall on the Applicant's site to continue to screen the commercial use from the residential neighborhood.

- 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

The building has been on-site since 1961 and the existing 7-Eleven convenience store has been in operation on this property since January 1, 1973. This site is located in a general commercial area. Therefore, the proposed addition to the service station will have a minimal impact on traffic. It is expected that the service station will draw primarily upon customers that are already visiting or traveling along Richmond Highway. Trips to the service station will continue to be made by automobile. A majority of trips to the gasoline fueling stations are expected to occur during the morning and evening rush hour, but for convenience purposes, the Applicant proposes this to be a 24 hour, seven day a week use. The Applicant intends to close an access point on Richmond Highway, which should eliminate a potential conflict point and improve vehicular and pedestrian access to the site.

Michelle Guthrie of the Fairfax County Department of Transportation reviewed this proposed project and determined by e-mail that this Application does not require a Chapter 870 Traffic Impact Analysis. Ms. Guthrie's email is attached with this Application, per her direction.

- 5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.**

With the exception of the waivers requested below in subsection E, the Applicant will comply with all landscaping or screening conditions that the Board requires.

- 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.**

Zoning Ordinance Article 4-808 requires 15% of gross area to be open space in the C-8 District. The Applicant is planning to provide 20% open space, which exceeds this requirement.



7. **Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.**

The proposed building, utility locations, landscaping and parking lot configurations are subject to final engineering, but will remain in substantial conformance with all County requirements, as depicted on the Special Exception Plat, with the exception of the waivers requested below in subsection E. As part of this Application, the Applicant is proposing to waive the loading space requirement as is commonly requested for similar uses.

For service stations and quick-service food stores, Article 11-104 requires two parking spaces per service bay, plus six and one half (6.5) spaces per 1,000 square feet of gross floor area devoted to the retail use. This equates to a total of 26 spaces. In addition, the retail use requires one (1) space per 200 square feet of net floor area for the first 1,000 square feet, plus six (6) spaces per each additional 1,000 square feet. This equates to an additional 14 spaces for the retail use. Since this property is located within the Richmond Highway Commercial Revitalization District an overall parking reduction of 20% is permitted. A total of 32 spaces are required for this site, after the parking reduction. The applicant is proposing 37 parking spaces on-site.

8. **Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.**

Signs will be installed under a separate permit in accordance with Fairfax County Ordinances. All signs will comply with the provisions of Article 12.

**B. Standards for All Category 5 Special Exception Uses (Article 9-503)**

1. **Except as qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located.**

The proposed use shall comply with the bulk regulations in the C-8 District.

2. **All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan or photometric plan as may be required by Part 9 of Article 14.**

The proposed use complies with all applicable performance standards in the C-8 District.

3. **Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.**

Before establishment, the Applicant will submit a site plan in accordance with Article 17.

**C. Standards for All Category 6 Special Exception Uses (Article 9-611)**

Under Zoning Ordinance section 9-611, the Board may approve a special exception for establishment or enlargement, extension, retention or increase in intensity of a quick-service food store, service station in a Highway Corridor Overlay, but only in accordance with the provisions of Part 6 of Article 7.

**Standards for Article 7, Part 6 (Article 7-600):**

1. **All uses are subject to the use limitation set forth in the underlying zoning district(s), and, in addition, quick-service food stores and service stations in any Highway Corridor Overlay District are subject to the following use limitations as outlined in Zoning Ordinance section 7-608:**

- A. **Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.**

The use has been designed so that pedestrian and vehicular circulation is coordinated with adjacent properties. This includes designing the site to accommodate recommendations and streetscape improvements recommended by the Embark Richmond Highway plan.

- B. **Such a use shall have access designed so as not to impede traffic on a public street intended to carry through traffic. To such end, access via the following means may be given favorable consideration: (1) Access to the site is provided by a public street other than one intended to carry through traffic, and/or (2) Access to the site is provided via the internal circulation of a shopping center, which center contains at least six (6) other commercial uses, or an office complex having a limited number of well-designed access points to the public street system and no additional direct access is provided to the site from a public street intended to carry through traffic over and above those entrances which may exist to provide access to the shopping center, and/or (3) Access to the site is provided by a functional service drive, which provides controlled access to the site.**

The use has been designed so as not to impede traffic on a public street intended to carry through traffic. One access point will be closed along Richmond Highway and the site is also accessible from Lukens Lane.

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**C. There shall be no outdoor storage or displays of goods offered for sale except for the outdoor storage or display of goods permitted at a service station or service station/mini-mart.**

There shall be no outdoor storage or displays of goods for sale except for outdoor storage or displays permitted at a service station.

**2. Where the underlying district is C-8, in addition to par 1., above, Service stations shall not be used for performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than four (4) such vehicles on site at any one time.**

Major repairs will not occur at the service station and no wrecked, inoperative, or abandoned vehicles will be temporarily stored outdoors for a period in excess of seventy-two (72) hours and there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than four (4) such vehicles on site at any one time.

**D. Additional Standards for Service Stations (Article 9-505)**

**1. In all districts where permitted by special exception:**

**A. Such a use shall have on all sides the same architectural features or shall be architecturally compatible with the building group or neighborhood with which it is associated.**

The proposed use shall have uniform architectural features on all sides and be compatible with the building group and neighborhood in which it is associated. The architecture and building materials planned for this site redevelopment will be of significantly higher quality and design than the existing building.

**B. Such a use shall be designed so that pedestrian and vehicular circulation is coordinated with that on adjacent properties.**

The use has been designed so that pedestrian and vehicular circulation is coordinated with adjacent properties. This includes designing the use to accommodate the improvements set forth in the Embark Richmond Highway plan.

**C. The site shall be designed to minimize the potential for turning movement conflicts and to facilitate safe and efficient on-site circulation. Parking and stacking spaces shall be provided and located in such a manner as to facilitate safe and convenient vehicle and pedestrian access to all uses on the site.**

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The Subject Property is located at the southeast corner of Lukens Lane and Richmond Highway, and currently has two access points off Richmond Highway and one off Lukens Lane. The proposed improvements will close an access point on Richmond Highway. The Applicant has designed the site in anticipation of proposed improvements to Richmond Highway and will be dedicating a portion of the site to the County for such improvements. The access points and circulation were designed to accommodate the improvements set forth in the Embark Richmond Highway plan.

- D. In reviewing such a use or combination of uses, it shall be determined that the lot is of sufficient area and width to accommodate the use and that any such use will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors.**

The Subject Property is of sufficient area and width to accommodate the proposed use. For the reasons stated herein, the proposed changes will not adversely affect any nearby existing or planned residential areas as a result of the hours of operation, noise generation, parking, glare or other operational factors. The Applicant proposes to improve the existing buffer with the adjacent properties to the east by building a new 7' architectural block screening wall on the Applicant's site to continue to screen the commercial use from the residential neighborhood.

**2. In the C-8 District, in addition to Par. 1 above:**

- A. Service stations and service station/mini-marts shall not be used for the performance of major repairs, and no wrecked, inoperative or abandoned vehicles may be temporarily stored outdoors for a period in excess of seventy-two (72) hours, subject to the limitation that there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than four (4) such vehicles on site at any one time.**

Major repairs will not occur at the service station and no wrecked, inoperative, or abandoned vehicles will be temporarily stored outdoors for a period in excess of seventy-two (72) hours and there shall be no dismantling, wrecking or sale of said vehicles or parts thereof. In addition, there shall be no more than four (4) such vehicles on site at any one time.

- B. The outdoor area devoted to any use such as vehicle or tool rental shall be limited to the area so designated on an approved special exception plat.**

There is no vehicle or tool rental proposed at this site.

**E. Waivers Requested**

As mentioned above, the Applicant requests waivers of the following requirements:

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1. The Applicant Requests Approval of the Waiver of the Loading Space requirement (ZO-11-203).


Section 11-203 of the Zoning Ordinance requires one loading space for this use. No loading space currently exists on site and no loading space is necessary for this use. The Applicant therefore requests a waiver of the loading space requirement based on existing conditions.

2. The Applicant Requests Approval of the Waiver of transitional screening requirement (ZO-13-300).

Section 13-300 of the Zoning Ordinance requires transitional screening. The Applicant requests that such requirement be waived in accordance with Zoning Ordinance section 13-305 (2) and (4). Additionally, this site is located within the Richmond Highway CRD which permits waiver of screening and barrier requirements in certain circumstances, particularly when a barrier is provided and such barrier consists of a decorative brick or block wall which is determined to be more appropriate or reasonable due to the compatibility with other alternative treatments prevalent in the District. In this case, the Applicant is proposing to replace an existing partially failing 6' wood fence with a new 7' architectural block screening wall. The Applicant believes the wall will serve to screen or buffer the use from the residential neighbors appropriately.

#### **VI. Conclusion**

For all of the reasons stated herein, the Applicant respectfully requests that the Board approve the special exception to establish a service station and quick service food store on the Subject Property.

  
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Zachary G. Williams  
Attorney and Agent for the Applicant