

City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2021-00096

Approved by Planning and Zoning: March 7, 2022

Permission is hereby granted to: SADR LLC

to use the premises located at: 190 South Whiting Street

for the following purpose: see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

March 7, 2022 *Karl Moritz* (by A. Horowitz for T. LaColla)

Date Karl Moritz, Director
Department of Planning and Zoning

DATE: March 7, 2022

TO: Tony LaColla, Division Chief, Land Use Services
Department of Planning and Zoning

FROM: Patrick Silva, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2021-00096
Administrative Special Use Permit for a Change of Ownership
Site Use: Automobile Service Station and Zone Transition Setback
Modifications
Applicant: SADR LLC
Location: 190 South Whiting Street
Zone: OCM(50)/Office commercial medium

Request

Special Use Permit #2021-00096 is a request for an Administrative Special Use Permit for a Change of Ownership of an existing automobile service station and zone transition setback modifications. The Change of Ownership request seeks to transfer ownership from “Landmark Petro Services, Inc.” to “SADR LLC” No other changes to the automobile service station or zone transition setback modification are proposed. The applicant will continue operating the automobile service station with six gas pumps and six automobile repair bays. In addition, the applicant will operate a by-right convenience store as part of the automobile service station. The name of the establishment will be changed from Landmark Sunoco to Old Ox Tire & Auto.

Background

Since 1965, an automobile service station has continually operated at this location. In November 1990, the City Council approved construction of the existing 2,401 square foot building where the convenience store is located on-site, through the approval of Special Use Permit #2436, Site Plan #90-024 and BZA #6049. The BZA case approved a variance for a zone transition setback modification at the rear of the building. In June 1999, City Council approved Special Use Permit #99-00043 and Development Special Use Permit #99-00009 for the construction of the existing 892 square foot building with three bays, which houses the automobile repair use. In March 2006, staff administratively approved Special Use Permit #2006-00003 to change the ownership of the business from Mobil to Sunoco, Inc. R&M. In September 2016, City Council approved Special Use Permit #2015-00071 for the expansion of the automobile repair building, for zone transition setbacks and for a convenience store with off-premises alcohol sales. As Special Use Permit #2015-00071 expired before the automobile repair building was expanded, City Council reapproved the requests through Special Use Permit #2019-00014 in May 2019. However, the proposed expansion never took place. The convenience store use and off-premises alcohol sales no longer require SUP approval pursuant to Zoning Text Amendment #2020-00003, which City Council approved in September 2020.

Parking

According to Section 8-200(A) of the Zoning Ordinance, the subject site in the request requires a total of 10 spaces for the gas pumps, retail, and auto-repair uses. The site contains a total of 25 parking spaces, including 12 located at the gas pumps and six in the garage bays.

Community Outreach

Public notice was provided through eNews, via the City’s website, and by posting a placard on the site. There are no community organizations located in the proximity of the subject site, thus, none were notified. Staff did not receive any comments regarding the proposal for a change of ownership.

Staff Action

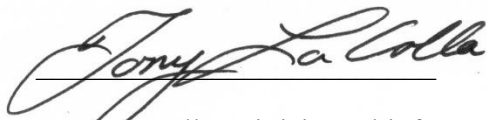
Staff supports the Change of Ownership request for an automobile service station and zone transition setback modifications. The business has operated at this location for several years with few resident complaints.

Staff has carried forward the previous conditions from SUP2020-00073. Conditions #2, #3, #4, #11, #21 and #30 have been amended to reflect current standard conditions for auto related uses. Likewise, Condition #31 has been added to reflect current standard conditions for auto related uses. Condition #23 has been deleted as enforcement relating to the City’s noise ordinance in handled independently by the Department of Transportation & Environmental Services through provisions in the City Code Finally, Conditions #19 and #28 have been deleted, as these requirements related to the proposed expansion approved in SUP2015-00071 and SUP2019-00014, which never took place. The new owner has confirmed they will not pursue the previously approved expansion.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: March 7, 2022
Action: Approved


Tony LaColla, Division Chief

- Attachments: 1) Special Use Permit Conditions
- 2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2021-00096

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has controlling interest. (P&Z) (SUP #2019-00014)
2. **CONDITION AMENDED BY STAFF:** All vehicles on the lot shall be stored in a neat and orderly manner. No junked, abandoned, or stripped vehicles shall not be displayed, parked, or stored outside. (P&Z) (SUP #2019-00014)
3. **CONDITION AMENDED BY STAFF:** No vehicle parts, tires, or other materials shall not be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP #2019-00014)
4. **CONDITION AMENDED BY STAFF:** No vehicles shall not be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP #2019-00014)
5. Repair work done on the premises shall be restricted to the service bays only. (P&Z) (T&ES) (SUP #2019-00014)
6. The hours of operation are permitted to be 24 hours a day, seven days a week for the gasoline sales. (P&Z) (SUP2020-00073)
7. The hours of operation for automobile repair service shall be between 7 a.m. and 6 p.m., Monday – Saturday. (P&Z) (SUP #2019-00014)
8. The auto repair operation shall be posted at the buildings that contain the uses. (P&Z) (SUP #2020-00073)
9. 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 crime, loitering, noise, and the underage sales of alcohol. (P&Z) (SUP #2019-00014)
10. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2019-00014)
11. **CONDITION AMENDED BY STAFF:** Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in closed containers which do not allow invasion by animals. No trash or debris shall be allowed to accumulate on site outside of those containers. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash and debris shall be allowed to accumulate outside of those containers. Outdoor trash receptacles

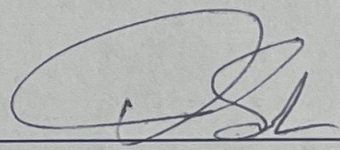
shall be screened to the satisfaction of the director. (P&Z) (SUP #2019-00014)

12. Condition deleted
13. Condition deleted
14. The applicant shall provide a place for public drop-off of used oil. (P&Z) (SUP #2019-00014)
15. A zone transition modification is granted to allow the automobile repair service building and the addition to be located within 9.62 feet of the east property line and 9.4 feet of the south property line. (P&Z) (SUP #2019-00014)
16. Condition deleted.
17. Condition deleted.
18. Condition deleted.
19. **CONDITION DELETED BY STAFF:** ~~The free-standing pole sign shall be replaced with a monument sign concurrent with construction and consistent with all applicable zoning regulations. (P&Z) (SUP #2019-00014)~~
20. All waste products, including, but not limited to, organic compounds (solvents), motor oils, compressor lubricant and anti-freeze shall be disposed of in accordance with all local, state and federal ordinances and regulations and shall not be discharged into the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP #2019-00014)
21. **CONDITION AMENDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries found here:
https://www.alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdfCont
~~A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (SUP #2019-00014)~~
22. 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) (SUP #2019-00014)
23. **CONDITION DELETED BY STAFF:** ~~The use must comply with the City's noise ordinance. (T&ES) (SUP2020-00073)~~

24. 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) (SUP #2019-00014)
25. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2019-00014)
26. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES) (SUP #2019-00014)
27. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00 pm and 7:00 am. (T&ES) (SUP #2019-00014)
28. **CONDITION DELETED BY STAFF:** ~~A minor amendment will be required to DSP1999-00009. The amendment shall be released prior to submitting for permits.~~ (T&ES) (SUP #2019-00014)
29. Car washing is not permitted on this property. (T&ES) (SUP #2019-00014)
30. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, 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 the result of a complaint that rises to the level of a violation of the permit conditions 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) (~~SUP2021-00096~~)
31. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2021-00096. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile service station and zone transition setback modifications at 190 South Whiting Street.



Applicant - Signature

03/30/2022

Date

JOSHUA SADE / SADE LLC

Applicant - Printed

03/30/2022

Date