

DATE: September 27, 2022

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

FROM: Mavis Stanfield, Urban Planner III
Department of Planning and Zoning

SUBJECT: Special Use Permit #2022-00072
Administrative Review for Change of Ownership
Site Use: Automobile Sales and Light Automobile Repair
Applicant: Lindsay Cadillac Company
Location: 2712 Duke Street
Zone: CG

Request

Special Use Permit #2022-00072 is a request to change the ownership of an existing automobile dealership with light automobile repair service from The Great Experiment LLC to the Lindsay Cadillac Company. The latter would temporarily occupy the site while its long-time location near Kenwood Avenue is undergoing redevelopment. The property was previously occupied by a Land Rover/Range Rover Dealership. No changes to the automobile sales and light automobile repair uses are proposed and the applicant would continue operating from 7 a.m. to 8 p.m., Monday through Saturday with a maximum of 75 vehicles displayed, stored, or parked on site.

Background

The Land Rover/Range Rover Dealership was constructed on the property in 1997, subsequent to the approval of Special Use Permit #95-0217 on May 18, 1996. The dealership recently vacated the building and relocated to a larger site in Fairfax County. No zoning or other code violations have occurred in recent years on the property.

It is noted that the property is currently docketed for the November City Council meeting to evaluate and vote on an application to rezone the property to the RMF/Residential multifamily zoning classification to facilitate mixed use and affordable housing development. If the City Council votes to approve the application, the automobile sales and light repair uses will become non-conforming. Under the provisions of Sect. 12-202 of the Zoning Ordinance, it is the intent of the City to provide for the eventual elimination of all non-conforming uses.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff received a comment from a citizen who was concerned that "more auto repair

would be incompatible with the Duke Street In Motion project,” which is focused on improving transit along the Duke Street corridor. In his email, he stated that he had thought the property was going to be developed with housing. When informed that housing is still envisioned for the site and the automobile sales and light automobile repair uses would only be temporary until construction of the permanent dealership for Lindsay Cadillac is completed, he stated that he felt the current application would be an appropriate interim use. Therefore, the SUP proposal did not receive any comments to cause docketing of the change of ownership request.

Staff Action

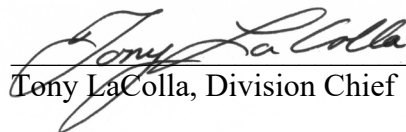
Staff supports the change of ownership request and finds the continued operation of the automobile sales and light automobile repair uses at this location to be a positive amenity to the community as an interim use. Staff has carried forward the previous conditions, but with modifications and deletions for the completed construction work.

As the City Council may approve a zone change that would make the automobile related uses non-conforming, an SUP expiration date of July 31, 2024, has been added as Condition 47, to allow ample time for the redevelopment of the new dealership, but also provide for the discontinuation of the automobile sales and light repair uses at 2712 Duke Street.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: September 27, 2022
Action: Approved


Tony LaColla, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2022-00072

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 corporation in which the applicant has a controlling interest. (P&Z) (SUP #95-0217)
2. No more than 75 vehicles shall be displayed, parked, or stored outside at any time, including vehicles parked in the display area west of the Duke Street entrance. (P&Z) (SUP #95-0217)
3. No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z) (SUP #95-0217)
4. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP #95-0217)
5. No repair work shall be done outside. (P&Z) (SUP #95-0217)
6. No vehicle parts, tires, or other materials shall be stored or permitted to accumulate outside, except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP #95-0217)
7. The hours of operation of the automobile sales business shall be limited to 7:00 A.M. to 8:00 P.M., Monday through Saturday. (P&Z) (SUP #95-0217)
8. All vehicles on the lot shall be stored in an orderly manner. (P&Z) (SUP #95-0217)
9. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** ~~The lot shall be paved and striped to the satisfaction of the Director of Transportation and Environmental Services. (P&Z)~~
10. All lights on the property shall be directed away from residential uses. (P&Z) (SUP #95-0217)
11. Loading and unloading of vehicles shall not occur on City right-of-way and shall occur during hours of operation. (P&Z) (SUP #95-0217)
12. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** ~~All fences and retaining walls facing the public right of way shall be designed to the satisfaction of the Director of Transportation and Environmental Services. (P&Z)~~

13. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** The applicant shall submit a landscape plan to the satisfaction of the Director of Planning and Zoning and the City Landscape Architect with the final site plan. (See attachment for specific landscape requirements.) (P&Z) (PR&CA)
14. **CONDITION AMENDED BY STAFF.** Six additional street trees shall be planted maintained in the Duke Street median adjacent to the property frontage. (P&Z)
15. **CONDITION AMENDED BY STAFF.** A low hedge parking screen shall be planted maintained along the Duke Street frontage. (P&Z)
16. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Discuss specifications for all Best Management Practices with the City Engineer before finalizing the stormwater management plan. (T&ES)
17. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Discuss specifications and details with plan approving authority, before finalizing erosion and sediment control plan. Note, however, that additional erosion and sediment control measures may be required by the City when deemed necessary to comply with the City's erosion and sediment control ordinance as a result of field conditions or construction activity. (T&ES)
18. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** The water quality inlet, as it is proposed, is unacceptable as the Best Management Practice for the site. (T&ES)
19. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Correct Worksheet "B" calculations. (T&ES)
20. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Provide permanent erosion and sediment control for the all terrain demonstration area. A basin or other measures will be required. Contact Department of Transportation and Environmental Services staff for information and guidance. (T&ES)
21. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Show all proposed site lights, including manufacturers specifications for fixtures, with mounting heights and strength of fixtures in lumens. (T&ES)
22. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Provide lighting calculations that verify that lighting meets City standards. (T&ES)
23. Condition deleted. (CC) (SUP #95-0217)
24. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Replace old metal pole DK79, located at the northeast corner of the site with a new concrete pole. (T&ES)

25. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Show all existing and proposed easements, both public and private. (T&ES)
26. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** The site is in a marine clay area. Provide soils study report by a certified professional soils engineer licensed in Virginia. (T&ES)
27. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Provide an environmental assessment for the site. Underground tanks and containers which are abandoned must be removed. (T&ES)
28. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** All driveway entrances shall meet City standards. (T&ES)
29. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Show curve radii at returns. (T&ES)
30. **CONDITION MODIFIED BY STAFF.** Applicant shall ~~provide~~ maintain landscaping along South Longview Drive, adjacent to the dealership, in accordance with City landscape requirements, and shall submit the landscaping plan to the satisfaction of the Director of Planning and Zoning. (CC)
31. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** All emergency vehicle easements must be a minimum of 22 feet in width and designed and constructed in accordance with City Standards (CSAP-1A). Provide a detail of pavement structure and correct the detail on the cover sheet accordingly. (T&ES)
32. **CONDITION MODIFIED BY STAFF.** ~~Install~~ Maintain handicap and emergency vehicle signs as appropriate. (T&ES)
33. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Show City standards on the plan; VDOT standards may be use only when there is no applicable City standard. (T&ES)
34. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Show spot elevations sufficient to determine drainage, wall heights and so forth. Also, on the top of curb between the proposed entrances to South Longview Drive and Duke Street at 25-foot intervals 75 feet each way from entrances. (T&ES)
35. **CONDITION MODIFIED BY STAFF.** Provide private collection of solid waste and recyclable materials and ~~show~~ maintain the location of dumpsters and detail of the dumpster enclosure to the satisfaction of the Director of Planning and Zoning and the Director of Transportation and Environmental Services. (P&Z)(T&ES)

36. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Provide plan showing drainage divides, computations, and proposed storm sewer. (T&ES)
37. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Show all existing and proposed sewer and pertinent information for pipes and structures, including the detention systems. (T&ES)
38. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Show outfall for existing inlet #4 and the inlet connected to it. (T&ES)
39. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Provide an inlet between the proposed entrances on South Longview Drive to replace the inlet that is a manhole. (T&ES)
40. **CONDITION AMENDED BY STAFF.** The applicant shall provide, install and maintain a bus pad and bench(es) near the Duke Street entrance to the dealership. The pad and benches shall meet the Americans with Disabilities Act standards. The specific location of the stop shall be approved by the Director of Transportation and Environmental Services. (CC)
41. All waste products including but not limited to organic compounds (solvents), motor oil, and antifreeze shall be disposed of in accordance with all local, state and Federal ordinances or regulations and shall not be discharged to the sanitary or storm sewers. (T&ES) (Health) (SUP #95-0217)
42. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Demonstrate that the existing sewer along Duke Street has sufficient capacity to handle increased flow. (San. Auth.)
43. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regrading locking hardware and alarm systems of the dealership and for robbery awareness program. (Police)
44. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** Lighting shall be to satisfaction of the Police Department and the Director of Transportation and Environmental Services. (Police) (T&ES)
45. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** The applicant will make a contribution to the City's Housing Trust Fund of \$.50 per gross square foot, payable at the time of receipt of the certificate of occupancy. (Off. of Housing)
46. **CONDITION SATISFIED BY APPLICANT AND DELETED BY STAFF.** The applicant shall attach a copy of the final released site plan to each building permit document application and be responsible for insuring that the building permit drawings

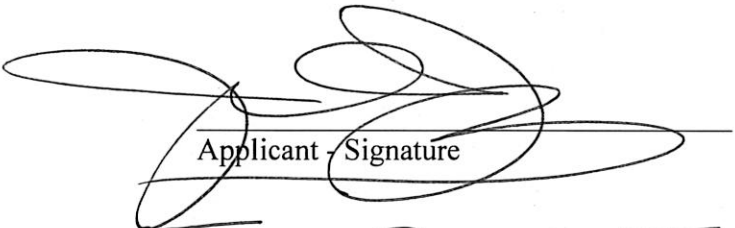
~~are consistent and in compliance with the final released site plan prior to review and approval of the building permit by the Departments of Planning and Zoning and Transportation and Environmental Services. (P&Z)~~

47. **CONDITION ADDED BY STAFF:** In the event the property is rezoned prior to July 31, 2024 to a classification which renders the current automobile sales and light automobile repair uses non-conforming, this special use permit shall expire on July 31, 2024, and at that time and thereafter, the property shall not be used for automobile sales and light automobile repair.(P&Z)

48. **CONDITION ADDED 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)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2022-00072. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile sales and light automobile repair uses at 2712 Duke Street.


Applicant - Signature

JOHN OVEREND JR
Applicant - Printed

09-29-2022
Date

09-29-2022
Date