

DATE: October 6, 2025

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

FROM: Lanning Blaser, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2025-00059
Administrative Review for Change of Ownership and Minor Amendment
Site Use: Automobiles and trailer rental or sales area
Applicant: Kody Imports IV, LLC
Location: 5125 Duke Street
Zone: CG/Commercial General

Request

Special Use Permit #2025-00059 is a change of ownership and minor amendment request. The change of ownership request would assign the Special Use Permit (SUP) from Rosenthal Automotive to Kody Imports IV, LLC. The business would be renamed Landmark Toyota. The minor amendment request is to adjust the hours of operation. The current hours of operation are Monday through Saturday from 9 a.m. to 9 p.m. and Sundays from 12 to 6 p.m. The proposed hours of operation are Monday through Friday 9 a.m. to 8 p.m., 9 a.m. to 7 p.m. on Saturdays, and 11 a.m. to 5 p.m. on Sundays. The applicant does not propose any other changes to the operation at this time.

Background

Special Use Permit #1351 was granted in 1981 to Rosenthal-Hayman Pontiac to construct a one-story building used for automobile sales, a showroom, parts sales, and repair service. Site Plan #80-038 approved on November, 17, 1981 allowed a 186 vehicle parking lot. Since that time the parking lot has expanded to 213 spaces. The City Council reviewed the Special Use Permit several times since commencement of operation in 1981. The most recent approval, Special Use Permit #2003-0031 was a minor amendment for additional hours of operation. There have been no recent zoning violations found in the last five years.

Parking

The 19,900 square foot use includes 213 parking spaces and 26 mechanical lifts. There are a total of 239 parking spaces. Section 8-200(A)(18) of the zoning ordinance requires one parking space for every 400 square feet of use. The 19,900 square foot use has a parking requirement of 50 spaces. The applicant exceeds the parking requirement of 50 spaces; therefore, the parking requirement has been satisfied.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Cameron Station Civic Association were sent an e-mail with information

about the current application. Staff did not receive any comments from residents or adjacent businesses.

Staff Action

Staff has no objection to the proposed change of ownership as an automobile sales business has operated at this location for several decades without neighborhood impacts. The minor amendment to shift the hours is supported given that the proposal represents only a slight change in daily hours, as required in Condition #15, and actually accounts for fewer weekly hours.

Conditions have been carried over from the previous Special Use Permit. Conditions #1, #3, #6, #7, #9, #15, #19, #21, and #29 have been amended to reflect standard SUP language. Condition #15 reflects the new hours of operation for the business. Conditions #12, #17, and #25 have been satisfied by the former applicant and deleted from this report. Conditions #30 - #35 have been added as standard SUP conditions.

Staff hereby approve the special use permit.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: October 6, 2025

Action: Approved


Tony LaColla, Land Use Services Division Chief

Attachments: 1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2025-00059

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. **CONDITION AMENDED BY STAFF:** The special use permit shall be ~~issued~~ granted to the applicant only or to any ~~corporation business or entity~~ in which ~~any one or more of the present principals~~ the applicant has a controlling interest ~~in said corporation~~. (P&Z) (SUP #1351)
2. The site layout shall be as shown on Site Plan #80-038, as heard by the Planning Commission on January 6, 1981. (P&Z) (SUP #1351)
3. **CONDITION AMENDED BY STAFF:** Solid evergreen screening shall be ~~provided~~ maintained between the proposed site and adjacent residential apartments. Landscape plan shall be approved by the Department of Transportation and Environmental Services and the Department of Planning and Community Development. (P&Z) (T&ES) (SUP #1351)
4. All lights on the property shall be directed away from the residential uses to the north and west. All lights shall be under dome type shades not more than 16 feet above ground. (P&Z) (CC) (SUP #1351)
5. No amplified sound shall be audible at the property line. All loudspeakers shall be prohibited from the exterior of the building. (T&ES) (SUP#2003-0031)
6. **CONDITION AMENDED BY STAFF:** All vehicles ~~parked on the lot site~~ shall be stored parked in a neat and orderly ~~fashion at all times~~ manner and the area around the building shall be kept free of debris. (P&Z) (SUP #1351)
7. **CONDITION AMENDED BY STAFF:** ~~No Junked, abandoned or stripped vehicles shall not be displayed, parked, or stored outside or parts thereof shall be located outside the building at any time.~~ (P&Z) (SUP #1351)
8. No repair, replacement or mechanical work shall be done outside the building at any time. (CC) (SUP # 1351)
9. **CONDITION AMENDED BY STAFF:** A security fence, having a minimum height of six feet (6 ft.) shall be ~~constructed and~~ maintained along the north and west side of the property. (P&Z) (SUP#2002-0031)
10. **CONDITION DELETED BY STAFF:** ~~No banners, streamers, balloons, flags, or other unfixed signs or moving objects used for advertising purposes shall be displayed on the premises outside of the main building, but signs advertising the general business conducted on the premises may be displayed in accordance with Article IX, Section 9-100 of the zoning ordinance of the City of Alexandria, Virginia.~~ (P&Z) (SUP#2003-0031)

11. All lights not required for illumination by City ordinances and those lights not required for security purposes shall be turned off from 9:30 P.M. to dawn. (CC)(SUP #1351)
12. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The repair facility shall be subject to Health Department approval prior to operation. (CC)(SUP #1351)~~
13. The loading and unloading of vehicles on site or on the public right-of-way surrounding the site is strictly prohibited at all times. (P&Z) (SUP#2003-0031)
14. The applicant shall indicate on the final site plan the areas devoted to employee parking, customer parking and new and used car display. In the event that the applicant does not provide parking for all of its employees on the site, the applicant will provide all of its employees with off-site parking at another site. The applicant shall specifically notify all of its employees that parking at Beatley Library, Hallmark Condominium, CVS, and any other nearby business or residence, as well as on any nearby public street is strictly prohibited. To ensure that its employees comply with this requirement at all times, the applicant shall affix to the vehicles (i.e., cars, trucks, motorcycles, etc.) of all of its employees a decal or its equivalent, which clearly denotes that the owner and/or operator of that vehicle is an employee of Landmark Honda, so that such vehicles can be clearly identified should their owners and/or operators attempt to violate this condition. (P&Z) (SUP#2003-0031)
15. **CONDITION AMENDED BY STAFF:** The premises shall be open for business no earlier than 9:00 a.m. and no later than 9:00 p.m. Monday through Friday, ~~Saturday~~ no earlier than 9:00 a.m. and no later than 7:00 p.m. on Saturday and no earlier than 11 12:00 a.m. p.m. and no later than 5 6:00 p.m. Sunday. The only activities permitted on Sunday are sales and light automobile detailing, including only interior and exterior cleaning of cars. (P&Z) ~~(SUP2003-0031)~~
16. Condition deleted. (P&Z)
17. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall not park or store automobiles on the site prior to the issuance of the Certificate of Occupancy. (CC) (SUP #1351)~~
18. Condition deleted. (CC) (SUP #1351-G)
19. **CONDITION AMENDED BY STAFF:** ~~No~~ Vehicle parts, tires, or other materials shall not be stored or be permitted to accumulate outside, except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) ~~(SUP#2003-0031)~~
20. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP#2003-0031)

21. **CONDITION AMENDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703.746.6499 ~~703-519-3400 ext. 166.~~ (T&ES) (SUP#2003-0031)
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#2003-0031)
23. The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES) (SUP#2003-0031)
24. Car wash discharges resulting from commercial operations shall not be indiscriminately discharged into a storm sewer system. If applicant proposes on-site car washing, the applicant shall comply with one of the following four alternatives available to the applicant:
- A. Car washes be done at an off site commercial car wash facility.
 - B. Wash water may be discharged to sanitary sewers after seeking appropriate approval from Alexandria Sanitation Authority.
 - C. Applicant may choose to seek coverage under a general VPDES (Virginia Pollution Discharge Elimination System) permit issued by Virginia Department of Environmental Quality to discharge wash water from car washes into surface waters/storm sewer and comply with the conditions specified there in.
 - D. Commercial car wash installations shall be equipped with water recycling system approved by the building official.(T&ES) (SUP#2003-0031)
25. **CONDITION SATISFIED BY THE APPLICANT AND DELETED BY STAFF:**
~~The applicant shall meet the landscape requirements of Site Plan #80-038 to the satisfaction of the City Landscape Architect. (P&Z) (Rec and Parks) (SUP#2003-0031)~~
26. The applicant shall screen the dumpster to the satisfaction of the Director of the Department of Planning and Zoning. (P&Z) (SUP#2003-0031)
27. The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all SUP provisions and requirements, as part of that training. (P&Z) (SUP#2003-0031)
28. The applicant shall provide a phone number to interested residents to call in case of problems, including noise problems caused by car alarms, at the automobile dealership. (P&Z) (SUP#2003-0031)

29. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after it has been operational, and then again every three years for compliance with all conditions and ~~two years after approval and shall may~~ 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~~ (e) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed to offset land use impacts not addressed in the city code. (P&Z) (SUP#2003-0031)
30. **CONDITION ADDED BY STAFF:** Vehicles shall not be displayed, parked, or stored on a public right-of-way. (P&Z)
31. **CONDITION ADDED BY STAFF:** Debris or vehicle parts shall not be discarded on the public right-of-way. (P&Z)
32. **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)
33. **CONDITION ADDED BY STAFF:** 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)
34. **CONDITION ADDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (P&Z)
35. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 Carryforward the TES conditions of the current SUP, SUP2003-0031.
- R-1 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-2 Repair work shall not be done outside. All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)
- C-3 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. (T&ES)
- C-4 All lights on the property shall be directed away from the residential uses to the north and west. All lights shall be under dome type shades not more than 16 feet above ground. (T&ES/OEQ)
- C-5 No amplified sound shall be audible at the property line. All loudspeakers shall be prohibited from the exterior of the building. (T&ES/OEQ)
- C-6 All lights not required for illumination by City ordinances and those lights not required for security purposes shall be turned off from 9:30pm to dawn. (T&ES/OEQ)

Code Enforcement:

No comments.

Health Department:

No comments.

Parks and Recreation:

No comments received.

Police Department:

No comments received.

Fire

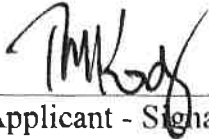
C-1 The new owner will be required to apply for a new fire prevention permit.

Application can be accessed online at:

www.alexandriava.gov/fire-department/the-fire-marshals-office.

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2025-00059. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile and trailer rental or sales area at 5125 Duke Street.


Applicant - Signature

10/7/2025
Date

Thomas M Kodaj
Applicant – Printed

10/7/2025
Date