



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 #2013-0072

Approved by Planning and Zoning: October 25, 2013

Permission is hereby granted to: Murtaza Mostamandi and Mahboob Hussaini
d/b/a M&B Auto Sales LLC

to use the premises located at: 26 Dove 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.

10/25/2013
Date

FAROLL HAMER / AD
Faroll Hamer, Director
Department of Planning and Zoning

DATE: October 25, 2013

TO: Alex Dambach, Land Use Services Division Chief
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2013-0072
Administrative Review for Change of Ownership
Site Use: Automobile Sales and Repair
Applicant: Murtaza Mostamandi and Mahboob Hussaini
d/b/a M&B Auto Sales LLC
Location: 26 Dove Street
Zone: OCM(50) / Office Commercial Medium(50)

Request

Special Use Permit #2013-0072 is a request for a change of ownership at an existing noncomplying automobile sales and repair business from Modern Motors LLC by Saad Javed to Murtaza Mostamandi and Mahboob Hussaini. The new owner will continue to operate the business as a small car sales lot with up to 20 vehicles at one time. Minor repair work for vehicles stored or sold on the lot, such as headlight and wiper blade changes and minor interior cleaning will also be offered. No mechanical tune-up work is permitted at this site.

Background

On April 21, 1990, City Council granted Special Use Permit #2367 to Alexandria Auto Sales for the operation of an automobile sales lot of up to 20 vehicles. On March 21, 1992, City Council granted Special Use Permit #2367A to the applicant to allow minor, non-mechanical repair work in a new two-bay garage at the business.

The business became a noncomplying use when the property was rezoned from I-1 to OCM(50) as a part of City-wide remapping approved in June 1992.

In 2008, staff observed violations of the conditions of SUP#2367A that were later corrected. Although staff observed in 2011 that the parking lot was unstriped as required by the SUP, it concluded that striping was no longer beneficial for the operation of the use. The condition requiring the striping was removed as part of the most recent SUP approval at the site, an administrative change of ownership granted to Modern Motors LLC in February 2011 (SUP#2011-0005).

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Shutter's Hill Owners and Fort Ellsworth Condominium Associations were sent written notification of the current application. Staff received one comment from an adjacent property owner expressing opposition to the request unless four requirements are added

to the Special Use Permit approval: adherence to hours of operation, compliance with on-street parking regulations, the taking in of trash cans immediately after trash pick-up occurs, and the routine maintenance of grassy open space located to the south of the subject site and the Dove Street right-of-way.

Staff Action

Staff does not object to the applicant's proposal and finds that the request to change ownership of the business is reasonable. Nearly all existing SUP conditions have been carried forward in this request, except for Condition #2 prohibiting certain types of signage. Given that the signage prohibited in the condition, such as banners and flags, are already prohibited in Section 9 of the Zoning Ordinance, the existing condition is duplicative and unnecessary.

Existing regulations are in place to address three of the four concerns raised by an adjacent property owner. The SUP already limits the hours of operation, and existing City regulations govern on-street parking and require the applicant to maintain the area of land south of the applicant's property, which is part of the City right-of-way. New Condition #21 will require the applicant to remove trash cans from areas adjacent to the public right-of-way as quickly as possible after trash pick-up has occurred.

Staff has relayed all four matters to the current applicant, the existing business owner, and the property owner. They have all agreed to abide by existing City regulations and to bring in their trash cans as quickly as possible after trash is picked-up from the site.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 10/25/13
Action: APPROVE



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2013-0072

The new owner is responsible for ensuring compliance with all applicable codes and ordinances and ensuring that the following conditions are adhered to at all times. Violation of any of the SUP 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#2011-0005)
2. ~~**CONDITION DELETED BY STAFF:** No banners, streamers, flags, or similar advertising devises shall be displayed on the premises, but signs advertising the general business conducted on the premises may be displayed in accordance with Section 7-6-173 of the City Code. (P&Z) (SUP#2011-0005)~~
3. 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#2011-0005)
4. All cars for sale shall be stored on the property in a neat and orderly fashion at all times. (P&Z) (SUP#2011-0005)
5. The hours of operation of the automobile sales business shall be restricted to between 9:00am to 8:00pm Monday through Saturday, between 9:00am and 6:00pm on Sunday, as indicated by the applicant. (P&Z) (SUP#2011-0005)
6. No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z) (SUP#2011-0005)
7. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP#2011-0005)
8. ~~CONDITION DELETED BY STAFF (SUP#2011-0005)~~
9. No vehicles shall be loaded or unloaded in the public right-of-way. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (P&Z) (SUP#2011-0005)
10. No more than 20 vehicles shall be displayed on the lot at any one time. (P&Z) (SUP#2011-0005)
11. No repair work shall be done outside. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (P&Z) (SUP#2011-0005)
12. Repair work done on the premises shall be restricted to washing, waxing, and minor automobile repair (e.g. replacement of headlights, wiper blades and tires) on vehicles for sale only. (P&Z) (SUP#2011-0005)

13. 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) (SUP#2011-0005)
14. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z) (SUP#2011-0005)
15. 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. (P&Z) (SUP#2011-0005)
16. 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. (P&Z) (SUP#2011-0005)
17. 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 Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (P&Z) (SUP#2011-0005)
18. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 to schedule a security survey for the business and robbery readiness training for all employees. (P&Z) (SUP#2011-0005)
19. 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. (P&Z) (SUP#2011-0005)
20. The Director of Planning and Zoning shall review the Special Use Permit one year after approval 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) (SUP#2011-0005)
21. **CONDITION ADDED BY STAFF:** The applicant shall remove trash bins from areas adjacent to the public right-of-way after trash pick-up to the satisfaction of the Director of Planning & Zoning. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2013-0072. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile sales and repair business at 26 Dove Street.



Applicant - Signature

10-28-13

Date

murtaza mostandi

Applicant - Printed

Date