

DATE: June 5, 2015

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

FROM: Ann Horowitz, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2015-0050
Administrative Review for Change of Ownership
Site Use: Automobile Sales
Business Name: 3020-3030 Duke Street
Applicant: Jeffrey L. Yates
Location: 3020-3030 Duke Street
Zone: CG/Commercial General

Request

Special Use Permit #2015-0050 is a request to change the ownership of an automobile sales establishment from Fred Gheysari to Jeffrey L. Yates at 3020, 3024, and 3030 Duke Street. No additional changes are proposed to the automobile sales operation.

Background

City Council approved SUP#97-0144 for an automobile sales and rental operation in 1997. Since then, City Council approved SUP#98-0136, SUP#2000-0151, SUP#2001-0113, SUP#2003-0044 for the intensification of the automobile sales use. Administrative approval for SUP#2008-0076 was granted on March 3, 2009 for a change of ownership

Between 2011 and 2013, Code inspections revealed tall grass at the sites. The condition was abated promptly. A recent Zoning inspection revealed a violation of Condition 21, requiring a handicap accessible parking space. The applicant promptly designated an accessible space and marked it with a handicap accessible parking sign.

Community Outreach

Public Notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, The Longview Hill Citizens' Association has been informed of the change of ownership request. Staff has not received any comments from residents or adjacent businesses during the noticing period.

Staff Action

Staff believes the change of ownership proposal to be a reasonable request. An automobile sales operation has existed along this major arterial route for two decades. Conditions have been carried forward from the previous SUP and several have been amended to reflect modern-day language. The installation of a monument sign and landscaping required in Condition 23 has been satisfied and the condition has been amended to mandate landscape maintenance. Standard conditions regarding odor control, supply delivery hours, and employee parking and posting of

public transportation schedules have been added in Conditions 30, 31, and 32, respectively. Up to 32 sales automobiles are permitted on the subjects sites as stated in Condition 33. Condition 17 requiring employees' use of business vehicles and Condition 21 requiring a contribution to the Litter Control Fund are no longer valid and have been deleted.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: June 5, 2015

Action: Approved



Alex Dambach, Division Chief

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

11. **CONDITION AMENDED BY STAFF:** 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#2008-0076) (P&Z)
12. **CONDITION AMENDED BY STAFF:** The applicant is to contact the ~~Crime~~ Prevention Community Relations Unit of the Alexandria Police Department at (703)746-1920 for a security survey and robbery awareness program for the business. (Police) (SUP#2003-0044) (P&Z)
13. Lighting in the parking lot shall be a minimum of 2.0 foot candles minimum maintained. (Police) (SUP#2003-0044)
14. Condition deleted. (P&Z) (SUP#2003-0044)
15. No banners, streamers, flags, or similar advertising devices shall be displayed on the premises, 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. (P&Z) (SUP#2003-0044)
16. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year from the date of 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 a 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#2008-0076)
17. **CONDITION DELETED BY STAFF:** ~~The applicant and its employees shall use only the rental or sales vehicles as their means of transportation to and from the site.~~ (P&Z) (SUP#2003-0044)
18. Condition deleted. (SUP#2003-0044)
19. All lighting shall be directed downward and shall be screened at the sides to avoid glare on the street and on adjacent properties and public rights-of-way to the satisfaction of the Director of Planning and Zoning. (P&Z) (SUP#2003-0044)
20. **CONDITION AMENDED BY STAFF:** ~~This special use permit allows a reduction in the parking requirement of one space, originally granted as part of SUP#08-0136. With the use of the whole site for auto sales, and including the prior reduction in the calculation,~~ a A requirement of eight parking spaces must be provided for employees and

CONDITIONS OF SPECIAL USE PERMIT #2015-0050

The new owner 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 a controlling interest. (P&Z) (SUP#2003-0044)
2. No automobile repair work or car washing is permitted. (P&Z) (SUP#2003-0044)
3. The hours of operation shall be limited to 10:00 A.M. to 8:30 P.M. Monday through Saturday. (P&Z) (SUP#2003-0044)
4. No junked, abandoned, or stripped vehicles shall be displayed, parked or stored outside. (P&Z) (SUP#2003-0044)
5. 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#2003-0044)
6. No vehicles shall be displayed, parked or stored on a public right-of-way. (P&Z) (SUP#2003-0044)
7. **CONDITION AMENDED BY STAFF:** ~~The applicant shall work with staff on a final parking plan which includes at least eight regulation spaces to meet the parking requirement and allows the remainder of the spaces to be smaller for display vehicles. The number of display parking spaces achieved as part of that plan, which shall be to the satisfaction of the Director of Planning and Zoning, shall be the number that the applicant is permitted to display. Vehicles shall be parked in a neat, orderly arrangement.~~ (P&Z) (SUP#2003-0044)
8. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP#2008-0076)
9. **CONDITION AMENDED BY STAFF:** ~~The parking lot shall be paved and striped and wheel stops shall be installed if necessary, and p~~Portions of the lot that have fallen into disrepair shall be repaired and/or re-paved, ~~to the satisfaction of the Director of Transportation and Environmental Services.~~ (T&ES) (SUP#2003-0044) (P&Z)
10. **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 703-519-3400, ext. 166~~ Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (SUP#2008-0076) P&Z

- customers. ~~No use of the site may be added which adds to the parking requirement without further parking reduction approval.~~ (P&Z) ~~(SUP#2003-0044)~~
21. The applicant shall provide one handicap accessible parking space to the satisfaction of the Director of Code Enforcement. (P&Z) (SUP#2003-0044)
 22. The applicant shall provide site lighting to meet minimum city standards. (T&ES) (SUP#2003-0044)
 23. **CONDITION AMENDED BY STAFF:** The applicant shall ~~work with Planning staff to provide additional~~ maintain landscaping to maximize the screening of the parking area from Duke Street, ~~and to refine the design of a monument sign. It shall install and maintain the landscaping and signage pursuant to a plan to the satisfaction of the Director of Planning and Zoning.~~ (P&Z) (SUP#2003-0044)
 24. **CONDITION AMENDED BY STAFF:** The ~~proposed signage and~~ Landscaping adjacent to the drive entrance shall be ~~placed~~ maintained to maximize sight distance for vehicles entering and leaving the site. (T&ES) ~~(SUP#2003-0044)~~ (P&Z)
 25. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (P&Z) (SUP#2003-0044)
 26. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (P&Z) (SUP#2003-0044)
 27. **CONDITION AMENDED BY STAFF:** The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines,*" or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov <https://alexandriava.gov/uploadedFiles/tes/solidwaste/info/RIP%20form%20flyer%20revised%202013.pdf> or contact the City's ~~Solid Waste Division at 703-519-3486 ext.132~~ Commercial Recycling Specialist at (703) 746-4133. (T&ES) (SUP#2008-0076) (P&Z)
 28. 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#2008-0076)
 29. **CONDITION DELETED BY STAFF:** Applicant shall ~~contribute \$500.00 to the Litter Control Fund for the installation of litter receptacles along the public right-of ways.~~ ~~Monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of City Council approval.~~ (T&ES) (SUP#2008-0076)

30. CONDITION ADDED BY STAFF: 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)
31. CONDITION ADDED BY STAFF: Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (P&Z)
32. CONDITION ADDED BY STAFF: The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (P&Z)
33. CONDITION ADDED BY STAFF: The subject sites shall be limited to 32 parked vehicles for sale that are associated with the applicant's automobile sales operation. (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2015-0050. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the operation at 3020-3030 Duke Street.


Applicant - Signature

6-8-15
Date

Connie Sofia for Jeff Yates
Applicant - Printed

6-8-15
Date