

DATE: September 15, 2014

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

FROM: Ann Horowitz, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2014-0078
Administrative Review for Change of Ownership
Site Use: Gasoline Service Station
Business Name: Old Town Shell
Applicant: NOVA Petroleum Suppliers, LLC
Location: 801 North Washington Street
Zone: CDX/Commercial Downtown (Old Town North)

Request

Special Use Permit #2015-0078 is a request to change the ownership of a non-complying gasoline station from Jeffrey G. Hale to NOVA Petroleum Suppliers, LLC. Originally known as Olde Town Car Care, the proposed new name of the business Old Town Shell. No additional changes are proposed to the gasoline station.

Background

A gasoline service station has operated at this site for several decades. City Council approved Special Use Permit #807 on October 27, 1970 for a one service bay addition to the existing gasoline service station. City Council later approved SUP #96-0073 for the installation of pum island canopies at the non-complying gas station. Most recently, DEM#2015-0014 was issued on June 30, 2015 for the removal of two underground storage tanks. New replacement underground storage tanks and new dispensers were recently installed.

Community Outreach

Public Notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, The Shad Row Homeowners Association, Watergate of Alexandria, North Old Town Independent Citizens Civic Association, Portners Landing Condominiums, Port Royal Condominium Association, and Council of Co-owners of Alexandria House have 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 supports the change of ownership and it views the request as reasonable. Conditions have been carried forward and several have been revised with modern day condition language. Additionally, staff has updated this report with standard conditions relating to inside repair of vehicles, supply delivery hours, litter abatement, odor control, and the SUP review schedule in Conditions 22, 23, 24, 25, and 26, respectively. Staff hereby approves the Special Use Permit request.

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ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: September 15, 2015

Action: Approved



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2015-0078

The 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 by the Director 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#96-0073)
2. Repair work done on the premises shall be limited to light automotive repair. (P&Z) (SUP#96-0073)
3. No repair work shall be done outside. (P&Z) (SUP#96-0073)
4. No more than 17 vehicles shall be parked or stored outside at any time and they shall be parked in a neat orderly arrangement consistent with the parking plan submitted with this application. (P&Z) (SUP#96-0073)
5. **CONDITION AMENDED BY STAFF:** No junk, stripped, or abandoned vehicles shall be displayed, parked, or stored on a public right-of-way or on the property. (P&Z) (~~SUP#96-0073~~)
6. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP#96-0073)
7. The hours of operation shall be limited to 6:00 AM to 11:00 PM, Monday through Saturday, and 7:00 AM to 9:00 PM, Sunday. (P&Z) (SUP#96-0073)
8. The premises shall not be used at any time for storage of automobiles that are not on the premises for the purpose of being serviced. (P&CD) (SUP #807)
9. **CONDITION AMENDED BY STAFF:** 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 of the City of Alexandria, Virginia. (P&Z) (~~SUP#96-0073~~)
10. No overnight heavy duty trucks or heavy industrial equipment shall be stored. (P&CD) (SUP #807)

11. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 5:** ~~No abandoned, stripped or junked vehicles shall be kept on the premises at any time. (P&CD) (SUP #807)~~
12. The applicant shall post the hours of operation at the entrance to the business. (P&Z) (SUP#96-0073)
13. **CONDITION AMENDED BY STAFF:** 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#96-0073)
14. No alcoholic beverages shall be sold. (P&Z) (SUP#96-0073)
15. Convenience retail items sold shall be limited to cigarettes, sodas, prepackaged snack foods, chips, cookies, gum, magazines and similar such items. (P&Z) (SUP#96-0073)
16. All waste products including but not limited to organic compounds (solvents), motor oils, and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and shall not be discharged into the sanitary or storm sewers. (T&ES) (Health) (SUP#96-0073)
17. **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 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (SUP#96-0073)
18. **CONDITION AMENDED BY STAFF:** The applicant shall contact the ~~Crime Prevention~~ Community Relations Unit of the Alexandria Police Department at 703-746-6388 for a security survey for the business and a robbery awareness program for all employees. (~~Police~~) (SUP#96-0073) (P&Z)
19. **CONDITION AMENDED BY STAFF:** The applicant shall ~~prepare a landscape plan to the satisfaction of the Director of P&Z within 60 days of the approval of the special use permit which shall include~~ maintain the following elements in good condition: (P&Z) (SUP#96-0073)
 - a) ~~additional~~ street trees along North Washington and Madison Streets;
 - b) plantings along Washington and Madison Streets; and

- c) landscaping at the north property line so as to create a separation between this site and the one to the north.
20. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall implement and install the approved landscape plan in conjunction with its construction of the canopy and shall thereafter maintain the plant materials in good condition. (P&Z) (SUP#96-0073)~~
21. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall close the driveway entrance on Madison Street farthest from North Washington Street to the satisfaction of the Director of Transportation and Environmental Services. If an agreement cannot be reached on a method of closing, the applicant shall revise its parking plan, including the maximum number of vehicles parked on the site, to the satisfaction of the Directors of P&Z and T&ES. (P&Z) (SUP#96-0073)~~
22. **CONDITION ADDED BY STAFF:** No repair work shall be done outside on the subject properties. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (P&Z)
23. **CONDITION ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (P&Z)
24. **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 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)
25. **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)
26. **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)

- Attachments: 1) Special Use Permit Conditions
2) City Department Comment

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2015-0078. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the gasoline station at 801 North Washington Street.

Monty Belhane
Applicant - Signature

9/24/2015
Date

MONTY BELHANE
Applicant - Printed

9/24/2015
Date