

DATE: July 7, 2016

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

FROM: Sara Brandt-Vorel, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2016-0040
Administrative Review for Change of Ownership
Site Use: General Automobile Repair
Applicant: Minh Nguyen d/b/a Professional Auto Body
Location: 619 Burnside Place
Zone: I / Industrial

Request

Special Use Permit #2016-0040 is a request to change ownership of an existing general automobile repair business from K & N Automotive Group LLC d/b/a Professional Auto Body to Minh Nguyen d/b/a Professional Auto Body. No changes to the operation are proposed and the applicant will continue providing complete repairs to automobiles with services including body work, painting, welding, and frame straightening. The applicant proposes to maintain his space of approximately 12,000 square feet and operate from 8:00 am to 6:00 p.m. Monday to Fridays, 9:00 a.m. to 3:00 p.m. on Saturdays and to close on Sundays.

Background

In October 1986 City Council approved SUP #1939 for the operation of an automobile repair business and reviewed the permit at the one year mark in November 1987 (SUP #1939A). As the zoning ordinance did not differentiate between light and general automobile repair until 1992, the SUP allows the use known today as General Automotive repair. In May 2012, staff administratively approved a change of ownership through SUP #2012-0035 to K & N Automotive Group LLC d/b/a Professional Auto Body. On June 20, 2016 staff inspected the property and the applicant was in compliance with all SUP conditions.

Parking

Section 8-200(17) of the Zoning Ordinance requires one parking space for every 400 square feet of space, with approximately 12,000 square feet the applicant would be required to provide 30 off-street parking spaces which is met by the surface parking lot located in front of the applicant's proposed business.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Summers Grove Homeowner's Association was sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses.

Staff Action

Staff does not object to the Change of Ownership request and finds the continued operation of a general automobile use at this location consistent with the subject site's zoning. Staff has carried forward the previous conditions and replaced Condition #11 with updated language in Conditions #20-22 which; require the applicant to encourage public transportation use among employees by establishing an employee transportation benefits program in Condition #20; promoting alternative forms of transportation through Condition #21; and requiring employees to use off-street parking in Condition #22.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: July 7, 2016

Action: Approved



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2016-0040

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 to or any corporation in which the applicant has a controlling interest. (P&Z) (SUP #2012-0035)
2. 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 #2012-0035)
3. The hours of operation shall be restricted to between 7 a.m. and 6 p.m. Monday through Friday and from 9 a.m. to 5 p.m. on Saturday. (P&Z) (SUP #2012-0035)
4. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z) (SUP #2012-0035)
5. 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 #2012-0035)
6. **CONDITION AMENDED BY STAFF:** No vehicles shall be displayed, parked, or stored ~~on a~~ in any portion of the public right-of-way. (P&Z) (SUP #2012-0035)
7. Any paint spray booth installed by the owner shall be capable of effectively containing paint-laden aerosols that would otherwise be discharged to the atmosphere. (P&Z) (SUP #2012-0035)
8. There shall be no discharge of paint-laden aerosols beyond the property line of the premises irrespective of wind direction and velocity. (Health) (P&Z) (SUP #2012-0035)
9. Signage shall be limited to advertising the general business conducted on the premises. No banners, streamers, flags, or similar advertising devices shall be displayed on the premises. (P&Z) (SUP #2012-0035)
10. 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)
11. **CONDITION DELETED 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) (SUP #2012-0035)

12. 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 #2012-0035)
13. 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. (T&ES) (SUP #2012-0035)
14. 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 #2012-0035)
15. 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 #2012-0035)
16. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2012-0035)
17. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP #2012-0035)
18. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-746-1920 regarding a security assessment for the business and robbery readiness training for all employees. (P&Z) (SUP #2012-0035)
19. 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 #2012-0035)

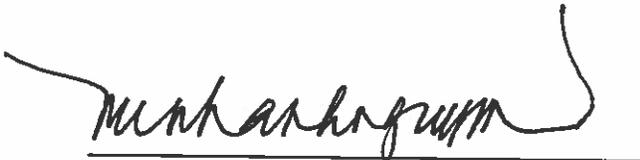
20. **CONDITION ADDED BY STAFF: The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of approval, the business shall contact the Local Motion at 703-746-4686 for information on establishing an employee transportation benefits program. (T&ES) (P&Z)**

21. **CONDITION ADDED BY STAFF: The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Local Motion at 703-746-4686 or www.alexandriava.gov/LocalMotion for more information about available resources. (T&ES)(P&Z)**

22. **CONDITION ADDED BY STAFF: The applicant shall require its employees who drive to use off-street parking. (T&ES) (P&Z)**

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-0040. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the General Automobile Repair business at 619 Burnside Place.

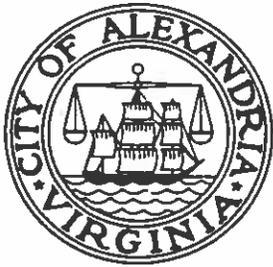


Applicant - Signature

07-19-16
Date

MINH NGUYEN A.
Applicant - Printed

07-19-16
Date



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 #2016-0040
Approved by Planning and Zoning: July 7, 2016
Permission is hereby granted to: Minh Nguyen d/b/a Professional Auto Body
to use the premises located at: 619 Burnside Place
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.

7/7/16

Date

KARL MORITZ / RD

Karl Moritz, Director

Department of Planning and Zoning