

DATE: November 21, 2017

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

FROM: Femi Adedokun
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0121
Administrative Review for Change of Ownership

Site Use: Auto Service Station
Applicant: Tarik Jabrane
Location: 4550 Kenmore Avenue
Zone: CG / Commercial General

Request

Special Use Permit #2017-00121 is a request to change ownership of the business at 4550 Duke Street to Tarik Jabrane. No other changes to the operation of the business are proposed. The use is described as a light automobile repair based on the limitations on repair work contained in Condition #4 of SUP#1647-G.

Background

On March 17, 1984, City Council granted Special Use Permit #1647 to Family Five, Inc. for an automobile repair business at 4405 Duke Street. The Special Use Permit has returned to City Council for approval seven times since 1984. Four of these occasions were reviews and three were requests for expansion. In addition, City Council approved a request, SUP#1647-G, on December 14, 1991 to expand the facility. The most recent request was Special Use Permit #2009-0012, to change ownership of the business to Rudolph C. Moore.

A site inspection was carried out on 04/28/2015 after a complaint noting SUP violations on the site was received. The business was found to be in violation of SUP #2009-0012 conditions and was issued two warning notices on 04/28/2015 and 04/30/2015, this was followed by an eventual ticket for violations on 06/18/2015. The latest site inspection was carried out on 11/14/2017 where the business was found to be in violation of conditions 2, 6, and 22 of SUP #2009-0012. A warning notice was issued to the business and the business owner was given until the 12/14/2017 to comply before fines will apply.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Brookville-Seminary Valley Civic Association and Cameron Station Civic Association were sent an email notification of the application. Staff has not received any comments regarding the SUP proposal.

Staff Action

Staff finds the change of ownership request to be reasonable. Although there have been violations in the past, the applicants have shown commitment to bring the business into compliance before 12/14/17; therefore at this time, staff doesn't recommend that the SUP be referred to public hearing by the Planning Commission and City Council.

Staff has carried forward all conditions from special use permit #2009-0012. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: November 21, 2017

Action: Approved



Alex Dambach, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2017-00121:

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. The new owner shall also abide by all other applicable codes and ordinances.

1. The special use permit shall be granted to the applicant or to any corporation in which the applicant has a controlling interest. (P&Z) (SUP #2009-0012)
2. All vehicles on the site shall be parked in a neat and orderly fashion at all times. (P&Z) (SUP #2009-0012)
3. **CONDITION AMENDED BY STAFF:** ~~All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning.~~ No repair work shall be done outside on the subject property. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (P&Z) (T&ES) (SUP #2009-0012)
4. Repair work done on the premises shall be restricted to muffler, brake, exhaust system, front-end alignment and shock absorber repair or installation. (PC) (SUP #2009-0012)
5. The hours of operation shall be restricted to between 8:00 A.M. and 9:00 P.M. Monday through Friday, and between 8:00 A.M and 6:00 P.M. on Saturday. The applicant shall post the hours of operation at the entrance to the business. (P&Z) (SUP #2009-0012)
6. No junked, abandoned or stripped vehicles shall be displayed, parked or stored outside. (P&Z) (T&ES) (SUP #2009-0012)
7. A dumpster shall be located inside the building, and no vehicle parts, tires, trash or other materials shall be stored or allowed to accumulate outside the building. (P&Z)(PC) (SUP #2009-0012)
8. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP #2009-0012)
9. **CONDITION DELETED BY PLANNING COMMISSION:** (SUP#1647-G)
10. Landscaping as installed shall be maintained to the satisfaction of the City Arborist. (PC) (SUP #2009-0012)
11. **CONDITION DELETED BY CITY COUNCIL** (SUP#1647-G)

12. **CONDITION SATISFIED**
13. **CONDITION SATISFIED**
14. **CONDITION DELETED BY PLANNING COMMISSION (SUP# 1647-G)**
15. **CONDITION SATISFIED**
16. **CONDITION DELETED BY PLANNING COMMISSION**
17. **CONDITION SATISFIED**
18. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (P&Z) (SUP #2009-0012)
19. 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 #2009-0012)
20. 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 #2009-0012)
21. 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 #2009-0012)
22. 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. (T&ES) (SUP #2009-0012)
23. 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 #2009-0012)
24. All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
25. Supply deliveries, loading, and unloading activities shall not occur between the hours of

11:00pm and 7:00am. (T&ES) (SUP #2009-0012)

26. 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 or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES) (SUP #2009-0012)
27. 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)(T&ES) (SUP #2009-0012)
28. **CONDITION SATISFIED**
29. 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) (T&ES) (SUP #2009-0012)
30. Existing landscaping shall be well maintained and be free of weeds, debris, and litter at all times. Replace dead, damaged, or missing plants as needed and as required on landscape plans. (RP&CA) (SUP #2009-0012)
31. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 for a security survey for the business and a robbery awareness program for all employees. (Police) (SUP #2009-0012)
32. 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) (SUP #2009-0012)
33. **CONDITION ADDED BY STAFF:** The applicant shall not use residential side streets for test-driving or diagnosing needed vehicle repairs. The applicant may use major arterials for test-driving during hours of operation regardless of the uses located along those streets. (P&Z)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 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)
- R-2 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. (T&ES)
- R-3 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)
- R-4 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)
- R-5 All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
- R-6 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-7 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)
- R-8 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 or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)

- R-9 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)
- R-10 Applicant shall provide the City \$1150.00 for one Model SD-42 Bethesda Series litter receptacle for installation on the adjacent public right-of-way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60-days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES)
- R-11 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. (T&ES)
- C-1 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.
- C-2 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).

Code Enforcement:

- C-1 A new fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application. An inventory and MSDS sheets for hazardous materials are required.

Health Department:

F-1 No Comment

Police Department:

R-1 The new applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.

R-2 The new applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees.

F-1 The Police Department has no objections to the change of ownership.

Parks, Recreation & Cultural Activities

R-1 Existing landscaping shall be well maintained and be free of weeds, debris, and litter at all times. Replace dead, damaged, or missing plants as needed and as required on landscape plans.

C-1 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owners front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)

SUP #2017-00121
4405 Duke Street

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of Special Use Permit #2017-00121.



Applicant - Signature

11-30-17
Date



Applicant - Printed

Attachment: Conditions of Special Use Permit #2017-00121.