City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 1 1-510 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	SUP #2017-0054
Approved by Planning and Zoning:	June 1, 2017
Permission is hereby granted to:	M. Naser & Sons Corporation
to use the premises located at:	5200 Duke 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.

June 1 , 2017

Date

KARL MORITZ/AD

Karl Moritz, Director
Department of Planning and Zoning

DATE: June 1, 2017

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

FROM: Madeleine Sims, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2017-0053
Administrative Review for Change of Ownership
Site Use: Service Station and Convenience Store
Applicant: M. Naser Omar & Sons Corp.
Location: 5200 Duke Street
Zone: CG / Commercial General

Request

Special Use Permit #2017-0054 is a request to change ownership of an existing service station and convenience store from Inyat Omar to M. Naser Omar & Sons Corporation. No changes to the operation are proposed.

Background

A Shell service station has operated at this site since 1964 (SUP#0572). City Council approved several modifications to the station through SUP#1457 in 1982 and SUP#1457A in 1994 that allowed for an addition to a kiosk and canopies at the site. City Council approved SUP#96-0084 in 1996 for additional parking and the use of a temporary trailer. In 2014, SUP #2014-0093 was approved for a change of ownership.

In 2011 and 2012, staff responded to complaints regarding overgrown grass which the business owner immediately remedied. Again in 2015 and 2016, staff responded to complaints regarding tall grass surrounding the property. A zoning inspection in 2010 resulted in a warning ticket for an illegal sign and the business owner promptly removed the signs. During the noticing for SUP #2017-0054, staff received a complaint about tall bushes between South Pickett Street and the Shell station. Staff contacted the applicant and informed him of the complaint. Staff also added Condition #25 to ensure the site is maintained in adequate fashion.

Parking

The 2,047 square foot service station is required to provide six parking spaces pursuant to Sec. 8-200(A)(12) of the Zoning Ordinance. The business exceeds the zoning requirement with thirteen parking spaces.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the special use permit for public hearing.

Staff Action

Staff does not object to the change of ownership request. As staff has received a complaint regarding bush height alongside Pickett Street and there exists a history of tall grass at this location, Condition #25 is added to ensure adequate appearance and to ensure compliance with the vision clearance per Sec. 7-801. The vision clearance regulation states no shrubbery can exceed three and one-half feet in height from the curb level in order to maintain a visibility for drivers and pedestrians. Older conditions have been carried over from SUP #2014-0093 and language has been updated where needed. Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: 06/01/17
Action: Approve

Alex Dambach, Division Chief, Land Use Regulatory Services

Attachments:
1) Special Use Permit Conditions
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2017-0054

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 corporation in which the applicant has a controlling interest. (P&Z) (SUP #2014-0093)

2. 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) (SUP #2014-0093)

3. No more than 13 vehicles shall be parked or stored outside at any time. (P&Z) (SUP #2014-0093)

4. No junked, abandoned, or stripped vehicles shall be displayed, parked or stored outside. (P&Z) (SUP #2014-0093)

5. No vehicles shall be displayed, parked or stored in any portion of the ~~a~~ public right-of-way. (P&Z) (SUP #2014-0093)

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&CD)(SUP 1457A)

7. 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&CD)(T&ES)(SUP 1457A)

8. Condition deleted. (P&Z) (SUP #2014-0093)

9. The business may operate 24 hours a day, seven days a week. (P&CD)(SUP 1457A)

10. Condition deleted by staff. (SUP #2014-0093)

11. 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. (P&Z) (SUP #2014-0093)

12. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sound shall be audible at the property line. (P&Z) (SUP #2014-0093)

13. Condition satisfied and deleted by staff. (SUP #2014-0093)

14. Condition satisfied and deleted by staff. (SUP #2014-0093)

15. The applicant shall post the hours of operation for the service station at the entrance of the building. (P&Z) (SUP #2014-0093)

16. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of these containers. (P&Z) (SUP #2014-0093)

17. 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 #2014-0093)

18. The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. Contact T&ES engineering division on 703-746-4065 to obtain a copy of the manual or at http://www.alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf. (P&Z) (SUP #2014-0093)

19. **CONDITION AMENDED BY STAFF:** The applicant shall encourage require its employees who drive to use off-street parking and/or provide employees who use mass transit or to carpool when traveling to and from work, with subsidized bus and rail fare media. The applicant shall also ~~posting~~ post information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. Metrobus schedules on-site for employees. (P&Z) (SUP #2014-0093)

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 #2014-0093)

21. The applicant shall control cooking 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 & Environmental Services. (P&Z) (SUP #2014-0093)

22. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (P&Z) (SUP #2014-0093)

23. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2014-0093)

24. **CONDITION AMENDED BY STAFF:** 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 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 #2014-0093)~~

25. **CONDITION ADDED BY STAFF:** Shrubbery located along the South Pickett Street and Duke Street frontages shall not exceed three and one-half feet in height nor shall encroach onto the public right of way. (P&Z)

SUP #2017-0054
5200 Duke Street

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2017-0054. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the service station and convenience store at 5200 Duke Street.

M. Yousif Malek 7/13/17

Applicant - Signature Date

Applicant – Printed Date