

DATE: October 23, 2018

TO: Tony LaColla, Division Chief
Department of Planning and Zoning

FROM: Max Ewart, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2018-0096
Minor Amendment Special Use Permit
Site Use: Automobile and trailer rental or sales area and a temporary trailer
Applicant: Behrooz Raiszadeh
Location: 3120 Colvin Street
Zone: I/ Industrial Zone

Request

Special Use Permit (SUP) #2018-0096 is a request for a minor amendment to SUP #2016-0072 to extend the use of the temporary trailer which serves as the office for an automobile sales operation for two additional years. After two years, the applicant would relocate his office to a building that would be constructed on the site. There would be no change to the nature or name of the business with this amendment. The applicant estimates that there will continue to be approximately 12 customers a week and plans to employ two additional employees. There will be as much as 24 automobiles for sale on the site as well as two on-site parking spots for the employees.

Background

In May 2015, the property owner submitted Concept I plans as DSUP #2015-0011 to the Planning & Zoning Development division for the construction of a two-story building designed for automobile, office, and warehouse uses. Staff continues to work with the property owner to develop a building on this site and expects construction to begin in approximately two years.

The owner of the business has had Special Use Permits approved on several occasions related to the relocation of the business from 1318 King Street to the current location of 3120 Colvin Street. At the applicant's request, City Council approved an extension for business operations to continue at 1318 King Street through SUP #2013-0084 until October 2014; a second approval was granted for an extension until August 21, 2016 through SUP #2014-0115. The applicant complied with the City Council directive, closing his automobile sales business at the King Street site on August 21, 2016.

City Council approved SUP #2016-0042 for an automobile sales business and a temporary trailer at the current location, 3120 Colvin Street in September, 2016. Through administrative approval, SUP #2016-0072 allowed for the expansion of the temporary trailer to comply with ADA requirements.

An SUP inspection revealed the applicant complied with all SUP conditions.

Parking

Section 8-200(A)(21)(a) of the zoning ordinance requires that offices in industrial buildings at this location provide 1.1 spaces for every 400 square feet. With 576 square feet of office space, the applicant must provide two parking spaces, in addition to the 24 spaces required for the automobile inventory. The applicant exceeds the parking requirement with approximately parking for 50 vehicles on the lot.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard at the site. In addition, the Seminary Hill Association and the Taylor Run Civic Association were notified of the SUP request. Staff did not receive questions or comments regarding this request.

Staff Action

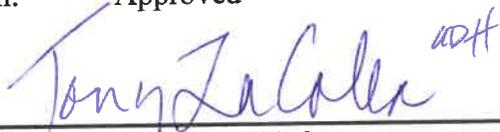
Staff supports a minor amendment to SUP #2016-0072 to extend the use of a temporary trailer for one additional two-year period until November 1, 2020, as per amended Condition 3, to allow for the applicant to continue his business operation at the site until a building, where he can locate his office, is constructed. The property owner and applicant have been in communication with Planning & Zoning staff regarding the construction of the permanent structure. In addition, the applicant has been compliant with all SUP conditions and has not been subject to complaints.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: October 23, 2018

Action: Approved

Handwritten signature of Tony LaColla in blue ink, with the initials 'TLC' written above the signature.

Tony LaColla, Division Chief

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

CONDITIONS OF SPECIAL USE PERMIT #2018-0096

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 to public hearing by the Planning Commission and City Council.

1. The special use permit shall be granted to the applicant only or to a corporation in which the applicant has a controlling interest. (P&Z) (SUP #2016-0072)
2. The hours of operation shall be limited to between 10 a.m. and 8 p.m., Monday through Saturday. (P&Z) (SUP #2016-0072)
3. **CONDITION AMENDED BY STAFF:** The temporary trailer shall be permitted at the site for a two-year term which expires on ~~September 16, 2018~~ November 1, 2020. ~~The applicant may request one extension through a Special Use Permit application filed with the Department of Planning and Zoning prior to March 1, 2016.~~ (P&Z) (SUP #2016-0072)
4. A maximum of 24 vehicles on display for sale associated with A&B Auto Finance Co. shall be parked at the site, in accordance with the plan submitted by the applicant. (P&Z) (SUP #2016-0072)
5. The parking lot at 3120 Colvin Street shall be maintained in good condition and kept free of weeds and tall grass. (P&Z) (SUP #2016-0072)
6. The existing fence at the 3120 Colvin Street site shall be maintained to prevent unsightly conditions such as holes, sags, or bent areas from appearing along Colvin Street. (P&Z) (SUP #2016-0072)
7. No vehicles shall be parked or stored in any portion of the public right-of-way. (P&Z) (SUP #2016-0072)
8. No junked, abandoned, visibly damaged, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z) (SUP #2016-0072)
9. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2016-0072)
10. **CONDITION DELETED BY STAFF AND REPLACED WITH CONDITION 17:** ~~The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact the Local Motion at (localmotion@alexandriava.gov) for information on establishing an employee transportation benefits program.~~ (T&ES) (SUP #2016-0072)
11. No repair work shall be done outdoor on the subject property. (T&ES) (SUP #2016-0072)

12. Car wash is not permitted on this property. (T&ES) (SUP #2016-0072)
13. Supply deliveries, loading, and unloading activities should not occur between the hours of 11:00 p.m. and 7:00 a.m. (T&ES) (SUP #2016-0072)
14. The use must comply with the city's noise ordinance. 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 #2016-0072)
15. Litter on the site and on public right-of-ways 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 #2016-0072)
16. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year from 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 #2016-0072~~)
17. **CONDITION ADDED BY STAFF:** The applicant shall encourage employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (P&Z)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services

No comments received

Code Administration

No comments received

Fire

No comments received

Health

No comments received

Police

No comments received

Recreation, Parks, and Cultural Activities

No comments received

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2018-0096. The undersigned also hereby agrees to obtain all applicable licenses and permits required for an automobile sales business and temporary trailer at 3120 Colvin Street.



Applicant – Signature

10/26/18

Date

BEHROOZ RAISZADEH

Applicant – Printed

10/26/18

Date