

DATE: January 9, 2013

TO: Joanna Anderson, Acting Deputy Director
Department of Planning and Zoning

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2012-0081
Administrative Review for Minor Amendment
Site Use: Laundry and Dry Cleaning Business
Applicant: Du Hwan and Young U. Chon
Location: 3425-B King Street
Zone: CG/Commercial General

Request

Special Use Permit #2012-0081 is a minor amendment request to extend the hours of operation for an existing laundry and dry-cleaning operation. The applicant proposes to increase the opening hour of the business from 7:30 am to 6 a.m. Monday-Saturday. No other changes to the operation are proposed.

Background

City Council granted SUP#2647 to the current applicants in February 1993 to allow for the operation of a laundry and dry-cleaning facility in which, rather than simply offering a pick-up or drop-off location, clothes are cleaned on-premises.

On December 14, 2012, staff visited the subject property as part of a routine inspection and found that the business opened at 6 a.m. as opposed to 7:30 a.m., which was a violation of Condition #2 of Special Use Permit #2647. The applicant subsequently applied for the current minor amendment request. Staff has not received any complaints that would require it to docket the Special Use Permit for public hearing.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Kingsgate Condominium Association and Chapel Hill Homeowners Association were 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 minor amendment request. The additional one and a half hours of operation in the morning represents a reasonable change and one that is eligible for minor amendment approval consistent with Section 11-511(A)(2)(b)(i)(a) of the Zoning Ordinance. Staff hereby approves the Special Use Permit.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date:

Action:

Joanna Anderson, Acting Deputy Director

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

CONDITIONS OF SPECIAL USE PERMIT #2012-0081

The applicant 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#2647)
2. The hours during which the business is open to the public shall be restricted to between 7:30 a.m. and 7 p.m., Monday-Saturday as requested by the applicant. (P&Z) (SUP#2647)
3. **CONDITION AMENDED BY STAFF:** ~~Trash shall be stored inside or in a dumpster.~~ 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 those containers. (P&Z) (SUP#2647)
4. The applicant shall post the hours of operation at the entrance to the business. (P&Z) (SUP#2647)
5. Trash shall be collected on a daily basis when the business is open. (P&Z) (SUP#2647)
6. **CONDITION DELETED BY STAFF:** ~~One standard City trash container shall be located in the parking area for the use of patrons, and the container shall not be permitted to overflow, and the areas around it shall be kept clean.~~ (P&Z) (SUP#2647)
7. **CONDITION AMENDED BY STAFF:** ~~No odors shall be permitted off the property.~~ The applicant shall control odors 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. ~~(Health) (SUP#2647)~~ (T&ES)
8. **CONDITION DELETED BY STAFF:** ~~The parking lot shall be restriped to the satisfaction of the Director of Transportation and Environmental Services. (City Council) (SUP#2647)~~
9. **CONDITION AMENDED BY STAFF:** All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. There shall be no liquid or vapor leakage of solvents from the system. (City Council) (T&ES) (SUP#2647)
10. **CONDITION ADDED BY STAFF:** The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee

orientation process, to discuss all Special Use Permit provisions and requirements. (P&Z)

11. **CONDITION ADDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building and no amplified sounds shall be audible at the property line. (T&ES)
12. **CONDITION ADDED BY STAFF:** Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
13. **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. (T&ES)
14. **CONDITION ADDED 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. (T&ES)
15. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit after 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)

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 Condition #8 from SUP#2647 can be deleted and not carried forward to SUP2012-00081
- R-1 The applicant shall control odors 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. (T&ES)
- R-2 All waste products including but not limited to organic compounds (solvents), shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
- R-3 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-4 Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-5 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-6 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. (T&ES) (SUP2010-00062)
- 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). (TES) (SUP2010-00062)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703)

746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form.

Code Enforcement:

F-1 No comments necessary

Health Department:

F-1 No comments

Parks and Recreation:

F-1 No comments received

Police Department:

F-1 No comments received

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2012-0081. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the laundry and dry cleaning business at 3425-B King Street.

Applicant - Signature

Date

Applicant – Printed

Date