

Docket Item # 3
SPECIAL USE PERMIT #2002-0041

Planning Commission Meeting
October 1, 2002

ISSUE: Consideration of a request for a special use permit to change the ownership of a parking facility.

APPLICANT: Central Parking System of VA Inc.
by Art Alabin

LOCATION: 300 North Lee Street
Central Parking

ZONE: CD/Commercial Downtown

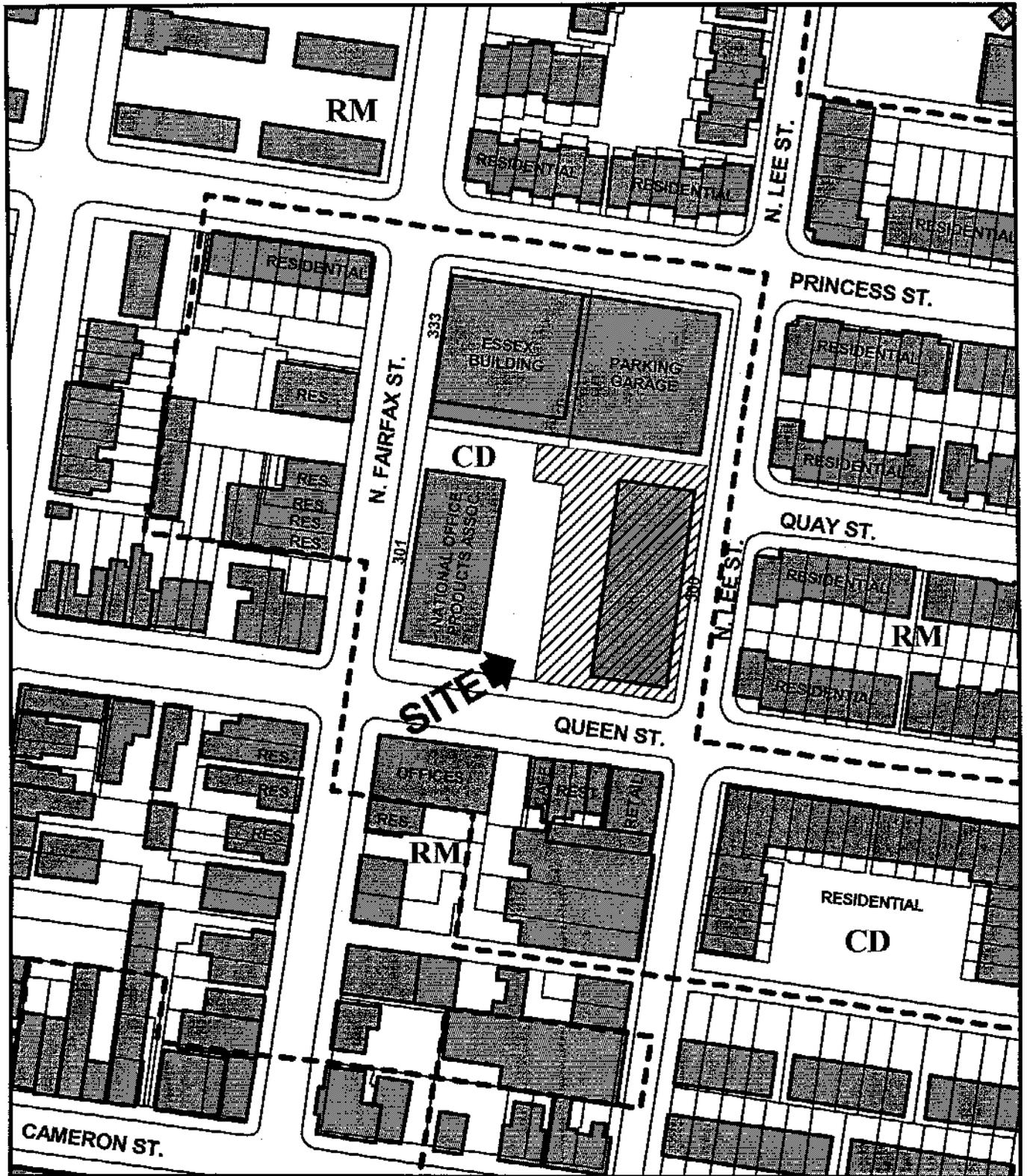
PLANNING COMMISSION ACTION, OCTOBER 1, 2002: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Condition #2. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

Speakers: No speakers.

PLANNING COMMISSION ACTION, SEPTEMBER 3, 2002: The Planning Commission noted the deferral of the request.

Reason: The applicant failed to comply with the requirements for legal notice.



SUP #2002-0041

10/01/02



STAFF RECOMMENDATION:

Staff recommends approval subject to compliance with all applicable codes and ordinances and the following conditions:

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP # 2668-A)
2. **CONDITION AMENDED BY PLANNING COMMISSION:** ~~The parking lot shall be policed at least once a week for litter. Litter on the site and 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.~~ (PC) (P&Z) (SUP #2668-A)
3. No vehicle repairs shall be performed on the lot. (P&Z) (SUP #2668-A)
4. The parking lot shall open to the general public only between the following hours, as requested by the applicant: (P&Z) (SUP #2668-A)

Monday thru Friday	5:30 P.M. to 3:00 A.M.
Saturday and Sunday	7:00 A.M. to 3:00 A.M.
Holidays	7:00 A.M. to 3:00 A.M.
5. No more than 48 parking spaces shall be used by the general public at any one time. (P&Z) (SUP #2668-A)
6. No signs will be allowed on the public right-of-way unless an encroachment ordinance is requested from and approved by the City Council. (T&ES) (SUP #2668-A)
7. **CONDITION AMENDED BY STAFF:** ~~When the applicant requires more parking for use by the tenants of the building, the number of public parking spaces must be reduced accordingly. If the tenants of the building need more parking, then the applicant shall provide these spaces by transforming public parking spaces into reserved parking spaces for the tenants of the building. Forty-eight out of a total of 60 parking spaces are now used for public parking during evenings and weekends and 18 parking spaces are reserved at all times for building tenants.~~ (P&Z) (SUP #2668-A)

8. No amplified sound shall be audible from the parking lot. (P&CD) (SUP #2668-A)
9. Lighting shall be shielded from adjacent residential properties and the public right-of-way. (PC)(SUP #2668-A)
10. **CONDITION AMENDED BY STAFF:** The N. Lee Street exit shall be chained off closed at 11:00 P.M. to the satisfaction of the Director of the Department of Planning and Zoning and the Director of the Department of Code Enforcement. ~~(CC)~~ (SUP #2668-A) (P&Z)
11. **CONDITION ADDED BY STAFF:** The applicant shall provide and maintain in good condition landscaping generally consistent with staff's attached plan (dated July 2002) and the City of Alexandria's Landscape Guidelines, and to the satisfaction of the Director of the Department of Planning and Zoning. (P&Z)
12. **CONDITION ADDED BY STAFF:** The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a robbery awareness program for employees. (Police)
13. **CONDITION ADDED BY STAFF:** The walls and ceiling in the garage are to be painted white. (Police)
14. **CONDITION ADDED BY STAFF:** The lighting for the parking lot shall be to the satisfaction of the Director of T&ES in consultation with the Chief of Police. (T&ES) (P&Z)
15. **CONDITION ADDED BY STAFF:** The applicant shall participate in the Park Alexandria program. (P&Z)
16. **CONDITION ADDED BY STAFF:** The applicant shall post signs indicating the availability of public parking to the satisfaction of the Director of the Department of Planning and Zoning. (P&Z)
17. **CONDITION ADDED 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, (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, 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)

DISCUSSION:

1. The applicant, Central Parking System of V.A., Inc, represented by employee Art Alabin, requests special use permit approval to change the ownership of a public parking business, located at 300 North Lee Street.
2. The subject property, a five-story office building with surface parking lot, is located at 300 N. Lee Street on the southern portion of a rectangular lot that fronts Queen, N. Lee and Princess Streets. The attached graphic shows the boundaries of the subject property. A parking garage is located in the northern end of the same lot, but serves the adjacent office building at 333 N. Fairfax Street.

The remainder of the subject block is occupied by an office building and parking lot at 301 N. Fairfax Street. Residential properties occupy the blocks to the north and east. Residential properties and a few commercial properties occupy the blocks to the west. Commercial properties, including restaurants and retail businesses, occupy the block to the south.

3. The applicant, Central Parking System of V.A., requests special use permit approval to change the ownership of an existing public parking lot business located at 300 N. Lee Street. The applicant has also submitted two other change of ownership applications for its two other public parking lots located at 301 and 333 N. Fairfax Street within the same block.
4. Staff inspected 300 N. Lee Street as part of the Department of Planning and Zoning's proactive inspection program and found violations of the special use permit, including an unapproved change of ownership, operating outside the approved hours of operation, and failure to close one of the entrance/exits at a specified time daily. The applicant's representative, Mr. Alabin, told staff that he was unaware of the special use permit and filed a change of ownership application. In reviewing this application, staff found that the applicant had also purchased two other public parking businesses within the same block, located at 301 and 333 N. Fairfax Street, without benefit of change of ownership applications. Mr. Alabin submitted two additional change of ownership applications for two public parking businesses located at 301 and 333 N. Fairfax Street.
5. Each of the three public parking facilities have individual special use permits: 300 N. Lee Street operates under Special Use Permit #97-0086, 301 N. Fairfax Street operates under Special Use Permit #2666-A, and 333 N. Fairfax Street operates under Special Use Permit #2667-B. These three locations have surface parking lots and a parking garage that are used by office tenants during the day and made available for public parking during weekday evenings, weekends and holidays. The public parking facilities offer 48 parking spaces at 300 N. Lee Street, 64 parking spaces at 301 N. Fairfax Street, and 183 parking spaces at 333 N. Fairfax Street during weekday evenings, weekends and holidays.

6. On March 21, 1987, City Council granted Special Use Permit #1969 for a public parking lot at 300 N. Lee Street. This first public parking lot operation closed after three months due to a lack of customers. On March 20, 1993, City Council granted Special Use Permit #2668 for the operation of a public parking lot during evening hours, weekends, and holidays. On September 7, 1993, City Council conducted a six month review and granted Special Use Permit #2668-A for continued operation of the public parking lot. On June 17, 1997, the Department of Planning and Zoning administratively approved SUP #97-0086 for a change of ownership from MetroPark, Inc. to Kinney System DC, Inc.
7. The applicant has not asked for any changes to the existing special use permit for 300 N. Lee Street (SUP #97-0086) and its conditions of approval beyond that of the business ownership.
8. The subject public parking lot consists of 60 parking spaces. Forty-eight parking spaces are available to the public during the public parking lot hours of operation, and 18 parking spaces are reserved at all times for building tenants. The parking lot is used only by tenants of the on-site office building during weekdays, and is used as a public parking lot during weekday evenings, weekends and holidays.

Public Parking Lot Hours of Operation (currently permitted)

Monday through Friday	5:30 pm to 3:00 am
Saturday and Sunday	7:00 am to 3:00 am
Holidays	7:00 am to 3:00 am

9. The applicant told staff that one attendant oversees all three parking facilities during the hours of operation, which are the same for all three sites. The attendant works out of a booth located at the Queen Street entrance to 300 N. Lee Street. Once all parking spaces are filled at 300 N. Lee, the attendant directs cars to available parking spaces located at 301 and 333 N. Fairfax Street. The applicant said that 333 N. Fairfax Street is used less often than the other two sites, and only used to capacity on local festival or other large event days.
10. The applicant is required to close the N. Lee Street exit at 11:00 p.m. daily with a chain by the existing special use permit. The City Council imposed this requirement in 1993 under Special Use Permit #2668 to reduce traffic and noise along N. Lee Street for adjacent residential neighbors.
11. Zoning: The subject property is located in the CD (Commercial Downtown) zone. Section 4-500 of the zoning ordinance allows a motor vehicle parking or storage for more than 20 vehicles in the CD zone only with a special use permit.
12. Master Plan: The proposed use is consistent with the Old Town Small Area Plan chapter of the Master Plan which designates the property for commercial use.

STAFF ANALYSIS:

Staff has no objection to the proposed change of ownership application for the public parking business located at 300 N. Lee Street. The subject business occupies the surface lot located at the corner of Queen and N. Lee Streets. The business operates only in the evenings, on weekends and on holidays. It includes 48 parking spaces for public use.

Staff recommends that 300 N. Lee Street be improved with the addition of a screening hedge at the Queen Street entrance. A photograph of this entrance is attached. The screening hedge should comply with the requirements set forth in the City of Alexandria's *Landscape Guidelines*. Staff also recommends that the chain used to close the parking lot's entrance/exit along N. Lee Street be altered or replaced with a different closing mechanism. Staff has included a condition to this effect.

Additionally, staff recommends that signs indicating the availability of public parking be posted at the parking lot in order to facilitate the use of the parking lot and, thereby, help mitigate the parking problems residents, business owners, and visitors experience in the area.

The applicant is currently enrolled in the Park Alexandria program and often has patrons from nearby restaurants. A condition requiring this continued participation is recommended.

Staff has included a condition requiring a review of the public parking lot one year after this approval so if there are any problems with its operation, additional conditions may be imposed. Staff recommends approval of the subject application pursuant to the list of suggested conditions.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Mary Hashemi, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 No objections or recommendations on the existing operation of this commercial parking operation.

Code Enforcement:

- F-1 No comments.

Health Department:

- F-1 No comments.

Police Department:

- R-1 Robbery awareness program for all employees.
- R-2 The lighting for the parking garage and surface lot is to be minimum of 2.0 foot candles minimum maintained.
- R-3 The walls and ceiling in the garage are to be painted white.

MNH

APPLICATION for SPECIAL USE PERMIT # 2002-0041

Change of Ownership or Minor Amendment

[must use black ink or type]

PROPERTY LOCATION: 300 North Lee Street

TAX MAP REFERENCE: 65.03 3,2 ZONE: CD

APPLICANT Name: CENTRAL PARKING SYSTEM OF VA, Inc.

Address: 1133 20th Street NW, Suite 250, Washington, DC 20036

PROPERTY OWNER Name: Domar Limited Partnership

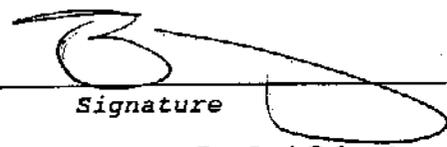
Address: c/o Simpson Properties Ltd,

SITE USE: Parking lot (includes surface lot and parking garage, not including the office building)

THE UNDERSIGNED hereby applies for a Special Use Permit for Change in Ownership, in accordance with the provisions of Article XI, Division A, Section 11-503 (5)(f) of the 1992 Zoning Ordinance of City of Alexandria, Virginia. THE UNDERSIGNED, having read and received a copy of the special use permit, hereby agrees to comply with all conditions of the current special use permit, including all other applicable City codes and ordinances.

THE UNDERSIGNED hereby applies for a Special Use Permit for Minor Amendment, in accordance with the provisions of Article XI, Division A, Section 11-509 and 11-511 of the 1992 Zoning Ordinance of City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby requests this special use permit. The undersigned also attests that all of the information herein required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief.

CENTRAL PARKING SYSTEM OF VA, Inc. 
Print Name of Applicant or Agent Signature

1133 20th Street, Suite 250 202-496-4200 202-496-4201
Mailing/Street Address Telephone # Fax #

WASHINGTON DC 20036 202-569-2381 MAR 6, 2002
City and State Zip Code Telephone # Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____
Legal Advertisement: _____

ADMINISTRATIVE ACTION: _____

Date Director, Planning & Zoning

207
496
421

The following information must be furnished to the Department of Planning and Zoning to determine if the current use conducted on the premises complies with the special use permit provisions and all other applicable codes and ordinances.

1. Please describe prior special use permit approval for the subject use.

Most recent Special Use Permit # 97-0086

Date approved: June / 17 / 1997
month day year

Name of applicant on most recent special use permit KINNEY System DC Inc.

Use Public PARKING

2. Describe below the nature of the existing operation in detail so that the Department of Planning and Zoning can understand the nature of the change in operation; include information regarding type of operation, number of patrons served, number of employees, parking availability, etc. (Attach additional sheets if necessary)

Public PARKING

Serving about 150 parkers per week

One employee present.

Parking availability 400 spaces

3. Describe any proposed changes to the business from what was represented to the Planning Commission and City Council during the special use permit approval process, including any proposed changes in the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, any noise emitted by the use, etc. (Attach additional sheets if necessary)

NO changes

4. Is the use currently open for business? Yes ___ No

If the use is closed, provide the date closed. ___ / ___ / ___
month day year

5. Describe any proposed changes to the conditions of the special use permit:

NO changes

6. Are the hours of operation proposed to change? ___ Yes No

If yes, list the current hours and proposed hours:

Current Hours:	Proposed Hours:
_____	_____
_____	_____
_____	_____
_____	_____

7. Will the number of employees remain the same? Yes ___ No
If no, list the current number of employees and the proposed number.

Current Number of Employees:	Proposed Number of Employees:
_____	_____

8. Will there be any renovations or new equipment for the business? ___ Yes No
If yes, describe the type of renovations and/or list any new equipment proposed.

9. Are you proposing any change in the sales or service of alcoholic beverages? ___ Yes No
If yes, describe proposed changes:

10. Is off-street parking provided for your employees? Yes ___ No
If yes, how many spaces, and where are they located?

1 space provided to an employee at 300 N. Lee
Street Parking facility.

11. Is off-street parking provided for your customers? Yes ___ No
If yes, how many spaces, and where are they located?

400-space parking facility at 300 N. Lee
Street

12. Is there a proposed increase in the number of seats or patrons served? ___ Yes No
If yes, describe the current number of seats or patrons served and the proposed number of seats and patrons served. For restaurants, list the number of seats by type (i.e. bar stools, seats at tables, etc.)

Current:

Proposed:

13. Are physical changes to the structure or interior space requested? ___ Yes No
If yes, attach drawings showing existing and proposed layouts. In both cases, include the floor area devoted to uses, i.e. storage area, customer service area, and/or office spaces.

14. Is there a proposed increase in the building area devoted to the business? ___ Yes No
If yes, describe the existing amount of building area and the proposed amount of building area.

Current:

Proposed:

15. The applicant is the (check one) ___ Property owner Lessee

___ other, please describe: _____

16. The applicant is the (check one) Current business owner ___ Prospective business owner

___ other, please describe: _____

17. Each application shall contain a clear and concise statement identifying the applicant, including the name and address of each person owning an interest in the applicant and the extent of such ownership interest. If the applicant, or one of such persons holding an ownership interest in the applicant is a corporation, each person owning an interest in excess of ten percent (10%) in the corporation and the extent of interest shall be identified by name and address. For the purpose of this section, the term "ownership interest" shall include any legal or equitable interest held in the subject real estate at the time of the application. If a nonprofit corporation, the name of the registered agent must be provided.

Please provide ownership information here:

Publicly Traded Company (CPC)
Listed on NYSE

PROPOSED LANDSCAPE PLAN
PREPARED BY STAFF
DEPT. OF PLANNING AND ZONING
SUP #2002-0041

SUP 2002-0041

300

N. LEE ST.

PARKING BOOTH

LOW WALL

PROPOSED HEDGE

3333
SIDEWALK

DRIVEWAY

QUEEN ST.

1/6 15

PARKING

AREA FOR
PROPOSED
HEDGE



MVA
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Print Name of Applicant or Agent

Signature

1133 20th Street, Suite 250

Mailing/Street Address

202-496-4200

Telephone #

202-496-4201

Fax #

WASHINGTON DC 20036

City and State

Zip Code

202-369-2381

MAR 6, 2002

Date

Art Alabin

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____
Legal Advertisement: _____

Date & Fee Paid: _____ \$ _____

ADMINISTRATIVE ACTION: 10/01/02 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 10/19/02PH--CC approved the Planning Commission recommendation.

Date

Director, Planning & Zoning