

EXHIBIT NO. 1

18
12-14-02

Docket Item # 15
SPECIAL USE PERMIT #2002-0103

Planning Commission Meeting
December 3, 2002

ISSUE: Consideration of a request for a special use permit to operate a general automobile repair garage.

APPLICANT: Benavides Auto Repair
by Julio Benavides

LOCATION: 304 Calvert Avenue

ZONE: I/Industrial

PLANNING COMMISSION ACTION, DECEMBER 3, 2002: On a motion by Mr. Leibach, seconded by Ms. Fossum, the Planning Commission voted to recommend denial of the request. The motion carried on a vote of 6 to 0 vote. Mr. Dunn was absent.

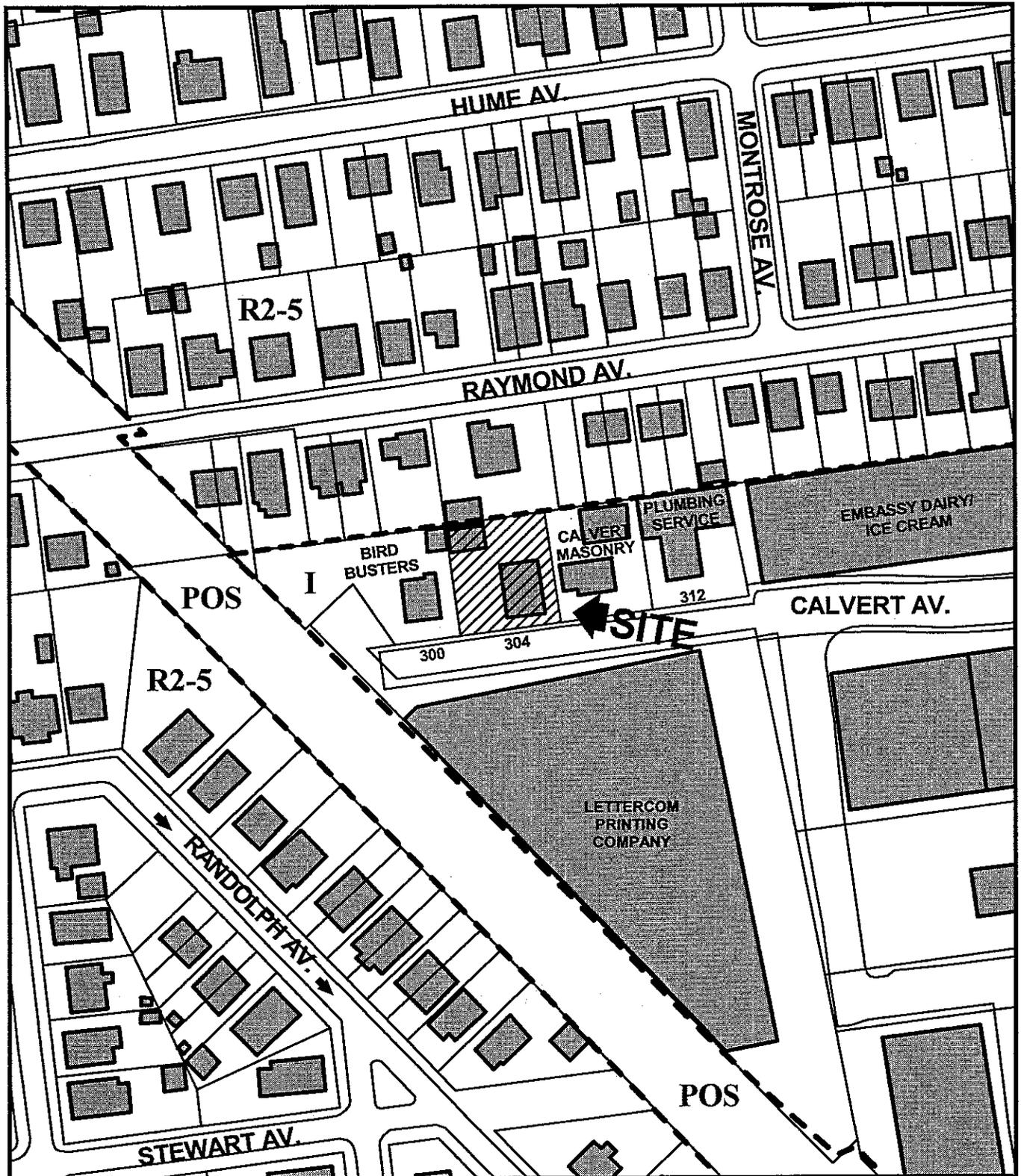
Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Bob Maley, property owner, spoke in support of the applicant and the special use permit request.

Angela Willmore, residential neighbor, spoke in opposition to the special use permit request.

Maria Wasowski, representative of the Mt. Jefferson Civic Association, spoke in opposition to the special use permit request.



SUP #2002-0103

12/03/02



STAFF RECOMMENDATION:

Staff recommends **denial** of the request. If Council approves the request, 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)
2. Repair work done on the premises shall be limited to general automobile repair, specifically only engine or transmission rebuilding or replacement, and light automobile repair. (P&Z)
3. All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (P&Z) (T&ES)
4. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z)
5. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)
6. Loading and unloading of vehicles, if any, shall take place on-site and during the hours of operation of the business. (P&Z)
7. 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&Z)
8. The hours of operation shall be limited from 8:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. on Saturdays. (P&Z)
9. No banners, streamers, flags, or other 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)
10. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)

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. (T&ES)
12. The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. Contact the T&ES Division of Environmental Quality at 703-519-3400 ext. 166 to obtain a copy of the manual. (T&ES)
13. All junk and debris on the site shall be removed. (T&ES)
14. 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 the neighboring properties, as determined by T&ES. (T&ES)
15. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and the robbery awareness program for the business. (Police)
16. A minimum of two foot candles of lighting shall be maintained in the lot. (Police)
17. All lighting shall be directed downward and shall be screened at the sides to avoid glare on adjacent residential properties and on public rights-of-way to the satisfaction of the Director of Planning and Zoning. (P&Z)
18. 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, 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)

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Benavides Auto Repair, by Julio Benavides, requests special use permit approval to add general automobile repair to an existing light automobile repair shop located at 304 Calvert Avenue.
2. The subject property is one lot of record with approximately 86 feet of frontage on Calvert Avenue, approximately 100 feet of depth and a total lot area of approximately 8,786 square feet. The site is developed with two detached one-story buildings. The main building, once a residential building, is used as the office and an accessory building at the rear is used for automobile repair. The subject building is bordered on three sides by commercial and industrial buildings. Houses abut the site at the rear.
3. The applicant requests special use permit approval to add limited general automobile repair, specifically the repair of motors and transmissions, to an existing light automobile repair shop. The general repair work will be done inside the accessory building located at the rear of the subject property, and the light automobile repair will be done within the fenced, outdoor area.
4. The applicant has sought to perform general automobile repair in the past without success. In September 2000, the applicant filed a special use permit application (SUP #2000-0125) to allow general automobile repair and sales at the subject property. Staff recommended denial and the Planning Commission deferred the case upon request of the applicant and Del Ray Citizens Association. The applicant withdrew the request after the November 9, 2000 Planning Commission hearing.
5. In December 2000, the applicant submitted another application (SUP #2000-0165) to allow general automobile repair, but not sales. Staff again recommended denial of the applicant's request. The Planning Commission dismissed the special use permit application on June 5, 2001, since the applicant had failed to attend the first scheduled March hearing, had requested a deferral of the April hearing, and had failed to send proper notice for the June hearings.
6. The current application is more limited than previous ones. The first application requested approval of all activities associated with general automobile repair plus automobile sales. The second application requested approval of all types of work permitted under general automobile repair except painting. The current application requests approval only for engine or transmission work and excludes all other types of work included under general automobile repair.

The applicant expects two to four customers a day. Two employees will operate the business. The proposed hours of operation are Monday through Friday, 8:00 a.m. to 6:00 p.m., and Saturday 8:00 a.m. to 5:00 p.m.

7. There has been a history of problems, complaints and zoning and code violations at the subject site.
- December 2000: Code Enforcement closed the subject business due to excessive building and fire code violations in December 2000. The applicant addressed the violations and reopened in January 2001.
 - December 2000: Planning and Zoning staff inspected the site in December 2000 in response to a complaint that the applicant was parking cars and conducting repairs on the street, and blocking the street, and issued a ticket for light automobile repair conducted outside of an enclosed area.
 - February 2001: Planning and Zoning staff reinspected the site for screening compliance in February 2001 and issued a second ticket for insufficient screening. The applicant subsequently provided the required screening to staff's satisfaction.
 - April and July 2001: Code Enforcement staff found violations regarding cars parked with no stickers or expired tags outside of the screened/fenced area on two separate occasions in April and July 2001. The business owner corrected the problem within 48 hours and no tickets were issued.
 - March 2002: Code Enforcement received a complaint regarding rodents in 2002.
 - August 2002: Planning and Zoning staff inspected the site in August 2002 as part of an on-going proactive zoning enforcement program and issued Ticket #2681 for conducting general automobile repair without a special use permit.
 - August 2002: Code Enforcement inspected the site and found general automobile repair, as well as several code violations regarding combustible liquid spills and inadequate efforts to contain spills were present. A notice of violation was issued.
 - October 2002: The business was inspected again on October 2, 2002, by Code Enforcement. Prior violations were corrected but new ones were found, including the installation of a lift without permits.

- October 2002: A recent complaint was filed with the City Attorney's office regarding noise at the site. This complaint is under review.
- November 2002: On November 5, 2002, Planning and Zoning staff visited the subject property in the course of reviewing the current special use permit application and issued Ticket #2732 to the applicant for conducting general automobile repair without a special use permit.

There have also been a series of complaints regarding the applicant parking cars and conducting automobile work on Calvert Avenue, blocking Calvert Avenue with parked cars, selling cars without special use permit approval, and making too much noise while repairing cars. Despite a series of inspections, the violations were not in evidence when staff was at the site. Therefore, no tickets were issued.

8. Pursuant to Section 8-200(A)(17) of the zoning ordinance, a 6,929 square foot automobile repair business is required to provide a minimum of 18 parking spaces. The attached parking plan shows 18 parking spaces. There are also two outdoor service areas, one located to the east and one located to the north or rear of the office building. Each of these two areas have lifts. There are also two service bays located inside the rear accessory building. These interior service bays do not have lifts. The parking plan submitted with this application was approved by staff for the light automobile repair use in the winter of 2001.
9. The two employees and two to four customers expected daily will park on-site in the spaces identified on the attached parking plan. There will also be on average 13 cars parked waiting for repairs and two cars being repaired at one time. The parking demand created by employees, customers and storage of cars is for 17 parked cars. This demand is met by the 18 on-site parking spaces. The indoor and outdoor service bays will accommodate another four cars at one time.
10. Zoning: The subject property is located in the I/Industrial zone. Section 4-1202(H) of the zoning ordinance allows general automobile repair in the I zone only with a special use permit.

The subject property is located in an industrial zone which permits operations to occur outside a building as long as the area to be used is completely enclosed with screening that is adequate and reasonable to protect adjacent nearby uses, as determined by the Director of the Department of Planning and Zoning (Section 4-1206 of the zoning ordinance). Staff and the applicant came to an agreement on the required screening in the winter of 2001. This screening still stands.

11. Master Plan: The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for industrial use.

STAFF ANALYSIS:

Staff recommended denial of two previous requests for general automobile repair at 304 Calvert Avenue made in 2000 by the applicant and continues to recommend denial. Staff first recommended denial because the general automobile repair and sales uses were too intense for the subject site, which stands immediately to residential. The applicant limited his second application to general automobile repair, but staff still considered the use too intense given the subject site's proximity to residential and again recommended denial. In either case, staff did not believe that site improvements, including enclosure of the lot and improvements to parking arrangements and circulation, could mitigate the negative impact the general automobile repair would have on adjacent residential properties.

The applicant has limited his request to engine and transmission work, which is a portion of the work permitted under the general automobile category. Staff's position, however, has not changed. The proposed use is too intense considering its proximity to densely built residential properties, which lie directly north of the subject property. Additionally, the subject property is only 100 feet deep, as are the adjacent residential properties. With the repair work occurring in the rear yard of and at the rear property line of the subject property, there is only the repair shop's fence and the adjacent residential buildings' rear yards that serves to buffer the repair shop from the adjacent houses.

Additionally, there is a history of complaints and violations at the site. The applicant has worked with City staff to comply with violations when they are found, but violations continue to be found on the property and the public continues to file complaints for the site.

Staff notes that with the eventual redevelopment of Potomac Yard and the Oakville Industrial Park, the potential for redevelopment of this property and others on Calvert Avenue is high. Nevertheless, even on an interim basis, staff believes the proposed use is inappropriate. Staff believes that any future reuse of the property should be by one that is conducted wholly within the existing buildings, is not very active, and will not have impacts on adjacent residential properties, on Calvert Avenue or on other surrounding streets. The applicant is permitted to engage in light automobile repair now. Staff believes that the lot can handle the lighter, less intense use and that it is a good interim one until redevelopment occurs.

Staff recommends denial of the applicant's request for a special use permit. If the request is approved, staff has included conditions required for any repair service governed by a special use permit. In addition, based on recommendations from the Department of Transportation and Environmental Services made in response to environmental concerns, staff has added a condition requiring all work to take place inside a building.

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:

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Chapter 11, section 5, which sets the maximum permissible noise level as measured at the property line and regulates the hours of operation of power equipment.
- F-1 In general, Alex-DEQ has several concerns regarding permitting automotive repairs to be performed out in open weather through by-right or special use permit. The concerns are for the reasons including but not limited to:
- Automotive repairs invariably involve use of power equipment and the Noise Control Code limits the hours of their operation. These hours may not always be consistent with the allowable hours for business.
 - Depending on the location of the use and the predominant land use around the property, noise levels are also regulated by Noise Control Code. Power tools which includes pneumatic tools, when used in open generally generate noise levels at the property line which necessarily may not meet the code requirements. Usually if the same work when performed in an enclosed area becomes less of an issue.
 - Other big concern is the storm water pollution that such use causes and the limited ability to prevent or control it.
- R-1 On the basis of our field inspection and review of a recent complaint, we strongly recommend denial of this application unless a condition is added requiring all automotive repair activities, including the one's currently being performed outside, to be done in an approved structure. Screening the operations from neighboring properties is insufficient. (DEQ)
- R-2 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.
- R-3 The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. Contact the T&ES Division of Environmental Quality 703-519-3400 ext. 166 to obtain a copy of the manual.

- R-4 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 the neighboring properties, as determined by T&ES.
- R-5 Vehicles left for sale, repair or service shall not be parked on the right-of-way.
- R-6 Clean up junk and debris on-site.
- R-7 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- R-8 All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning.

Code Enforcement:

- F-1 The business was inspected on October 2, 2002 and found to be conducting general auto repair in violation of their approved SUP. Flammable and combustible liquid spills were located on the property and it was observed that inadequate efforts to contain spills were present. Several heavy duty lift jacks were reported to have been installed on the premises for working on automobiles. A notice of violation was issued. Follow up is scheduled within 30 days. The below are observations made by Deputy Fire Marshal Schomp during his visits to the site:

August 27, 2002

- Spillage of oil and possibly other fluids to the ground.
- Several major automobile parts on the ground (i.e., a transmission and engine parts).
- SUP is for light auto repair only.
- Business is conducted in the rear exterior portion of the site. In the exterior portion two electrical automobile lifts were installed without permits or approval.
- Both lifts were in use with automobiles on them. At least 3 of the vehicles appeared to undergoing major auto repair with portions of the vehicle's engine removed.
- Numerous oil spills were not properly treated with absorbent.
- Inspection of the lot noted no system in place to prevent run off of the spills that were found. No drain system or oil/water separator was found. (Lack of protection is inconsistent with the Virginia Statewide Fire Prevention Code and Virginia's Clean Water Act.).

October 2, 2002

- First re-inspection of the property. SUP has been applied for, several violations were corrected however, several more violations were pointed out to the owner.
- The owner was instructed to obtain a permit for a lift that was waiting for installation in the garage type structure. There is no indication that a permit has been applied for or issued. (As of 11/15/02, no permits have been applied for to install vehicle lifts for this property.)

November 12, 2002

- Raining - no work was being done and no access to rear of building.

Health Department:

- F-1 No comments.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey for the business.
- R-2 Robbery awareness program for all employees.
- R-3 Lighting for the lot is to be a minimum of 2.0 foot candles minimum maintained.

MH

APPLICATION for SPECIAL USE PERMIT # 2002-0103

[must use black ink or type]

PROPERTY LOCATION: 304 CALVERT AVENUE - ALEX., VA.

TAX MAP REFERENCE: 25.03 02 03 ZONE: I

APPLICANT Name: BENAVIDES AUTO REPAIR

Address: 304 CALVERT AVENUE, ALEXANDRIA, VA. 22301

PROPERTY OWNER Name: ROBERT MALEY

Address: 8323 LILAC LANE, ALEXANDRIA, VA. 22308

PROPOSED USE: GENERAL AUTO REPAIR

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

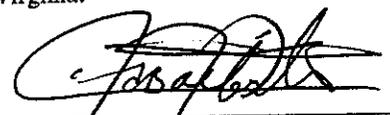
THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

JULIO BENAVIDES
Print Name of Applicant or Agent

304 CALVERT AVE.
Mailing/Street Address

ALEXANDRIA, VA. 22301
City and State Zip Code



Signature

703-299-0258 703-837-8463
Telephone # Fax #

9-23-2002
Date

=====DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY=====

Application Received: _____ Date & Fee Paid: 9-23-02 \$ 500.-

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one) the Owner Contract Purchaser
 Lessee or Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

APPLICANT OWNS 100%

N/A If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- Yes. Provide proof of current City business license
 No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as 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, and whether the use will generate any noise. (Attach additional sheets if necessary)

BENAVIDES AUTO REPAIR IS REQUESTING A PERMIT FOR 'GENERAL AUTO REPAIR' THEY CURRENTLY HAVE A PERMIT FOR 'LIGHT DUTY REPAIR' AND WOULD LIKE TO ADD THE ABILITY TO REPAIR MOTORS & TRANSMISSIONS. GENERAL REPAIR ENCOMPASSES A WIDE VARIETY OF REPAIRS INCL. PAINTING. WE WOULD LIMIT THE GENERAL REPAIR TO MOTORS & TRANSMISSIONS RATHER THAN ALL THE ITEMS LISTED IN GENERAL REPAIR.

A) # OF EMPLOYEES - 2

B) HOURS OF OPERATION - M-F 8:00 A.M. - 6:00 P.M.

SAT 8-5

C) NO STREET PARKING. EMPLOYEES AND CUSTOMERS

2-4 PER DAY HAVE VEHICLES ON PROPERTY.

ALL REPAIRS OF MOTORS & TRANSMISSIONS WOULD BE DONE UNDER ROOF IN A BLDG @ THE BACK LEFT CORNER OF PROPERTY. MUFFLERS, BRAKES AND OTHER NOT INVOLVING OIL WILL BE WITHIN FENCED AREA.

USE CHARACTERISTICS

4. The proposed special use permit request is for: (check one)

a new use requiring a special use permit,

a development special use permit,

an expansion or change to an existing use without a special use permit,

expansion or change to an existing use with a special use permit,

other. Please describe: _____

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

2-4 CUSTOMERS PER DAY DURING WORKING HRS.
ONLY.

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

2 EMPLOYEES DAILY.

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

MONDAY - FRIDAY

SATURDAY

Hours:

8 AM - 6 PM

8 AM - 5 PM

7. Please describe any potential noise emanating from the proposed use:

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

AIR COMPRESSOR OFF & ON INTERMITTANTLY. AIR
TOOLS - IMPACT WRENCH.

B. How will the noise from patrons be controlled?

WAITING AREA INSIDE OFFICE

8. Describe any potential odors emanating from the proposed use and plans to control them:

NONE.

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

BOXES & OLD PARTS

B. How much trash and garbage will be generated by the use?

FILLS A WASTE MANAGEMENT CONTAINER 3'x3'x6'

C. How often will trash be collected?

WEEKLY

D. How will you prevent littering on the property, streets and nearby properties?

DAILY CLEAN UP.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

OIL - 50 GALLONS/MONTH
CONTRACTOR AUTHORIZED IN DISPOSAL PICKS UP USED OIL.
COMPANY - US FILTER (410-284-1717)

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

Yes. No.

If yes, provide the name, monthly quantity, and specific disposal method below:

PART CLEANER SOLVENT. IS REPLACED EVERY 3 MONTHS
BY ~~THE~~ ~~FILTER~~ US FILTER

12. What methods are proposed to ensure the safety of residents, employees and patrons?

RESTRICTED AREAS FOR REPAIR FOR PATRONS. FENCED IN
PERIMETER FOR RESIDENTS. EMPLOYEE SAFETY MEETINGS
MONTHLY.

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

18

B. How many parking spaces of each type are provided for the proposed use:

15 Standard spaces

3 Compact spaces

_____ Handicapped accessible spaces.

_____ Other.

C. Where is required parking located? on-site off-site (check one)

If the required parking will be located off-site, where will it be located:

N/A

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? 1

B. How many loading spaces are available for the use? 1

C. Where are off-street loading facilities located? N/A

D. During what hours of the day do you expect loading/unloading operations to occur?

NORMAL WORKING HRS - TYPICALLY DELIVERY CAR
FROM PARTS SUPPLIER - NO TRUCKS OR TRACTOR TRAILERS

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

3

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

ACCESS IS ADEQUATE - NO IMPROVEMENTS

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building?

Yes No

Do you propose to construct an addition to the building?

Yes No

How large will the addition be? N/A square feet.

18. What will the total area occupied by the proposed use be?

APPROX
9,000 sq. ft. (existing) + _____ sq. ft. (addition if any) = _____ sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building a house located in a residential zone a warehouse

a shopping center. Please provide name of the center: _____

an office building. Please provide name of the building: _____

other, please describe: _____

AUTOMOBILE ORIENTED USES SUPPLEMENTAL APPLICATION

Supplemental information to be completed by applicants requesting special use permit approval of an automobile oriented use (e.g., automobile repair garage, car wash, auto or trailer sales).

1. What type of automobile oriented use do you propose?

- automobile or motor vehicle parking or storage lot.
- automobile or trailer rental or sales.
- automobile service station.
- automobile repair, including car wash.
- other: AUTOMOBILE REPAIR -

2. What types of repairs do you propose to perform?

LITE REPAIR
ENGINE REPAIR
TRANSMISSION REPAIR

3. How many of each of the following will be provided?

2 hydraulic lifts or racks
 service pits
3 service bays

4. How many vehicles will be parked on-site at any one time. Please provide information on the type (i.e., for sale, customers, employees, or repairs)?

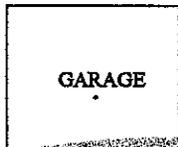
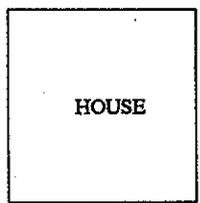
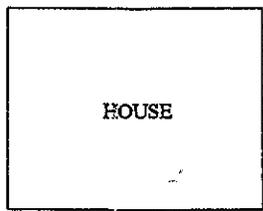
QTY ~~15~~ - 2 FOR REPAIRS
~~13~~ - PARKED WAITING FOR PARTS

5. Will a loudspeaker or intercom system be used outside of the building? Yes. No.

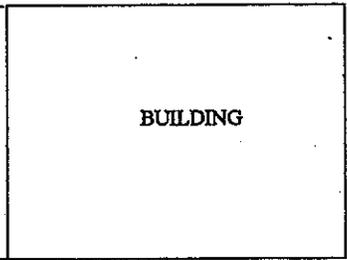
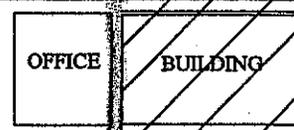
Please note all repair work must occur within an enclosed building.

RAYMONDAVENUE

22

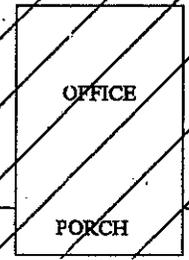
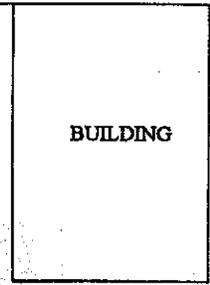


screening



screening

4" BLOCK WALL - screening



GATE

GATE

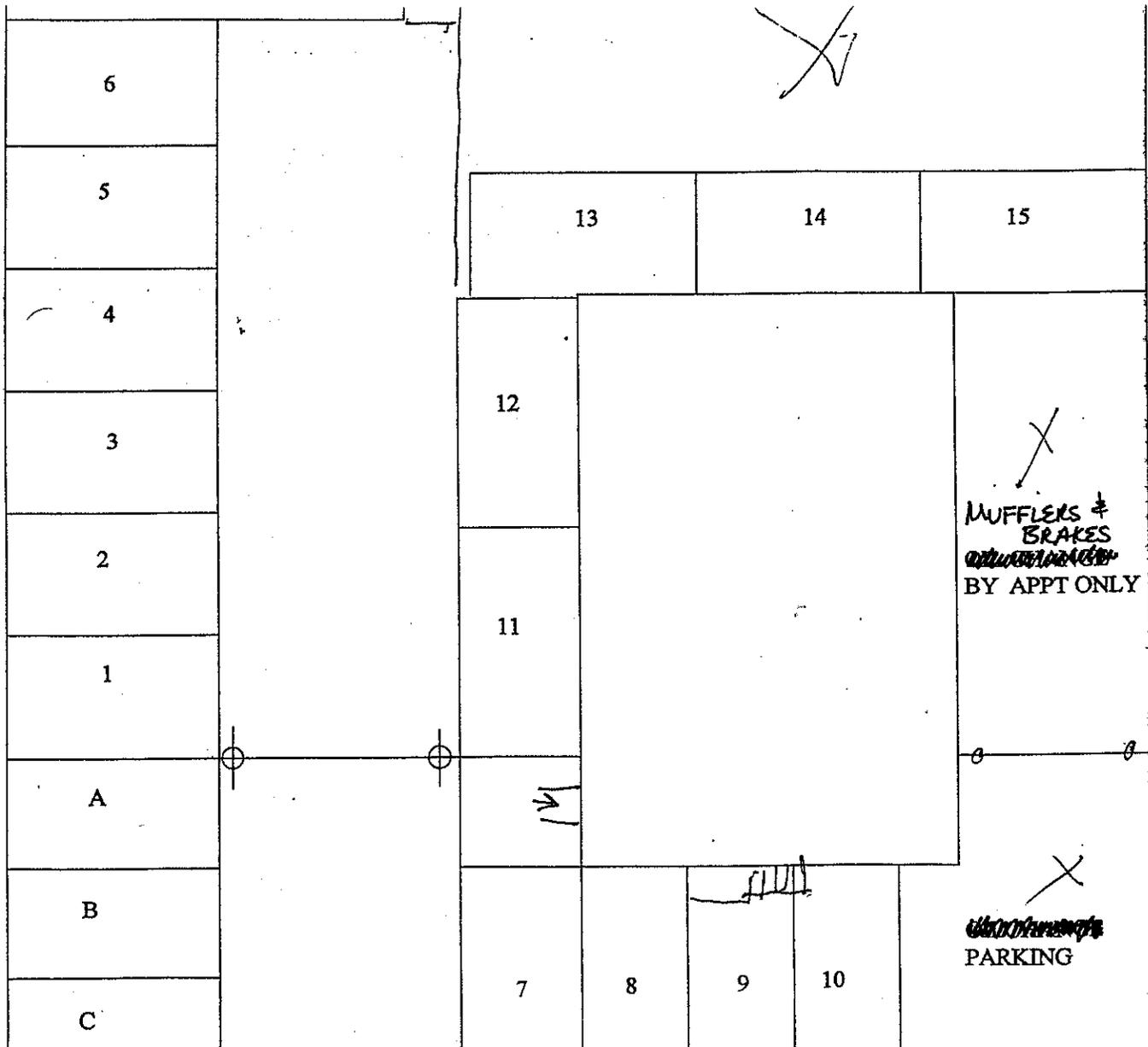
PORCH

GATE

GATE

SUP 2002-0103
304 CALVERT AV.

23



PARKING SPACES 1-2-3-4-5-6

PARKING SPACES 7-8-9-10

PARKING SPACES 11-12-13-14

SUP 2002-0103
304 CALVERT AV.

Neighborhood Petition in regard to:
Special Use Permit – 304 Calvert Street, Alexandria

We the undersigned, as Alexandria residents whose homes are within the immediate vicinity of the auto repair shop located at 304 Calvert Street, oppose the application for the Special Use Permit. Given the fact that the said auto repair shop abuts to a residential area, operates throughout the week and on weekends, and regularly completes repairs entirely outdoors, we are concerned about intensified noise and air pollution that would most likely result from allowing the shop to expand its operations.

Existing complaints regarding noise from loud power equipment being regularly used outdoors, as well as work being conducted on Sundays, have been made through the City of Alexandria Zoning Office. The property owner, in addition to the shop owner, have recently spoken to various residents in a good faith effort to address existing noise concerns.

Thank you for your consideration.

Angela Waller
Christi Will
Robert Japtarian
Nancy Johnson
Louise Page
Emradell Atkins
Yvonne Higgins
Paul Ward

John D. Heasley Jr.
Stephanie Bell
Gy Kiser
David Brunke

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PL
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THE DEL RAY CITIZENS ASSOCIATION

P.O. BOX 2233 ALEXANDRIA, VIRGINIA 22301 ESTABLISHED 1954

To: Honorable Members of City Council
 Members of Alexandria Planning Commission
 Eileen Fogarty, Director, Office of Planning and Zoning

From: Amy Slack, Land Use Committee Co-Chair
 Sarah Haut, Land Use Committee Co-Chair
 Rob Krupicka, President

Date: November 27, 2002

Subject: SUP#2002-0103, 304 Calvert Ave for general automotive repair garage

The DRCA Land Use Committee discussed the referenced application at its November 12, 2002 meeting. The applicant requests approval to operate a general automotive repair garage.

The applicant is currently operating a light automotive repair business on the property. The property is adjacent to a residential neighborhood. Screening has been installed around outdoor work areas, but it does not satisfactorily buffer the noise from the adjacent houses. Because the property is zoned Industrial, the applicant is permitted to perform light automotive repairs outdoors. No SUP is required to operate a light automotive repair shop. Neighbors have complained that much of the work is performed outside. Noise from power tools, car alarms, etc. can be heard from the neighboring houses.

The applicant first submitted a request for a Special Use Permit for a general automotive repair and sales facility at 304 Calvert Ave in November, 2000. The DRCA Land Use Committee and executive board voted to approve the request with several conditions. In December 2000, the applicant was ticketed for violations of the building and construction codes. In the spring of 2001 we received multiple complaints of loud music, public drinking, obstruction of the roadway by patrons, repair work performed outside the building, and late night noise. At our Land Use Committee meeting on April 11, 2001, we voted to rescind all support.

The Land Use Committee is concerned that the applicant will continue to perform light automotive repair work outside which will continue to impact the quality of life of the neighboring residences. Although work performed in an open environment is allowable in an Industrial zone, it is incompatible with the adjacent residential properties. Granting the applicant an SUP might provide the City of Alexandria the opportunity to impose conditions to improve the property, but the Land Use Committee feels that an SUP would

not ameliorate the noise issues currently encountered by the neighbors. The DRCA Land Use Committee and Executive Board voted unanimously to deny this SUP request.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060, and President Rob Krupicka at 703-838-0280.

NH

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APPLICATION for SPECIAL USE PERMIT # 2002-0103

[must use black ink or type]

PROPERTY LOCATION: 304 CALVERT AVENUE - ALEX., VA.

TAX MAP REFERENCE: 25.03 02 03 ZONE: I

APPLICANT Name: BENAVIDES AUTO REPAIR

Address: 304 CALVERT AVENUE, ALEXANDRIA, VA. 22301

PROPERTY OWNER Name: ROBERT MALEY

Address: 8323 LILAC LANE, ALEXANDRIA, VA. 22308

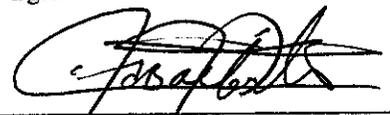
PROPOSED USE: GENERAL AUTO REPAIR

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

JULIO BENAVIDES
Print Name of Applicant or Agent


Signature

304 CALVERT AVE.
Mailing/Street Address

703-299-0258 703-837-8463
Telephone # Fax #

ALEXANDRIA, VA. 22301
City and State Zip Code

9-23-2002
Date

=====DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY=====

Application Received: _____ Date & Fee Paid: 9-23-02 \$ 500.-

ACTION - PLANNING COMMISSION: 12/3/2002 RECOMMEND DENIAL 6-0

ACTION - CITY COUNCIL: 12/14/02PH--CC upheld the Planning Commission recommendation & denied the special use permit.