

Docket Item #7
SPECIAL USE PERMIT # 2005-0122

Planning Commission Meeting
January 3, 2006

ISSUE: Consideration of a request for a special use permit to operate a light automobile repair business.

APPLICANT: Rodolfo A. Herbel/Nelly E. Herbel

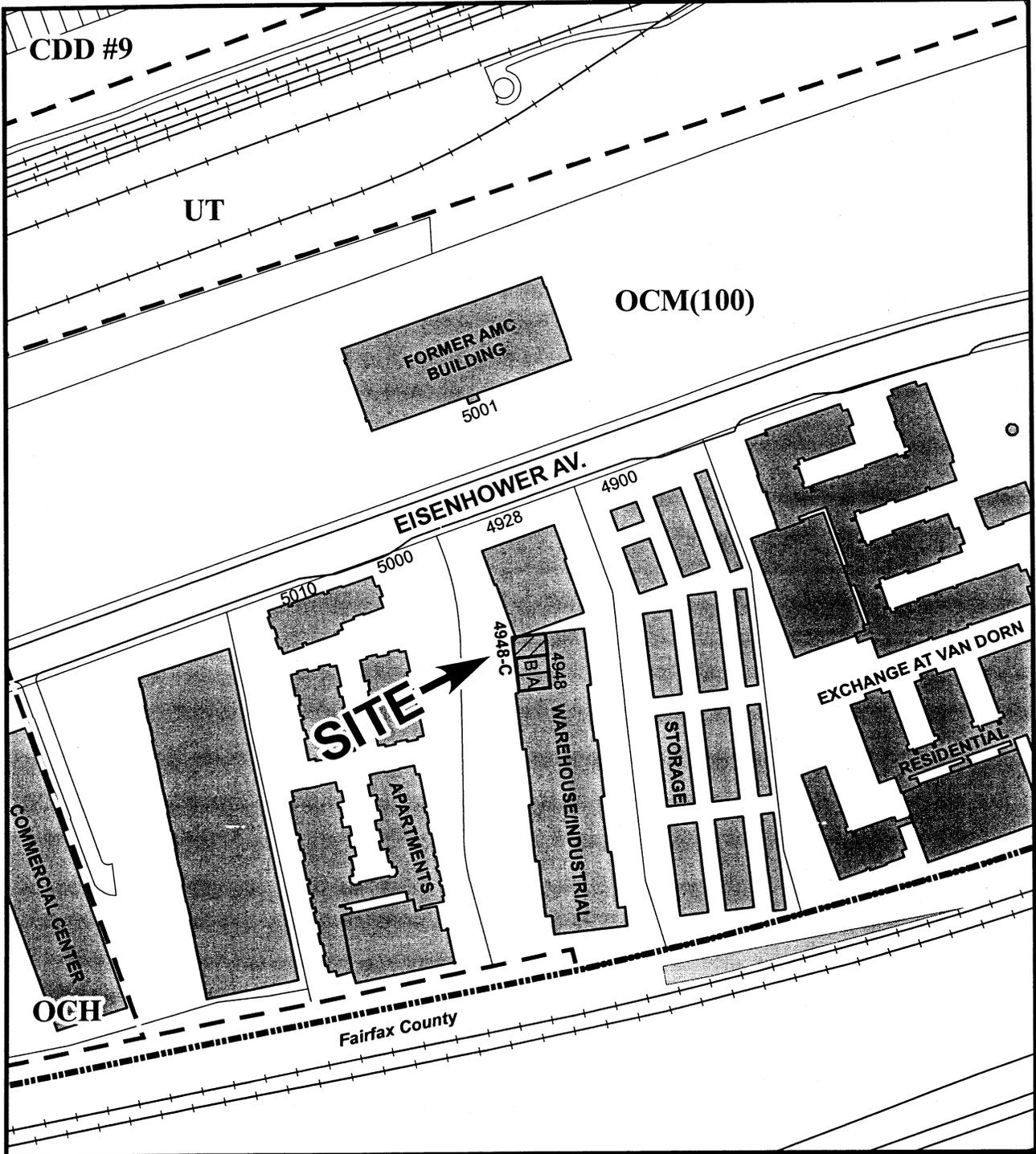
LOCATION: 4948 C Eisenhower Avenue

ZONE: OCM/(100) Office Commercial Medium

PLANNING COMMISSION ACTION, JANUARY 3, 2006: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.



SUP #2005-0122

01/03/06



I. DISCUSSION

REQUEST

The applicant, Rodolfo A Herbel and Nelly E. Herbel, requests special use permit approval for the operation of a light automobile repair garage located at 4948 C Eisenhower Avenue.

SITE DESCRIPTION

The subject property is part of one lot of record with 455 feet of frontage on Eisenhower Avenue, a depth of approximately 795 feet and a total lot area of 8.529 acres. The site is developed with the 'BuildAmerica Six' Industrial Park, a one-story warehouse with 150,000 square feet of floor area, 335 parking spaces, and more than 40 units, and occupied by a variety of light industrial/manufacturing/auto repair and storage uses. The 1,800 square foot space proposed to be occupied by the applicant, is located on the northeast side of the building.



SURROUNDING USES

The site is surrounded by industrial, commercial, and storage uses. Railroad tracks abut the site to the south, an office building is located on the north side of Eisenhower Avenue, and a self-storage lot is adjacent to the warehouse complex to the east.

BACKGROUND

The applicant has operated a light automobile repair garage at the adjacent tenant space (4948-B) since December 16, 2001, when SUP#2000-0129 was approved by City Council. Since that time, the applicant has appeared before Council one time for review of the permit violations, which the applicant corrected. City Council most recently approved SUP#2002-0009 for the applicant to continue operating the light automobile repair business at the adjacent space.

Staff visited the applicant's business at 4948-B Eisenhower Avenue on December 1, 2005, and observed the business operating at 4948-C Eisenhower Avenue. The applicant has been operating from 4948-C Eisenhower Avenue for a month prior to staff's visit on December 1, 2005. Staff has issued a warning ticket to the applicant to cease operations until the special use permit has been approved. Staff advised the applicant to bring the use into compliance with building code requirements and agreed to issue a provisional approval pending this SUP application.

PROPOSAL

The applicant, also known as AutoWorld, plans to move from their current location at 4948-B Eisenhower Avenue, to next door at 4948-C Eisenhower Avenue to acquire more working space. The new location is nearly twice as big as the current space located at 4948-B Eisenhower Avenue. The current permitted location, 4948-B, is expected to be leased to a new tenant by the owner. The new tenant of 4948-B is expected to be a light automobile repair business. The applicant does not wish to make any other changes at this time.

Hours:	Monday-Friday (8:00AM- 7:00PM) Saturday (8:00AM- 3:00PM)
Number of employees:	2
Patrons per day:	4
Noise:	Low noise levels or none at all. The patrons will have a waiting area in the office. No noise from patrons is expected.
Odors:	Any odors emanating from the business will be from cars being repaired and will be controlled with fans and an air hose.
Trash/Litter:	Small boxes of trash are expected from the business as well as regular office trash. Trash will be collected twice a week and the litter will be collected every evening from the property.

PARKING

According to Section 8-200 (A)(17) of the Zoning Ordinance, a repair business requires one parking space for every 400 square feet. A repair business with 1,800 square feet will be required to provide five off-street parking spaces. The applicant is proposing to provide eight off-street parking spaces for the business.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the Office Commercial Medium 100 (OCM 100) zone. Section 4-1000 (S) of the Zoning Ordinance allows light automobile repair in the Office Commercial Medium zone only with a special use permit.

The proposed use is consistent with the Landmark/ Van Dorn Small Area Plan chapter of the Master Plan which designates the property for office/ industrial use.

II. STAFF ANALYSIS

The applicant wishes to move its light automobile repair company from its current location at 4948-B Eisenhower Avenue to next door at 4948-C Eisenhower Avenue. The new space will give the applicant 1,800 square feet of space, while offering eight off-street parking spaces. The applicant proposes no significant changes in the number of employees or the number of customers.

The applicant has been operating at 4948-B for nearly two years, during which there have been no complaints. While the applicant was found to be operating in the new location during an inspection by staff on December 1, they have been made aware that no work is to be done there until they are in compliance with building code requirements.

III. RECOMMENDED CONDITIONS

Staff recommends **approval** of the special use permit 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 corporation in which the applicant has a controlling interest. (P&Z)
2. The hours of operation of the light auto repair business shall be limited to between Monday- Saturday 8:00AM- 7:00PM. (P&Z)
3. Repair work done on the premises shall be limited to light automobile repair. Light automobile repair is defined as: Minor service work to automobiles or light trucks including tune up, lubrication, alignment, fuel system, brakes, mufflers, and replacement of small items but not include general auto repair services. (P&Z)
4. No repair work shall be done outside. (P&Z)
5. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z)
6. No vehicles shall be loaded or unloaded on the public right-of-way. (P&Z)
7. No debris or vehicle parts shall be discarded on the public right-of-way. (P&Z)
8. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)
9. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a suitable trash receptacle or enclosure. (P&Z)

10. The area around the building shall be kept free of debris and maintained in an orderly and clean condition. (P&Z)
11. The applicant shall post the hours of operation at the entrance of the business. (P&Z)
12. The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a security survey for the business and regarding a Robbery Awareness Program for all employees. (Police)
13. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
14. The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166. (T&ES)
15. The 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 neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
16. The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES)
17. All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (T&ES)
18. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES)
19. The Director of Planning and Zoning shall review the special use permit after it has been operational for 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

SUP#2005-0122
4948 C Eisenhower Ave

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: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, Deputy Director;
James Hunt, Urban Planner.

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.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES)
- R-2 The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166. (T&ES)
- R-3 The 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 neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES)
- R-4 The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES)
- R-5 All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (T&ES)
- R-6 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (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.

Code Enforcement:

- C-1 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).

- C-2 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application. An inventory and MSDS sheets for hazardous materials are required.
- C-3 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 When a change of use requires a greater degree of structural strength, fire protection, exit facilities or sanitary provisions, a construction permit is required.
- C-5 The required mechanical ventilation rate for air is 1.5 cfm per square foot of the floor area. In areas where motor vehicles operate for a period of time exceeding 10 seconds, the ventilation return air must be exhausted. An exhaust system must be provided to connect directly to the motor vehicle exhaust.
- C-6 Electrical wiring methods and other electrical requirements must comply with ICC Electric Code 2000 for commercial repair garages of automobiles.

Health Department:

- F-1 No Comment

Police Department:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703 838-4520 regarding a security survey for the business.
- F-1 As long as the applicant retains the same employees, there is no need for a Robbery Awareness Training program to take place.
- F-2 The Police Department has no objections to the relocation of the business from 4948-B to 4948-C Eisenhower Avenue.

APPLICATION for SPECIAL USE PERMIT # 2005-0122

[must use black ink or type]

PROPERTY LOCATION: 4948 C EISENHOWER AVE

TAX MAP REFERENCE: 28.04-0A-011 ZONE: Ocm(100)

APPLICANT Name: RODOLFO A. HERBEL / NELLY E HERBEL

Address: 7416 FLORA ST SPRINGFIELD, VA 22150

PROPERTY OWNER Name: REGINALD + RODNEY OLIVER

Address: 4018A TRAVIS PKWY, ANNANDALE, VA 22003

PROPOSED USE: CONTINUING OPERATING AN AUTOMOBILE REPAIR GARAGE

ALREADY OPERATING NEXT DOOR AND MOVING TO THIS LOCATION.

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.

RODOLFO A HERBEL / NELLY E HERBEL [Signature]
Print Name of Applicant or Agent Signature

7416 FLORA ST, SPRINGFIELD (703) 913-5854
Mailing/Street Address Telephone # Fax #

VA 22150
City and State Zip Code Date

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

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

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.

RODOLFO + NELLY HERBEL (HUSBAND-WIFE)
ARE 100% OWNERS

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)

THE AUTOMATED AUTO REPAIR CURRENTLY OPERATING
AT 4948 B- EBEN HOWER AV, ALEX, VA 22304
SUP #2000-00129, IS MOVING NEXT DOOR TO UNIT
4948 C-EBEN HOWER AV, ALEX, VA 22304. THERE
WOULD BE NO CHANGE IN THE TYPE OF OPERATION,
THE # OF EMPLOYEES OR THE NUMBER OF CUSTOMERS

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: MOVING SAME AUTO REPAIR BUSINESS NEXT DOOR

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).

(4 CLIENTS A DAY) MAYBE LESS, MAYBE MORE
APPROXIMATELY

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

OWNERS (2 PEOPLE) A DAY

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

Day:

MONDAY → FRIDAY
SATURDAY

Hours:

8AM → 7PM
8AM → 3PM

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

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

LOW NOISE LEVELS OR NONE AT ALL

B. How will the noise from patrons be controlled?

THEY WILL HAVE A WAITING AREA IN OFFICE.
NO NOISE FROM PATRONS IS EXPECTED.

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

ANY ODORS IF ANY FROM CARS BEING REPAIRED
WILL BE CONTROL WITH FANS + AIR HOSE.

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?

SMALL BOXES OF PARTS, REGULAR TRASH

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

NORMAL REGULAR TRASH

C. How often will trash be collected?

2 X A WEEK

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

BY CLEANING EVERY EVENING

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 - RECYCLED IN TANK - PICK UP BY RECYCLERS 4 X A YEAR.
ANTI-FREEZE - RECYCLED IN TANK

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:

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

FOR THE EMPLOYEES TRY NOT TO SPILL OIL/ANTI-FREEZE OFF FLOOR
+ CLEANING IT UP ^{AS} SOON IF IT SPILLS. CUSTOMERS STAYING AWAY
FROM WORKING AREA IN WAITING ROOM IN OFFICE.

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?

4 RESERVED SPOTS + SEVEN NON-RESERVED SPOTS ARE AVAILABLE

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

4 Standard spaces

_____ Compact spaces

4 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:

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: NO LOADING REQUIRED

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

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

C. Where are off-street loading facilities located? _____

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

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

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?

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? _____ square feet.

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

1,200 sq. ft. (existing) + sq. ft. (addition if any) = 1,200 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

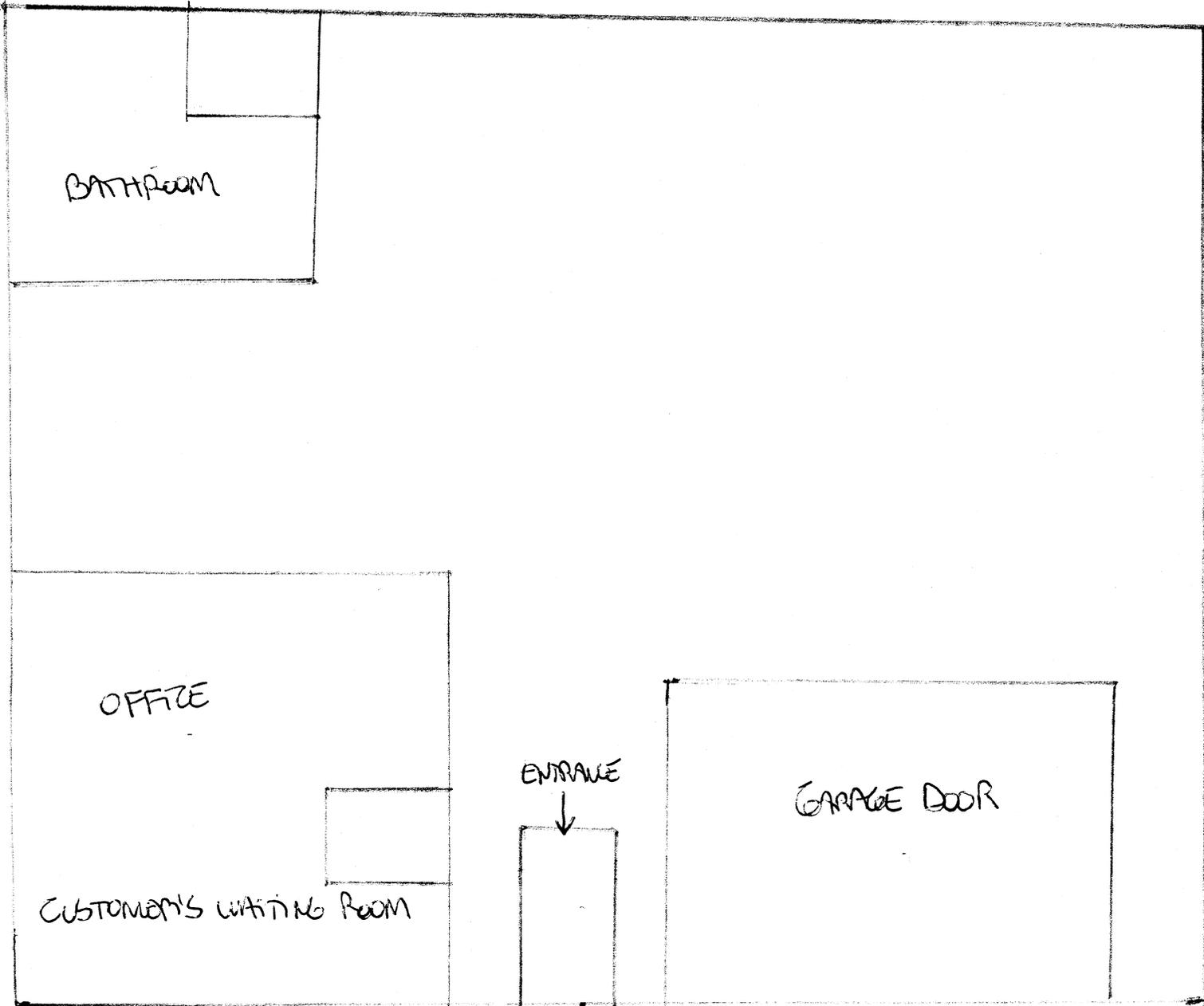
a shopping center. Please provide name of the center: _____

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

other, please describe: _____

4948 C. EISENHOWER
AV. ALEX, VA 22304
SUP 2005-0122

MAP OF
(INSIDE WAREHOUSE)



47140 C ELEMINT WEN
AV. AVEZ, VA 222304

SUP 2005-0122

MAP OF BUSINESS (OUTSIDE)



4948 A

4948 B

4948 C

OFFICE

GARAGE
DOOR

ENTRANCE

Workroom

4948 C

4948 Z

4948 C

4948 C

APPLICATION for SPECIAL USE PERMIT # 2005-0122

[must use black ink or type]

PROPERTY LOCATION: 4948 C EISENHOWER AVE

TAX MAP REFERENCE: 68.04-0A-011 ZONE: Ocm(100)

APPLICANT Name: RODOLFO A. HERBEL / NEUX E HERBEL

Address: 7416 FLORA ST SPRINGFIELD, VA 22150

PROPERTY OWNER Name: REGINALD + RODNEY OLIVER

Address: 4018A TRAVIS PKWY, ANNANDALE, VA 22003

PROPOSED USE: OPERATING AN AUTOMOBILE REPAIR GARAGE

ALREADY OPERATING NEXT DOOR AND MOVING TO THIS LOCATION.

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.

RODOLFO A HERBEL / NEUX E HERBEL
Print Name of Applicant or Agent

[Signature]
Signature

7416 FLORA ST, SPRINGFIELD
Mailing/Street Address

(703) 913-5854
Telephone #

Fax #

VA 22150
City and State Zip Code

Date

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

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

ACTION - PLANNING COMMISSION: By unanimous consent recommended approval 1/3/06

ACTION - CITY COUNCIL: 1/21/06 - CC approved PC recommendation 7-0