

EXHIBIT NO. 1

4
3-17-07

Docket Item #8
SPECIAL USE PERMIT #2007-0001

Planning Commission Meeting
March 6, 2007

ISSUE: Consideration of a request for a special use permit to expand an existing light auto repair business.

APPLICANT: Carlos Flores
Van Dorn Auto Repair

STAFF: James Hunt, Planner
james.hunt@alexandriava.gov

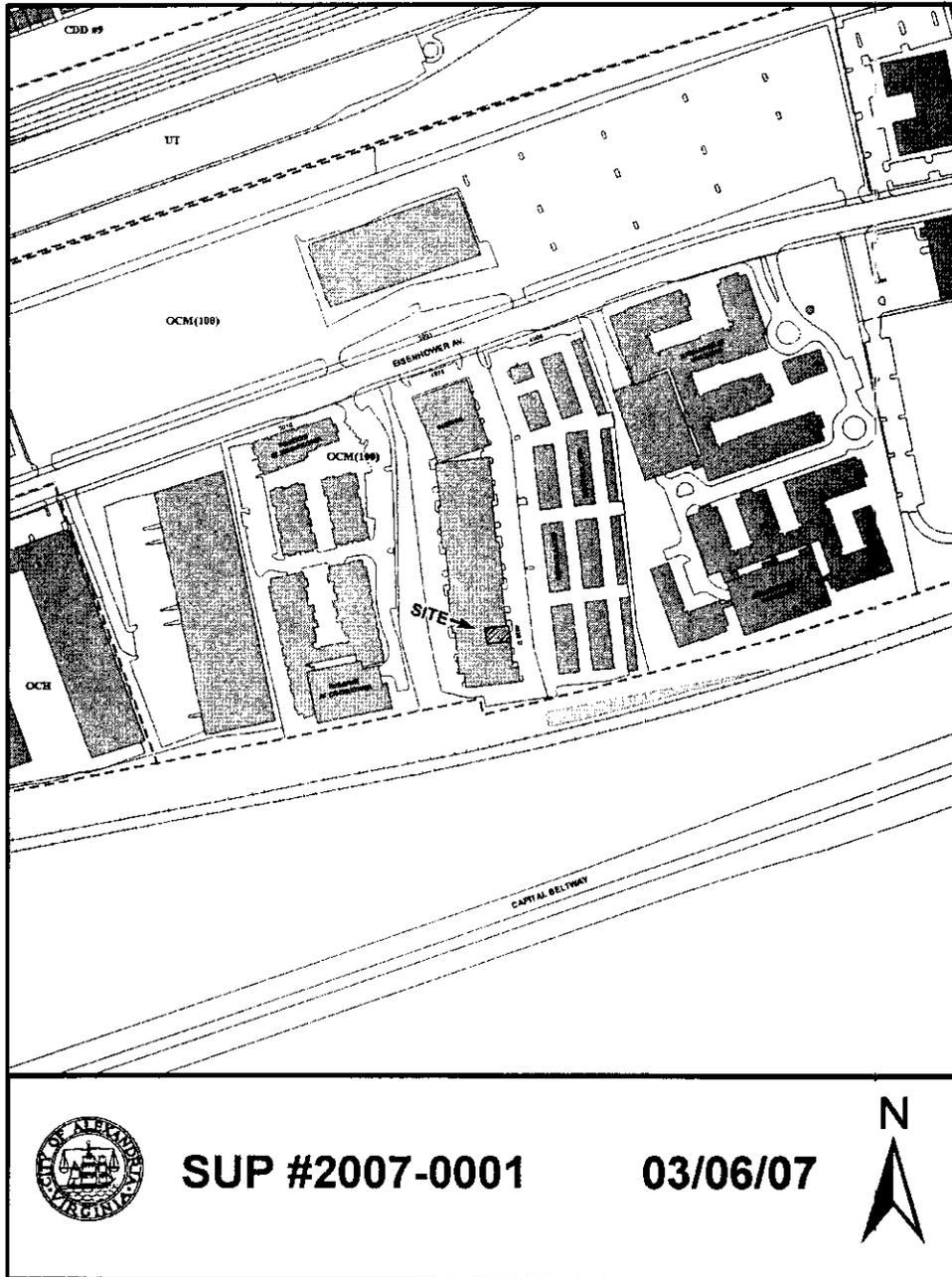
LOCATION: 4938 D Eisenhower Avenue

ZONE: OCM-100/Office Commercial Medium

PLANNING COMMISSION ACTION, MARCH 6, 2007: 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.



I. DISCUSSION

REQUEST

The applicant, Carlos Flores, requests special use permit approval to expand an existing light auto repair business at 4938 D 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 applicant currently occupies units B and C of 4938 Eisenhower Avenue (3,600 square feet). The applicant requests to expand into unit D for a total square footage of approximately 5,400 square feet.

BACKGROUND

On June 12, 2004, City Council granted Special Use Permit #2004-0044 for the operation of a light auto repair business, located at 4938 B-C Eisenhower Avenue, to Carlos Flores. On January 22, 2007, staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit. Staff found no violations of the special use permit.

PROPOSAL

The applicant requests approval to expand the existing light automobile repair business into 4938 D Eisenhower Avenue. The applicant proposes the additional space to conduct oil changes, tire changes and repair, as well as other light automobile repair work. The operation of the business, as proposed by the applicant, is as follows:

Hours:	Monday- Saturday 9am- 5pm (existing)
Number of employees:	2
Patrons per day:	3
Noise:	No noise impacts are anticipated

Odors: No odor impacts are anticipated

Trash/Litter: Low trash impacts are anticipated. Trash
will be collected everyday
except Sunday.

PARKING

Pursuant to Section 8-200(A)(17) of the Zoning Ordinance an automobile repair garage occupying 5,400 square feet is required to provide a minimum of five parking spaces (one space for each 400 square feet of floor area). The applicant proposes to provide 6 parking spaces, thus meeting and exceeding the technical parking requirement. Loading and unloading will occur during business hours on a loading space in front of the building's entrance.

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

Staff has no objection to the proposed expansion of the existing light automobile repair business. The new space will give the applicant an additional 1,800 square feet of space, while offering a total of 20 off-street parking spaces for the business. The applicant proposes no significant changes in the number of employees or the number of customers. The applicant has been operating at the existing location for over two years and staff is not aware of any issues with the operation.

In addition, staff maintains condition #9, allowing the applicant to operate longer hours than requested. Staff finds the increased hours will allow the applicant a more flexible schedule in which to operate.

With these conditions, staff recommends approval of the special use permit.

III. RECOMMENDED CONDITIONS

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) (SUP2004-0044)

2. **CONDITION DELETED BY STAFF:** ~~The applicant shall provide at least five parking spaces. (P&Z) (SUP2004-0044)~~
3. All vehicles on the lot shall be stored in a neat and orderly manner. No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z) (SUP2004-0044)
4. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP2004-0044)
5. Loading or unloading of vehicles, if any, shall take place on-site and during the hours of operation. (P&Z) (SUP2004-0044)
6. No repair work shall be done outside. 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) (SUP2004-0044)
7. No banners, streamers, flags, or 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) (SUP2004-0044)
8. No vehicle parts, tires, or other materials shall be stored or permitted to accumulate outside, except in a dumpster or other suitable trash receptacle or enclosure. (P&Z) (SUP2004-0044)
9. The hours of operation shall be limited to between 6:00 A.M. and 8:00 P.M. Monday through Saturday. (P&Z) (SUP2004-0044)
10. 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) (SUP2004-0044)
11. 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 on 703/519-3400, extension 166. (T&ES) (SUP2004-0044)
12. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police)

13. The application of paints or coatings shall be prohibited at the site. (P&Z)(T&ES)(SUP2004-0044)
14. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2004-0044)
15. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP2004-0044)
16. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z)
17. 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 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, (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)
18. **CONDITION ADDED BY STAFF: 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)**

STAFF: Richard Josephson, Acting Director, Department of Planning and Zoning;
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:

Carry forward previous conditions from SUP#2004-0044

- 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.
- 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.
- 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.
- R-4 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- R-5 The application of paints or coatings shall be prohibited at the site.

Code Enforcement:

- F-1 Plans for the proposed expansion are insufficient. Plans fail to show the means at which the applicant plans to expand into the adjoining space.
- 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

Parks and Recreation:

- 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 The Police Department has no objections to the expansion of the automobile shop for the purpose of rebuilding motors.



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0001

PROPERTY LOCATION: 4938D EISENHOWER AVE ALEX. VA 22304
TAX MAP REFERENCE: 68.04-01-14 ZONE: COMM-100

APPLICANT

Name: Carlos FLORES
Address: 4938C EISENHOWER AVE ALEXANDRIA VA 22304

PROPERTY OWNER

Name: Valiollah Solvahi
Address: 47429 middle bluff place, Potomac Falls Virg: 20165

PROPOSED USE: Wheel Alignment (light Auto Repair)

[] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

CARLOS FLORES
Print Name of Applicant or Agent
4938C EISENHOWER AVE
Mailing/Street Address
ALEXANDRIA VA 22304
City and State Zip Code

[Signature]
Signature
703 751 1499 703 823 9267
Telephone # Fax #

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

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

ACTION - PLANNING COMMISSION: _____
ACTION - CITY COUNCIL: _____

SUP #

2007-0001

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

1. The applicant is the (check one):
- 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.

Carlos Flores 4938 C EISENHOWER AVE ALEX VA 22304
Valiollah Sohrabi 47426 Middle Bluff Place,
Potomac Falls, Virginia 20165

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 11" x 17" or smaller. Twenty-four copies are required for plans larger than 11" x 17" 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.

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).

Alignments are Appointment Service estimate 1 Hr
Per car (8-9 Patrons During the Hours 9AM-6PM

B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

Three Employees at all time from 9AM
to 6PM

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

Day: Monday

Hours: 9AM-6PM

Tuesday

9AM-6PM

Wednesday

9AM-6PM

Thursday

9AM-6PM

Friday & Saturday

9-6

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

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

Balance and Alignment
Generate low noise levels

B. How will the noise from patrons be controlled?

Patrons wait for their vehicle, no
noise will be generated.

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

THIS SERVICE IS COMPUTERIZED AND ENTIRELY
MECHANICALLY PERFORMED

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?

THIS SERVICE IS ENTIRELY PERFORMED
BY ELECTRIC LIFT, THERE FOR MINIMAL TRASH
WILL BE GENERATED.

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

MINIMAL TRASH

C. How often will trash be collected?

EVERY DAY.

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

THE PROPERTY OWNER HAS ZERO TOLERANCE
FOR LITTERING.

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:

SUP #

2007-0001

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?

EMPLOYEES ARE TO WEAR PROTECTIVE GEAR, FIRE EXTINGUISHERS ARE IN PLACE, PATRONS ARE NOT ALLOWED INTO THE SERVICE AREA.

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?

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

- 2 Standard spaces
- 2 Compact spaces
- _____ Handicapped accessible spaces.
- _____ Other.

LOCATE IN FRONT OF PREMISE

C. Where is required parking located? (check one)

- on-site
- off-site

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:

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

N/A

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

N/A

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?

N/A

N/A.

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

N/A

N/A



APPLICATION - SUPPLEMENTAL

AUTOMOBILE-ORIENTED USE

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: _____

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

Light Auto Repair-

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

2 hydraulic lifts or racks
_____ service pits
_____ service bays

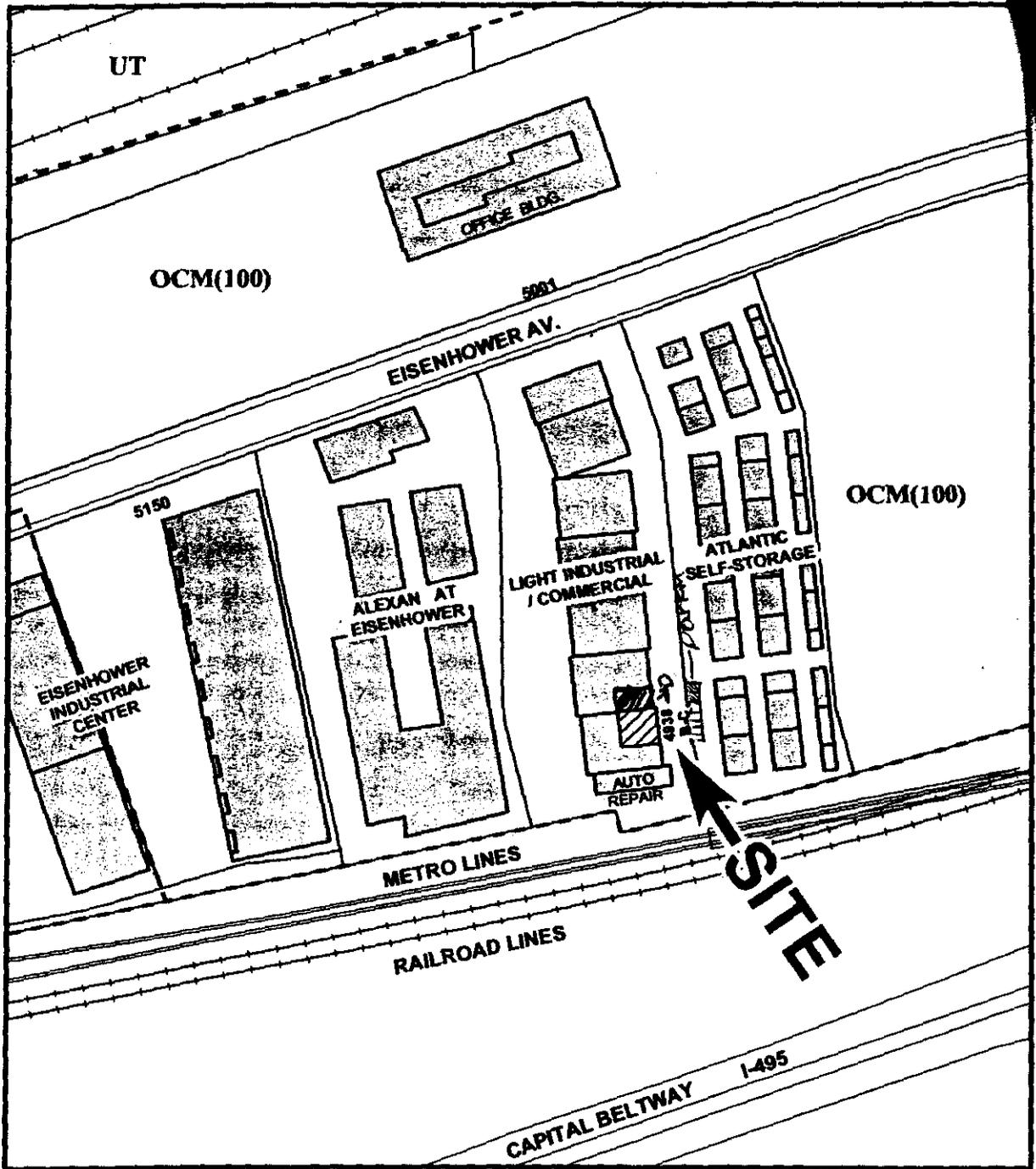
4. How many vehicles will be parked on-site at any one time. Please provide information on the type (i.e., for sale, customers, employees, or repairs)?

May be 2 Vehicles-

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.

SUP 2007-0001



SUP #2004-0044

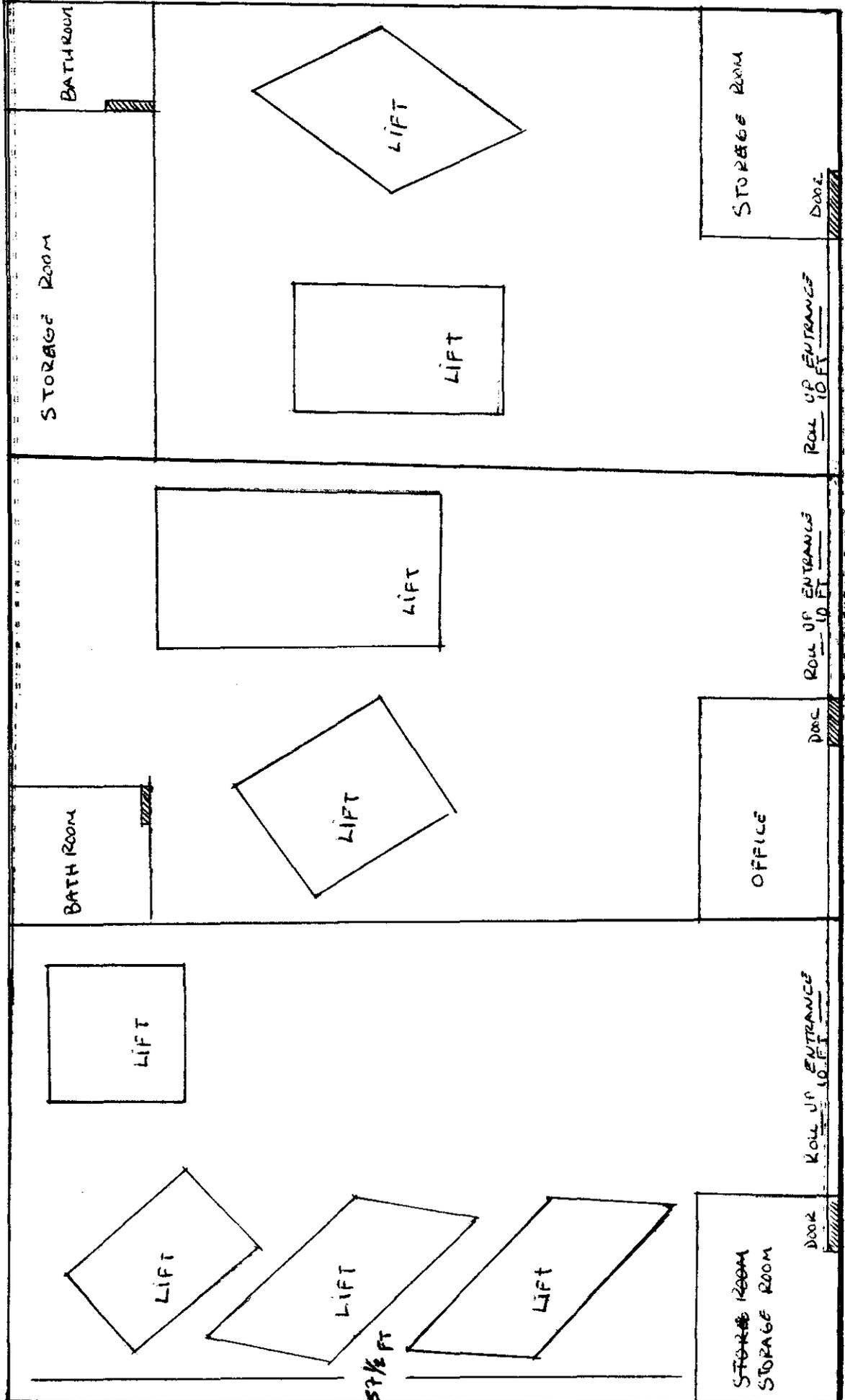
06/01/04



4938 B

4938 C

4938 D



57 1/2 FT

57 1/2 FT

19

30 1/2 FT

91 1/2 FT

STORAGE ROOM

BATH ROOM

LIFT

LIFT

LIFT

LIFT

LIFT

LIFT

LIFT

LIFT

STORAGE ROOM

ROLL UP ENTRANCE

ROLL UP ENTRANCE

ROLL UP ENTRANCE

OFFICE

STORAGE ROOM
STORAGE ROOM

DOOR

DOOR

DOOR

DOOR



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2007-0001

PROPERTY LOCATION: 4938D EISENHOWER AVE ALEX. VA 22304
TAX MAP REFERENCE: 68.04-01-14 ZONE: OCM-100

APPLICANT

Name: Carlos FLORES
Address: 4938C EISENHOWER AVE ALEXANDRIA VA 22304

PROPERTY OWNER

Name: Valiollah Sohrobi
Address: 47429 Middle Bluff Place, Potomac Falls Virgi 20165

PROPOSED USE: Wheel Alignment (light Auto Repair)

[] **THE UNDERSIGNED** hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 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 IV, Section 4-1404(D)(7) 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 Director of Planning and Zoning 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.

CARLOS FLORES
Print Name of Applicant or Agent
4938C EISENHOWER AVE
Mailing/Street Address
ALEXANDRIA VA 22304
City and State Zip Code

[Signature]
Signature
703 751 1499 703 823 9267
Telephone # Fax #

Email address

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

DO NOT WRITE IN THIS SPACE - OFFICE USE ONLY

ACTION - PLANNING COMMISSION: by unanimous consent, recommended approval 3-6-07
ACTION - CITY COUNCIL: 3/17/07 - CC approved PC recommendation 7-0

19