

EXHIBIT NO. 1

DOCKET ITEM #8

**Special Use Permit #2010-0051**  
**1601 Mount Vernon Avenue**11  
11-13-10

Application	General Data	
<b>Request:</b> Consideration of a request for a change of ownership and for the continued use of a nonconforming automobile service station.	<b>Planning Commission Hearing:</b>	November 4, 2010
	<b>City Council Hearing:</b>	November 13, 2010
<b>Address:</b> 1601 Mount Vernon Avenue	<b>Zone:</b>	CL/Commercial Low
<b>Applicant:</b> MVSC, Inc by Asif Mahmood	<b>Small Area Plan:</b>	Potomac West

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

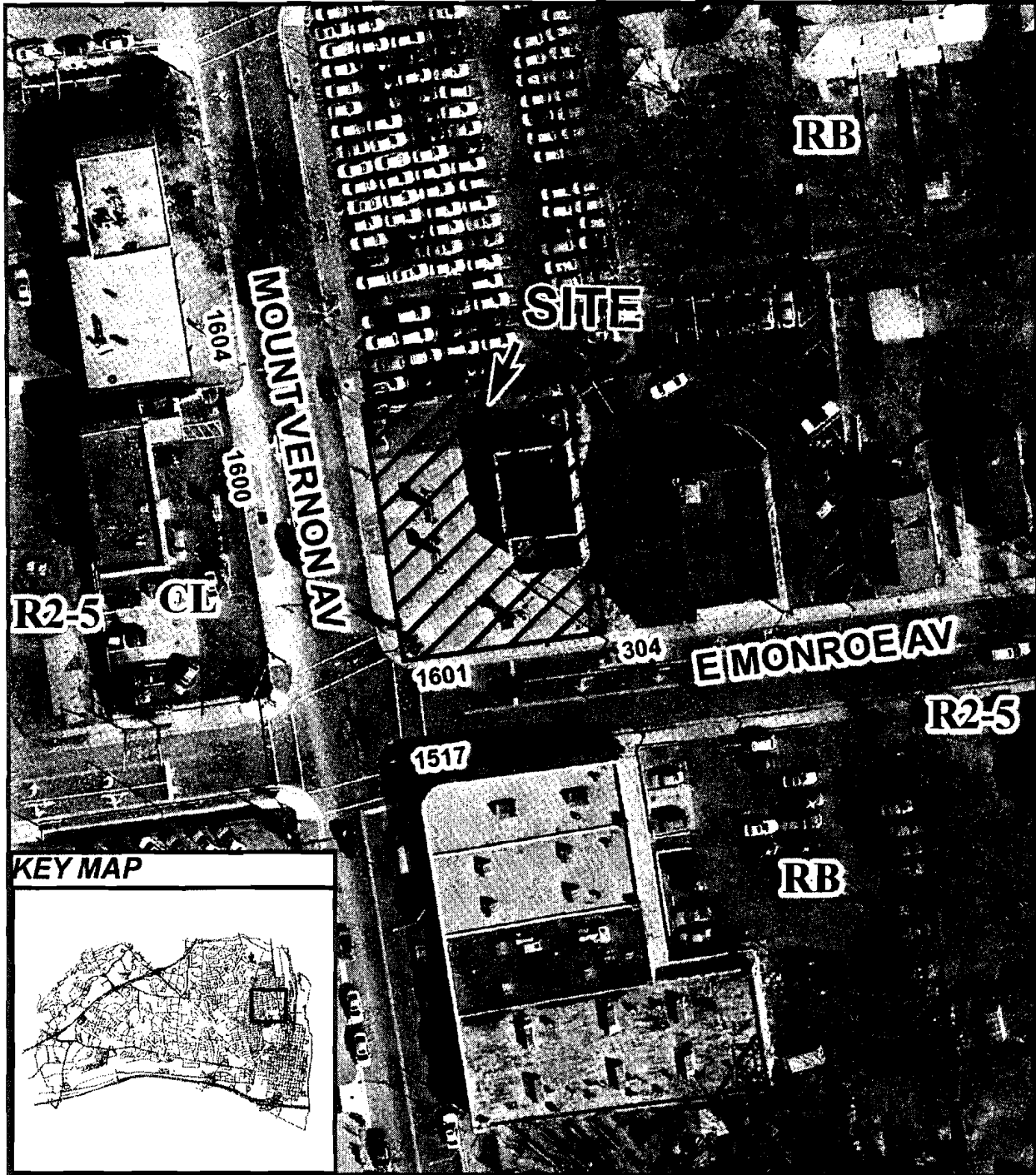
**Staff Reviewers:** Nathan Randall [nathan.randall@alexandriava.gov](mailto:nathan.randall@alexandriava.gov)

**PLANNING COMMISSION ACTION, NOVEMBER 4, 2010:** On a motion by Ms. Fossum, seconded by Mr. Jennings, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion passed on a vote of 7 to 0.

**Reason:** The Planning Commission agreed with the staff analysis.

**Speakers:**

Jim Kapsis, Del Ray Citizens' Association, noted that the association's Land Use Committee recommended approval of an additional 10 years whereas the Executive Board recommended approval of the applicant's request for 15 more years of operation. He stated that both recommendations carry the stipulation that additional landscaping should be added to the site and that the storm-damaged sign shall be repaired.



SUP #2010-0051

11/04/10



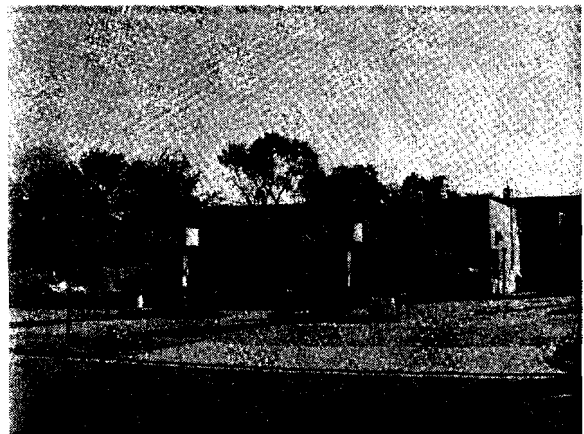
## I. DISCUSSION

### REQUEST

The applicant, MVSC Inc. by Asif Mahmood, requests Special Use Permit approval for a change of ownership and for the continued use of a nonconforming automobile service station located at 1601 Mount Vernon Avenue.

### SITE DESCRIPTION

The subject property is one lot of record with approximately 112 feet of frontage on Mount Vernon Avenue, approximately 87 feet of frontage on East Monroe Avenue, and a total lot area of approximately 9,744 square feet. The site is developed with an automobile service station.



The surrounding area is occupied primarily by commercial uses. An automobile display and storage lot operated by Alexandria Hyundai is located directly to the north. Burke and Herbert Bank is located to the east. A Shell automobile service station is located to the west across Mount Vernon Avenue. A one-story commercial building with multiple tenants including an antiques shop, a Laundromat, and a convenience store is located to the south. Beyond the immediately adjacent commercial area lies a large residential neighborhood.

### BACKGROUND

An automobile service station has been in operation in this location since at least 1941. In 1951, the land was zoned C-2 which allowed a service station with a special use permit. In 1992, the subject property was rezoned to CL, and automobile service stations are not permitted in the CL zone. This station never obtained a Special Use Permit as a C-2 use and is therefore considered to be a nonconforming use.

In 1998, the nonconforming use rules were amended to require the abatement of nonconforming uses in seven years, meaning that both the service station and the Hyundai vehicle storage lot next-door were required to cease operations or obtain Special Use Permit approval by 2005. Section 12-214 of the Zoning Ordinance allowed the seven-year abatement period to be extended by SUP approval.

On September 15, 2001, City Council granted Special Use Permit #2001-0071 for the operation of the nonconforming service station with an expiration date of November 2010 (Condition #23) in order to facilitate redevelopment of this block of Mount Vernon Avenue.

During the one-year review of the SUP in October 2002, staff found two violations of SUP conditions and consequently brought the SUP back for review before City Council. On January 25, 2003, City Council approved Special Use Permit #2002-0112 for the continued operation of the service station given that the applicant was pursuing corrective measures.

Two Code-related violations have been recorded at the service station since SUP approval in 2003. One violation related to electric work being performed without proper permits in 2003, while the other violation was for a gasoline spill from a perforated hose in 2008. In both cases the violations were corrected.

In August 2008, staff observed four violations of the conditions of SUP#2002-0112 regarding: the type of repair work that was being conducted at the service station, vehicle parts were stored outside of the dumpster, general property conditions, and training of staff about SUP provisions. A warning ticket was issued and the violations were corrected.

On October 1, 2010, staff visited the subject property to determine if the business was in compliance with SUP conditions. Staff found one violation regarding the storage of vehicle parts outside of the dumpster, which was corrected immediately.

#### PROPOSAL

The applicant, whose family has co-owned the service station for several years, proposes to change ownership of the business from Mount Vernon Service Center, Inc. to MVSC, Inc. He also requests to continue operation of the automobile service station for another 15 years. No changes are proposed to the operation of the business. The service station will continue to offer six gasoline pumps and light automobile repair services in three service bays. The overall hours of operation of the use will continue to be between 6:00am and 10:00pm Monday through Saturday, and between 6:00am and 9:00pm on Sundays. Hours of operation for repair services will continue to be limited to between 8:00am and 5:00pm Monday through Saturday only.

#### PARKING

Technically the service station has no parking requirement since it has been in operation since 1941. Under current Zoning Ordinance regulations, an automobile service station requires one parking space for every gasoline pump. An automobile service station with six gasoline pumps would be required to provide six off-street parking spaces. There are nine parking spaces on the property.

#### ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL/Commercial low zone. An automobile service station is not permitted in the CL zone, though it operates as a nonconforming use under SUP#2002-0112, pursuant to Section 12-214 of the Zoning Ordinance.

The proposed use is not consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for limited commercial uses not including automobile-related uses.

## **II. STAFF ANALYSIS**

Staff maintains that the ideal use for both this property and the Hyundai vehicle storage lot next-door at 1605-1611 Mount Vernon Avenue is for the type of non-automobile-related, pedestrian-friendly mixed use redevelopment anticipated in long-range plans such as the Mount Vernon Avenue Area Business Plan. However, given the reduced potential for redevelopment during the current economic climate, staff does not object to the applicant's request to continue operation of the service station business for another 15 years. Staff also does not object to the change of ownership request.

The 1992 rezoning of this area to CL, coupled with the long-range planning goals now reflected in the Mount Vernon Avenue Area Business Plan, have been effective at preventing the establishment of new automobile-related uses on Mount Vernon Avenue. However, staff believes that it is appropriate for some automobile-related uses already existing on the Avenue to continue operation for some period of time, particularly if the uses have demonstrated a willingness to work with the community or if the desired alternative uses are not realistic in the near term.

The redevelopment envisioned in long-range planning goals is not realistic for this site in the near term. The first difficulty is that the site is small and could not be easily redeveloped on its own. The applicant has reported that his family has made attempts to sell the property to its neighbors in the past but has not been successful. Second, the current economic climate and real estate market are not conducive to redevelopment projects. Although there are examples of other automobile-related sites on Mount Vernon Avenue that have redeveloped, such as 2312 Mount Vernon Avenue and the Triangle site, these were approved during times of economic prosperity. Staff recommends continuing the practice of requiring the applicant to return for an extension of the Special Use Permit after a fixed amount of time. The continued inclusion of this condition in this and the adjacent Hyundai case will help facilitate redevelopment these large sites at such time that the real estate market improves.

In the alternative, staff believes that allowing this site to become vacant by not recommending the continued operation of the vehicle storage lot is not an appealing option, particularly considering the current real estate market.

Since it has recommended a continuation of 15 years (or until December 31, 2025) for the Hyundai vehicle storage lot to coincide with the expiration of Hyundai dealership's lease, staff has no objection to the continuation of the service station use for 15 years. This recommendation continues the precedent of keeping the expiration date the same for both properties.

The service station has consistently corrected any violations of Code provisions and SUP conditions in the last ten years. Further, although it found the site to be in acceptable condition, staff has developed a site improvement plan (Condition #30) in conjunction with the applicant. The plan builds on prior landscaping requirements and goes even further toward increasing the attractiveness at the site. The condition language would require the applicant to add up to two new trees, install new fencing and complete other small improvements. The applicant has demonstrated a willingness to improve the site by already completing some of the elements included in the plan.

Subject to the conditions contained in this report, staff recommends approval of the applicant's request.

### 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) (SUP #2001-0071)
2. Repair work done on the premises shall be limited to light automobile repair such as tune-ups, oil changes, brake and tire repair and hose and belt replacements as stated by the applicant. (P&Z) (SUP #2001-0071)
3. No repair work shall be done outside. (P&Z) (SUP #2001-0071)
4. No more than six repair vehicles shall be parked or stored outside at any time. (P&Z) (SUP #2001-0071)
5. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z) (SUP #2001-0071)
6. **CONDITION AMENDED BY STAFF:** No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (T&ES) ~~(SUP #2001-0071)~~
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) (SUP #2001-0071)
8. **CONDITION COMBINED WITH CONDITION #27 AND DELETED BY STAFF:** ~~No amplified sound shall be audible at the property line. (P&Z) (SUP #2001-0071)~~
9. Loading and unloading of vehicles, if any, shall take place on-site and during the hours of operation. (P&Z) (SUP #2001-0071)

10. **CONDITION AMENDED BY STAFF:** All vehicles on the lot shall be stored in a neat and orderly manner, ~~the curb cuts shall be repainted, and the two parking spaces located adjacent to the sidewalk shall be striped to the satisfaction of the Director of Planning and Zoning. (Planning Commission) (SUP#2002-0112)(P&Z)~~
11. No expansion of the building or pump islands is permitted. (P&Z) (SUP #2001-0071)
12. Any change to the color of the building or signage must be approved by staff pursuant to the Mount Vernon Design Guidelines. (P&Z) (SUP #2001-0071)
13. The applicant shall remove all debris and weeds from the property and maintain the property in good condition. (P&Z) (SUP #2001-0071)
14. **CONDITION REPLACED AND DELETED BY STAFF (See Condition #30):** ~~The applicant shall screen the dumpster to the satisfaction of the Director of Planning and Zoning and shall maintain the screening in good condition. (P&Z) (SUP #2001-0071)~~
15. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall either remove the two vending machines and the displays of oil and transmission fluid located outside the building or relocate them against the building wall within 60 days of approval. (P&Z) (SUP #2001-0071)~~
16. **CONDITION REPLACED AND DELETED BY STAFF (See Condition #30):** ~~The applicant shall provide landscaping to the satisfaction of the Director of Planning and Zoning as follows:
  - (a) ~~the asphalt shall be removed at the corner of Mount Vernon and Monroe Avenues in order to create a landscaped triangle, and~~
  - (b) ~~additional planters with flowers shall be provided on the pump islands similar to the existing planters. The applicant shall maintain all landscaping in good condition. (P&Z) (SUP #2001-0071)~~~~
17. **CONDITION AMENDED BY STAFF:** All waste products, including but not limited to organic compounds (solvents), motor oils, compressor lubricant, 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 or be discharged onto the ground. (T&ES) (SUP #2001-0071)
18. **CONDITION AMENDED BY STAFF:** 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~~ Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (SUP#2002-0112)

19. The hours of operation shall be limited from 6:00 a.m. to 10:00 p.m. Monday through Saturday and 6:00 a.m. to 9:00 p.m. on Sundays. Repair operations may take place from 8:00 a.m. until 5:00 p.m., Monday through Saturday. (P&Z) (SUP #2001-0071)
20. The applicant shall post the hours of operation at the entrance to the building. (P&Z) (SUP #2001-0071)
21. **CONDITION AMENDED BY STAFF:** ~~The applicant shall not sell~~ No alcoholic beverages shall be sold on the premises. (P&Z) ~~(SUP #2001-0071)~~
22. **CONDITION AMENDED BY STAFF:** The applicant shall contact the ~~Crime Prevention Unit~~ Community Relations Unit of the Alexandria Police Department at 703-838-4520 for a security survey for the business and robbery awareness ~~program~~ training for all employees. (Police) ~~(SUP #2001-0071)~~
23. **CONDITION AMENDED BY STAFF:** The Special Use Permit shall expire ~~in November 2010~~ on December 31, 2025. (P&Z) ~~(SUP #2001-0071)~~
24. The provisions of Section 12-214 (B) limiting repairs and improvements shall not apply to this site and building. Improvements and investments shall, however, be consistent with section 12-214 (A)(2), which prohibits expansion or intensification, and with the expiration date in this permit. (P&Z) (SUP #2001-0071)
25. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) ~~(SUP #2001-0071)~~
26. **CONDITION FULFILLED AND DELETED BY STAFF:** ~~Staff (Planning and Zoning, and Transportation and Environmental Services) shall work with the applicant to examine the number of curb cuts with a goal towards improving pedestrian and vehicular safety relative to ingress and egress to the gas station. (City Council) (SUP #2001-0071)~~
27. **CONDITION AMENDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) ~~(SUP#2002-0112)~~



28. **CONDITION AMENDED BY STAFF:** ~~No material shall be disposed of by venting into the atmosphere.~~ 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) (SUP#2002-0112)
29. 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) (SUP#2002-0112)
30. **CONDITION ADDED BY STAFF:** The applicant shall fully implement a site improvement plan to the satisfaction of the Director of Planning & Zoning no later than May 31, 2011. All site improvements, including landscaping, shall be maintained in good condition in perpetuity. All landscaping shall be consistent with the Alexandria Landscaping Guidelines. The site improvement plan shall consist of the following elements:
- a) A wooden board-on-board fence shall be installed on the northeast corner of the property to screen the existing dumpster and other waste receptacles from the public right-of-way. The applicant shall work with staff to determine an acceptable location and configuration for the fence, although final approval of the fence remains with the Director of Planning & Zoning.
  - b) The missing faces on the existing freestanding sign at the corner of Mount Vernon and East Monroe Avenues shall be replaced with faces that match those existing prior to the August 5, 2010 storm.
  - c) One tree or large shrub shall be added immediately adjacent to the southeastern corner of the service station building along the eastern property line shared with Burke & Herbert Bank.
  - d) If appropriate based on consultation between the Director of Planning & Zoning, the Director of Parks, Recreation and Cultural Activities and the Director of Transportation & Environmental Services, one tree shall be added in the existing tree well between the existing curbs cuts along Mount Vernon Avenue.
  - e) The existing planters in front of the building and at each gasoline pump shall be retained and annual flowers shall be planted in these planters except during winter months.
  - f) Evergreen shrubs shall be installed in the existing planting bed at the corner of Mount Vernon and Monroe Avenues to replace the potted plants that are resting on the ground.

- g) The base of light poles and sign poles on the property shall be repainted to improve their appearance. (P&Z)
31. CONDITION ADDED BY STAFF: Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
32. CONDITION ADDED BY STAFF: Supply deliveries, loading, and unloading activities (excluding gasoline deliveries) shall not occur between the hours of 10:00pm and 6:00am. (T&ES)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;  
Nathan Randall, Urban Planner.

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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 **DELETED BY STAFF:** ~~No amplified sound shall be audible at the property line.~~ (P&Z) (SUP #2001-0071, SUP2002-00112; # 8) – Replaced with updated standard language.
- R-2 **ADDED BY STAFF:** Supply deliveries, loading, and unloading activities shall not occur between the hours of 10:00pm and 7:00am. (T&ES)
- R-3 **AMENDED BY STAFF:** 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) (SUP #2001-0071, SUP2002-00112 # 17)
- R-4 **AMENDED BY STAFF:** 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.~~ **Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications.** (T&ES) (SUP2002-00112; #18)
- R-5 **DELETED BY STAFF:** ~~No material shall be disposed of by venting into the atmosphere.~~ (T&ES) (SUP2002-00112; # 28) Replaced with updated language.
- R-6 **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)
- R-7 No vehicles shall be displayed, parked, or stored on a public right-of-way. (T&ES/P&Z)(SUP #2001-0071, SUP2002-00112; # 6)
- R-8 **AMENDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and **no amplified sounds shall be audible at the property line.** (T&ES/P&Z) (SUP2002-00112; # 27)
- R-9 **ADDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C-2 **ADDED BY STAFF:** The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form.

Code Enforcement:

- F-1 No Comment

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 assessment for the business.
- R-2 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding robbery readiness training for all employees.
- F-1 The Police Department has no objections to the extension of this SUP.



# APPLICATION

## SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2011-0081

PROPERTY LOCATION: 1601 Mount Vernon Ave

TAX MAP REFERENCE: 093-02-04-26 ZONE: CL

APPLICANT:  
Name: MVSC, Inc.

Address: 1601 Mount Vernon Ave Alex VA 22301

PROPOSED USE: Continuation of a non-conforming use - Service Station

**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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

**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.

<u>Asif Mahmood</u>	<u>[Signature]</u>	<u>8/27/10</u>
Print Name of Applicant or Agent	Signature	Date
<u>1601 Mt Vernon Ave</u>	<u>(703)579-0225</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Alexandria VA</u>	<u>CARZ80AM@aol.com</u>	
City and State	Zip Code	Email address

ACTION-PLANNING COMMISSION: \_\_\_\_\_ DATE: \_\_\_\_\_

ACTION-CITY COUNCIL: \_\_\_\_\_ DATE: \_\_\_\_\_

**PROPERTY OWNER'S AUTHORIZATION**

As the property owner of 1601 Mount Vernon Ave, I hereby  
 (Property Address)  
 grant the applicant authorization to apply for the Service Station use as  
 (use)  
 described in this application.

Name: Rafat Mohamed - 1601 MVS, LLC Phone: (703) 683-8222  
 Please Print

Address: 700 N Washington St Apt VA 22314 Email: \_\_\_\_\_

Signature: Rafat Date: 1/21/10

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. 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 or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

MVSC, Inc.

Asif Mohamed 50%

Rafat Mohamed 50%

**OWNERSHIP AND DISCLOSURE STATEMENT**

Use additional sheets if necessary

1. Applicant. 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. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. <i>Asif Michael</i>	<i>1601 Mt Vernon Ave Alex VA 22301</i>	<i>50%</i>
2. <i>Rafat Michael</i>	<i>700 N. Washington St Alex VA 22314</i>	<i>50%</i>
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 1601 Mount Vernon Ave (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. <i>Rafat Michael 1601 MUSE, Inc.</i>	<i>700 N. Washington St Alex VA 22314</i>	<i>100%</i>
2. <i>1601 MUSE, Inc.</i>		
3.		

3. Business or Financial Relationships. Each person or entity listed above (1 and 2), with an ownership interest in the applicant or in the subject property is required to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. <i>Asif Michael</i>	<i>NONE</i>	<i>Planning Commission City Council</i>
2. <i>Rafat Michael</i>	<i>NONE</i>	
3.		

**NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.**

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

01/11/10 Date      Asif Michael Printed Name

[Signature] Signature

SUP # 438-00261

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.

### 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. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

We would like to continue running this property as a service station. We sell gasoline ~~between~~ Monday - Saturday between 6am - 10pm, and Sundays 8am - 8pm. We do inspections and repairs Monday - Saturday between 8am - 5pm. We employ 6 individuals. We do not store cars and most are removed daily. We serve approximately 75 customers a day. We serve many businesses and residents daily. We seek an extension of this sup for 15 years expiring 2025.



**USE CHARACTERISTICS**

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

- a new use requiring a special use permit,
- an expansion or change to an existing use without a special use permit,
- an expansion or change to an existing use with a special use permit,

other. Please describe: continue our current business

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).

We serve 75+ customers daily.

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

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

During 8am-5pm we have 3 employees. After 5pm, we have 1.

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

Day: bas Mon-Sat

Hours: 6am-10pm

bas Sun

8am-8pm

Service Mon-Fri

8am-5pm

Service Sat

8am-2:30pm

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

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

Minimal noise from air tools used in bays

B. How will the noise be controlled?

We try to keep bay doors closed to reduce noise.

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

We should have no odors  
\_\_\_\_\_  
\_\_\_\_\_

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? (i.e. office paper, food wrappers)  
Normal paper products and soda bottles  
\_\_\_\_\_

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)  
We have a small dumpster that gets emptied once or twice a month  
\_\_\_\_\_

C. How often will trash be collected?  
Once or twice a month  
\_\_\_\_\_

D. How will you prevent littering on the property, streets and nearby properties?  
Employees Clean Lot on a Daily Basis  
\_\_\_\_\_

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:

Motor oil, Antifreeze, Brake Fluid. Approximately 20-30 gallons a month.  
All fluids are put in protective containers that are picked up every two weeks.

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:

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

Every Employee is trained to deal with any potential problems.  
We have kits that are in place for any problems.

**ALCOHOL SALES**

13.

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

Yes  No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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**PARKING AND ACCESS REQUIREMENTS**

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

- 7   Standard spaces
- Compact spaces
- 1   Handicapped accessible spaces.
- Other.

Planning and Zoning Staff Only  Required number of spaces for use per Zoning Ordinance Section 8-200A _____  Does the application meet the requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No
---

B. 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?

**PLEASE NOTE:** 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.

C. 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.

Parking reduction requested; see attached supplemental form

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

A. How many loading spaces are available for the use?   0  

Planning and Zoning Staff Only  Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____  Does the application meet the requirement?  <input type="checkbox"/> Yes <input type="checkbox"/> No
--

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

C. During what hours of the day do you expect loading/unloading operations to occur?  
Only Unloading will be req, which is done during normal business hours.

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
Once A Week

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?  
Adequate street Access

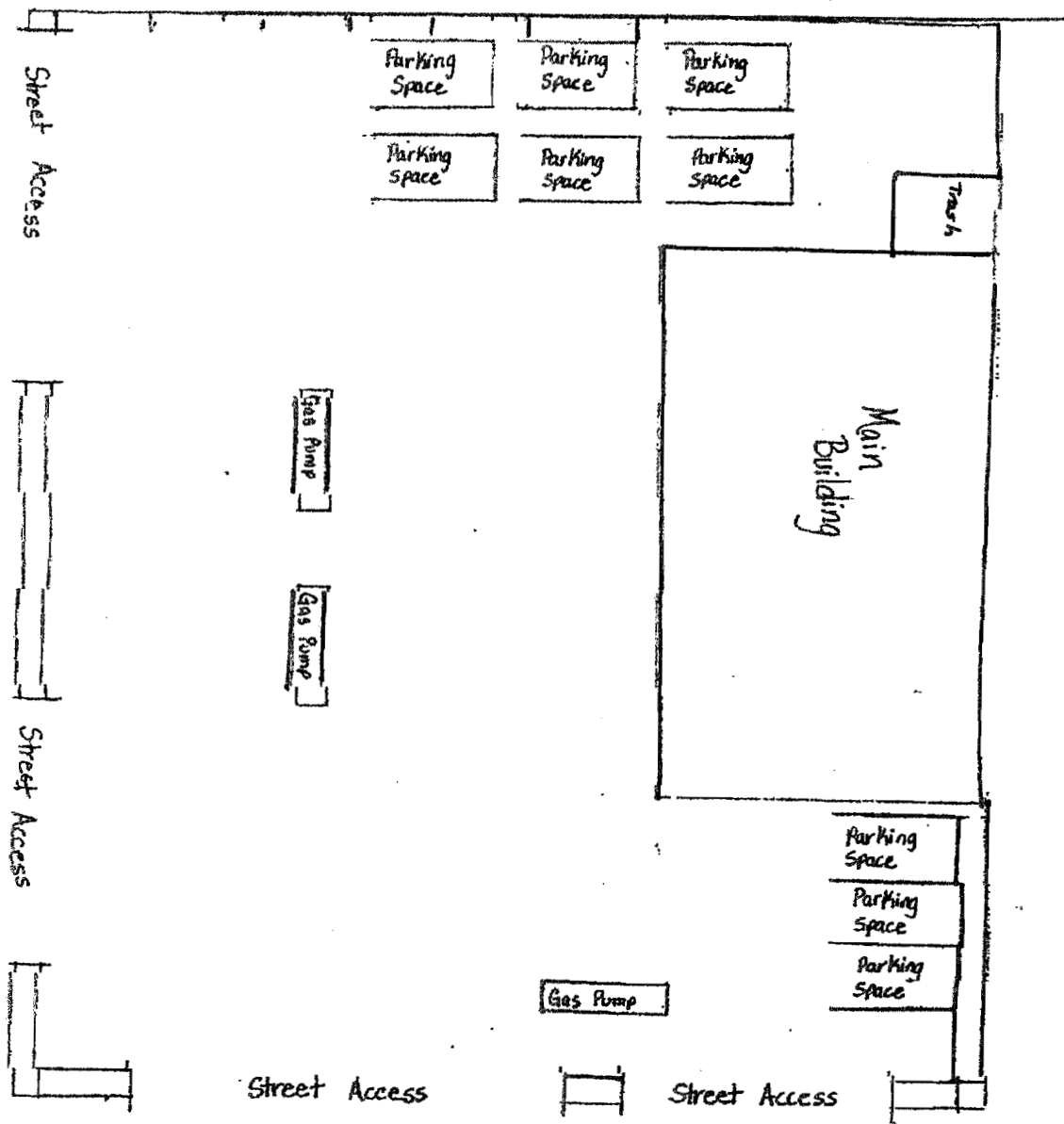
**SITE CHARACTERISTICS**

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.

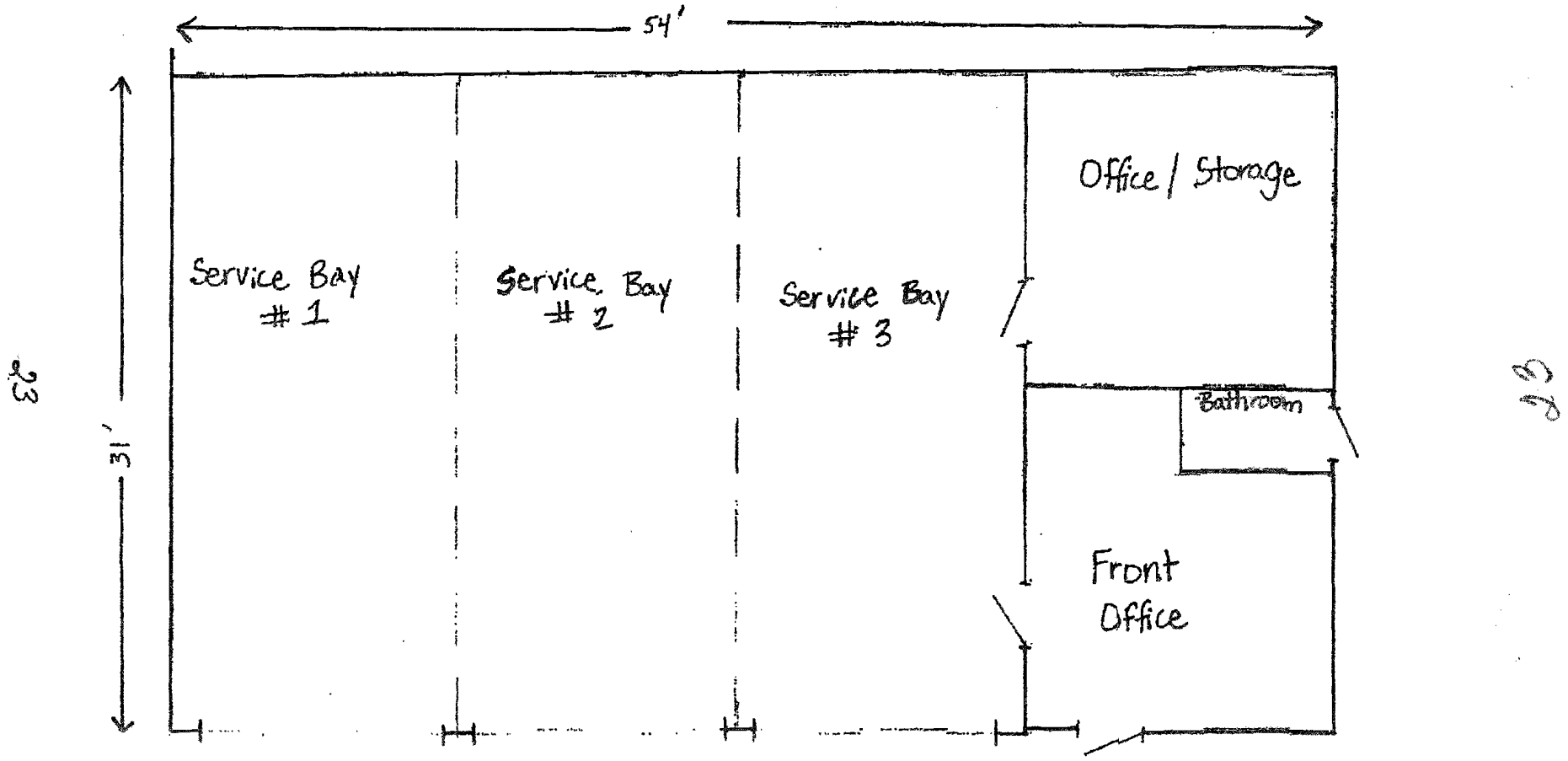
18. What will the total area occupied by the proposed use be?  
1628 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 1628 sq. ft. (total)

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: \_\_\_\_\_

End of Application



Building Mt. Vernon Av.



# APPLICATION - SUPPLEMENTAL

## AUTOMOBILE-ORIENTED USES

**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?

Oil Changes, Tune-ups, minor repairs, Inspections, Emissions, Brakes

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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)?

Employees do not park on site

4 or 5 customers a day

\_\_\_\_\_

\_\_\_\_\_

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.**

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# Del Ray Citizens Association

Established 1954  
delraycitizens@yahoo.com

P.O. Box 2233, Alexandria, VA 22301  
<http://www.delraycitizen.org>

October 27, 2010

Faroll Hamer, Director, Department of Planning and Zoning  
City Hall, Room 2100  
Alexandria, VA 22314

Subject: Docket item #8, SUP #2010-0051, 1601 Mt. Vernon Avenue Service Station

Dear Ms. Hamer,

The Del Ray Citizens Association Land Use Committee and Executive Board discussed this SUP application, a request for a 15 year extension of an SUP for a non-conforming service station, at their monthly meetings in October.

The current SUP for this property expires at the same time as the SUP for 1605 and 1611 Mt. Vernon Avenue, the auto storage lot for the Hyundai dealership. The original SUPs were set to expire at the same time in anticipation of a coordinated redevelopment of the properties. The general consensus of the Land Use Committee and the Executive Board was that denying the extension would not benefit the neighborhood since it is not likely that there would be an opportunity to re-develop this land in the near future if the SUP were not extended. This could result in the lot remaining empty for an extended period of time.

The applicant has installed some new landscaping on the property and said that the service station sign would be repaired. Additional landscaping, including flower beds at the corner of Mt. Vernon and Monroe Avenues and planters on the property, would help to soften the mostly paved property and wide curb cuts.

The Land Use Committee recommended to the Executive Board to support a ten year extension of the SUP. The Executive Board amended the vote to support the 15 year extension of the application with the following recommended condition:

- The applicant fix the sign and install additional landscaping to the satisfaction of the Director of Planning and Zoning.

The recommendation will be presented to DRCA membership for a vote at the monthly meeting in November.

Thank you for your consideration.

Sincerely,

Sarah Haut  
Co-Chair  
Land Use Committee

cc:  
Planning Commission

*Celebrating 100 years of the Town of Potomac*

1908 - 2008

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Docket Item # 7  
SUP # 2010-0051  
2010-0051

**Comments on Hyundai Lot and Del Ray Service Station SUPs**

**From:** Germaine Schaefer <germaineschaefer@hotmail.com>  
**To:** jimkapsis@yahoo.com  
**Sent:** Thu, October 7, 2010 11:55:24 AM  
**Subject:** RE: [delraycitizens] From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station? [3 Attachments]

Hi Jim -

Thanks for requesting input. I agree with the general feeling of reducing automotive uses on Mt. Vernon Avenue. However, in this climate I don't think any of us is better served with more empty store fronts. Currently - starting at the intersection of Mt. Vernon/Commonwealth/Hume - we have all the retail space in the new Del Ray Central empty, the former "Tony's Auto" - empty, soon to have completed "Lofts of Del Ray" (empty?); store front next to Los Tios (although I understand that Los Tios will be taking that over); about 3 blocks further down the street you have 2 of the townhouse/retail spots open on the east side of the street (used to be a dog bakery?); old dry cleaners - 2 or 3 of 3 or 4 empty. The West side of the street is better, however we have yet another new building about to open that is looking for tenants. Therefore I would support some extension of these apparently thriving businesses, rather than a denial that will lead to more empty space. 15 years does seem too long to me, perhaps another 10 years. Certainly at least 5.

Sincerely,

Germaine Schaefer

October 13, 2010

**COMMENTS ON THE FUTURE OF THE LOT  
ON MOUNT VERNON AVENUE OWNED BY HYUNDAI**

Submitted by:  
Jonathan and Rebecca Thessin

We live in a townhouse at the intersection of Nelson and Mount Vernon Avenues. We decided to purchase our house in Del Ray because of the neighborhood's unique

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blend of residential and retail uses that allows residents to live in a quiet neighborhood but still walk easily to restaurants and other eateries. We support land use policies on Mount Vernon Avenue (the "Avenue") that encourages pedestrian traffic by providing for the establishment of additional first-floor retail outlets in the blocks immediately north of Mason Avenue. Thus, we would support limiting any extension of Hyundai's Special Use Permit to allow the community an opportunity in the near future to revisit the use of this space and consider potential alternative uses.

Currently, high-density, first-floor retail establishments—including restaurants, ice cream parlors, and coffee shops—are located on the Avenue north of Bellefonte Avenue and between Nelson and Mason Avenues. However, between Mason and Bellefonte Avenues, there is a dearth of such establishments, creating a break in the character of the Avenue. The Hyundai and Audi dealerships that are located in that block do not attract the type of foot traffic that a restaurant would attract because of the nature of the dealers' business—dealers attract individuals who are in the market to purchase a car, a purchase that one makes only once every few years. As a result, we suspect that most Del Ray residents do not regularly walk along the Avenue for the purpose of patronizing one of the two dealerships. The ambience of the neighborhood is particularly affected by the dealers' large parking lots that front the Avenue. A fence or other barrier would make the walk by the dealers more attractive, as suggested by the Mount Vernon Business Area Plan.

To connect the eating establishments and other businesses located on the northern end of the Avenue with those located south of Mason Avenue, we would support the use of the blocks immediately north of Mason Avenue for restaurants and other businesses that would attract regular patronage from residents within the neighborhood. Additional retail establishments would benefit the entire Del Ray community—residents and businesspeople alike—by drawing more diners and shoppers to the Avenue. For these reasons, any extension given to Hyundai should be limited to the immediate term (no more than 2 years) so that the neighborhood may evaluate other options that better fit the overall character of the Avenue.

FROM: fitzgeraldps@gmail.com□□□□  
TO: hautsl@yahoo.com, jimkapsis@hotmail.com

Dear Sarah and Jim,

I'm writing to you regarding Kevin Reilly's request for an extension to his Hyundai SUP for 15 more years. To introduce myself, I am a fairly new resident of Del Ray, I moved here 2 1/2 years ago after a long search to find a neighborhood that really fit me. By choice I moved to a diverse and unique neighborhood and chose not to live in a planned "cookie cutter"

community. After a year of dabbling in various volunteer activities and meeting a lot of great people, I was asked to join the DRBA Board, interestingly, as a non-business owner member. Which reminds me, I need to renew my DRCA membership (it's on my to-do list)!

I live fairly close to the dealership on the 300 block of Bellefonte and I've been speaking with several folks about the Hyundai SUP, both residents and business owners. In "a perfect world" Mount Vernon Ave. would consist of only cute shops and restaurants. But, the business owners along this stretch who have worked hard help improve the neighborhood over the years for all of us need to be supported now that Del Ray is "on the map."

As I got involved with all of the activities in Del Ray, I quickly became aware of Kevin's level of support. I'm still amazed at the amount and magnitude of the events, most of which are free, that take place and make Del Ray such a special and sought after place to live. And although all of events are organized by volunteer efforts, there are significant hard costs associated with each event. Without the financial support of the sponsoring business owners, like Kevin, none of these events would be possible.

But Kevin's financial support of Del Ray events is only one thing that makes him a good neighbor. I've heard countless stories about how he communicates regularly with the citizens near the dealership and works tirelessly to be that good neighbor. It is clear that he cares about his business but he also cares about his community.

It boils down to supporting those who support us.

Thank you for your consideration.

Best regards,

Pam Fitzgerald

RE: What Are Your Views on the Hyundai

...

Joseph Bonfiglio

From: <josephbonfiglio@hotmail.com>

...

Add to Contacts

To: [jimkapsis@yahoo.com](mailto:jimkapsis@yahoo.com)

Jim,

Thanks for posting this query to the list. My wife and I have lived in the heart of Del Ray for the last 3 years. We try to support our local businesses by frequenting them as often as we can. I often buy gas at the Mt. Vernon Service Station and take our cars there for state inspections.

Admittedly, we have not purchased cars from either the Hyundai or Audi dealers, but know friends who have. I recently asked one of them why he chose to purchase his car from the Audi dealer and his answer had absolutely nothing to do with that dealer's Del Ray location. They had a car he wanted, he bought the car from them and promptly drove it back to his home in DC. Neither dealer or service station (Shell included) provide a good or a service that adds value to one of the prime walkable blocks of the neighborhood. By definition, they are drive-to destinations. Both businesses would flourish along the Glebe Rd or US 1 corridors. Neither need those locations to succeed.

I can't get behind a 15 year extension for the Hyundai lot. Right now, the Hyundai dealership's satellite lot cuts off the heart of Del Ray to the businesses south of Monroe. The Triangle site development has to be considered a success. The Hyundai, Audi and service station footprints are prime candidates for a similar investment and we should be encouraging that direction for those areas. I believe a shorter extension would be appropriate for the Hyundai lower lot, allowing that successful business time to consider another commercial location in Alexandria, a satellite lot just a few blocks away on US 1 or re-develop the face of their lower lot to add value to a prime walkable block, but still accommodate their stock of cars.

Thanks again for reaching out.

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-joe

Joseph Bonfiglio III [josephbonfiglio@hotmail.com](mailto:josephbonfiglio@hotmail.com)

Date: Wed, 13 Oct 2010 05:21:08 -0700

From: rooneyreid@yahoo.com

Subject: Alexandria Hyundai SUP

To: jimkapsis@hotmail.com

CC: kpreilly@aol.com

Mr Kapsis,

Mary Abraham Reid, my wife, and I are born and raised in Alexandria . We have deep personal and commercial ties to the Del Ray community, and lived on East Duncan Avenue for four years, just around the corner from Alexandria Hyundai. Mary's brother, David, and his wife continue to live on Duncan Avenue , in a home owned by our family.

We support whole-heartedly the extension of the special use permit for Alexandria Hyundai. Kevin Reilly and all of his employees at Alexandria Hyundai are great neighbors to the Del Ray community, particularly to those of us who live or have lived around the corner ( E. Duncan Avenue ). Remarkably, Kevin sends letters from time to time to neighbors of Alexandria Hyundai with his personal cell phone number included, encouraging us to call him in case we ever need to discuss a matter involving his business and the neighborhood. We have never needed to do so, because he is actively involved in the day-to-day business operations to affirmatively prevent any issues from arising.

We have always appreciated Mr. Reilly's participation in community affairs and his support of local events and charities.

We believe he is heavily involved, because he truly cares. Mr. Reilly's business practices and relationships should be a model for other businesses on Mt. Vernon Avenue to emulate.

Please consider our opinions favorably in the special use permit deliberations.

Sincerely,

Andrew C. Reid

> Date: Tue, 12 Oct 2010 18:33:14 -0400

> Subject: Hyundai

> From: jen@jenwalker.com

> To: jimkapsis@hotmail.com

>

> Jim,

>

> I would like to support the Alexandria Hyundai SUP. Kevin Reilly and Hyundai are an asset to Del Ray. They bring folks to the neighborhood who spend money while they wait on service, or when they are buying cars. Kevin is a great business leader and has done a lot of work to help Del Ray and give back to the community.

>

> Jennifer Walker

> McEneaney Associates, Inc.

>

>

>

From: Baileyctr@comcast.net

To: jimkapsis@hotmail.com; hautsl@yahoo.com

CC: baileyctr@comcast.net

Subject: Support of Alexandria Hyundai

Date: Tue, 12 Oct 2010 18:15:22 -0400

Good evening,

I am a native of Del Ray who still lives in their childhood home on East

Bellefonte. I am writing to support Alexandria Hyundai in their request for a 15 year extension on their SUP as they are very easy folks to work with and have been a huge supporter of the community. The grounds are well kept and no trash is laying around and the facility is nicely maintained and attractive, showing they care. They are a great neighbor to have and I feel strongly we need to give back a little something to those that support us. Having lived in Del Ray my whole life I have seen many unsavory businesses come and go. This is one business we need to keep right where it is.

I hope the Land Use committee feels the same way.

Sincerely,  
Carol Bailey

---

Carol E. Bailey  
Regional Manager  
S-C Management Corp.  
[baileyctrs@comcast.net](mailto:baileyctrs@comcast.net)

Date: Tue, 12 Oct 2010 18:09:32 -0400  
Subject: Supporting SUP  
From: kpmva98@gmail.com  
To: hautsl@yahoo.com; jimkapsis@hotmail.com

Hi Jim and Sarah,

I am just writing to support Kevin Reilly's request for an extension on his SUP, he has been a tremendous support to the Del Ray community and activities, and was a significant supporter to the Del Ray Music Festival (an music event in Del Ray made possible by the donations of our community businesses in Del Ray), which I co-founded and chair each year. I would hate to lose Mr. Reilly's business and support in our community. Thank you so much for your consideration to his request!

Kate Moran  
Del Ray Citizen Association Member

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**From:** Carrie Fesperman <carrie\_fesperman@yahoo.com>  
**To:** jimkapsis@yahoo.com  
**Cc:** Kaleb Redden <kaleb\_redden@yahoo.com>  
**Sent:** Tue, October 12, 2010 9:54:14 PM  
**Subject:** Re: Fw: [delraycitizens] From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station? [3 Attachments]

Jim,

Thanks again for connecting with us on this. Kabe and I discussed and think that the temp SUP should be extended, but for a shorter period of time (~5-7 years), Our reasoning:

This neighborhood would be better served with different businesses than the current ones for current land use plan and environmental reasons. However, given the current economic climate, it seems unlikely that another user would step in quickly. Gas stations are particularly hard to turn over given all the contaminants that leak from the gas pumps and the car repair area. The old gas station lot in Del Ray (where they're doing construction for the new restaurant now) sat vacant a particularly long time. Similarly, the car lot has a huge amount of pavement that would probably need to be redeveloped. Large empty vacant lots near viable businesses aren't good for the neighborhood. Given that, it would be better to wait for a few more years for better economic times. Since these businesses are close together, might be better to stagger the year their next renewal comes up. Also worth considering -- when the Audi renewal comes up.

Good luck in your considerations!

Carrie

**From:** "whendrick@aol.com" <whendrick@aol.com>  
**To:** jimkapsis@yahoo.com  
**Cc:** alsdmf@earthlink.net  
**Sent:** Mon, October 11, 2010 9:35:38 AM  
**Subject:** Re: [delraycitizens] From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station? [3 Attachments]

Dear James:

Just a few comments on this, and by the way, I was chair of the Land Use Committee when this last came up. I don't object to automotive uses. In

particular, the neighborhood needs to have auto repair shops. But I think the use of a large lot for auto storage is a very inefficient use of the land and impedes the development of the Avenue in the way envisioned in the Mount Vernon Avenue Business Plan. The problem is: What to do with the cars now stored there? Hyundai, like all car makers, requires its dealers to take and store a large number of cars. Where else could they go? Or, alternatively, are there sufficient zoning incentives available to the owner of the auto storage property to redevelop it in a way that would allow for office/retail use as well as auto storage? Has the value of the land increased enough during the past decade for redevelopment to be worthwhile or do we need to wait longer? The Land Use Committee needs to look into these questions and suggest a vision of what it would like to see on these properties. In my view, the storage lot property and the auto shop property should be redeveloped at the same time. The auto shop could remain but be incorporated in a larger building that would help better define the corner of Monroe and Mount Vernon. The big problem with the auto shop is all the curb cuts running into the property, which makes it difficult and potentially hazardous for pedestrians. Perhaps something could be done about this in the short term. Given that it makes sense to redevelop these sites, I'm concerned about the length of the proposed SUP extensions. Bill Hendrickson

**From:** "NEONKANB@aol.com" <NEONKANB@aol.com>

**To:** jimkapsis@yahoo.com

**Cc:** MGLAIA@aol.com

**Sent:** Sat, October 9, 2010 5:53:54 PM

**Subject:** Re: [delraycitizens] Clarification -- From Del Ray Land Use Committee: What ...

In a message dated 10/8/2010 10:39:52 AM Eastern Daylight Time, jimkapsis@yahoo.com writes:

**The Hyundai dealership on Mt. Vernon Avenue has requested a 15-year extension of the special use permit that currently allows it to occupy and run its display lot on the 1600 block of Mt. Vernon Avenue across from Arlandia Floors. This lot currently has a maximum of 122 cars in it at any time.**

Jim,

I would fully support extension of the Hyundai dealership SUP. I wonder if it can be tied to an individual? Kevin Reilly has been such an active citizen in the business community, and is so supportive of educational interests (he has given scholarships from Hyundai to Del Ray Artisans' Art Camp for many years -- actually asks when he can do so typically!). He and Hyundai have been a good neighbor in community-minded ways.

Kathryn A. Brown

DRCA household member with M. Lord

**From:** As Al <mashed30@yahoo.com>  
**To:** jimkapsis@yahoo.com  
**Sent:** Fri, October 8, 2010 2:59:21 PM  
**Subject:** Clarification -- From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station?

Hi Jim,

As a resident of East Mason Ave. who lives close to both the Hyundai and Audi dealerships, I would strongly urge everyone to vote against extending the SUP to the Hyundai Dealership, for the following reasons:

1. These unsightly car dealerships detract from the community-based feel in the rest of Del Ray, and cut off the southern part of Mt. Vernon Avenue from the more charming "Main Street" vibe to the north. The local businesses already established south of Duncan & East Mason are at a disadvantage, because customers walking from the "heart" of Del Ray often don't venture down past the ugly car dealerships and gas stations.
2. The car dealerships unfairly hog most of the available street parking within a 2-block radius. Guests in our home often have trouble finding a spot on either Mt. Vernon or a nearby side street, because new Hyundais and Audis for sale are parked there. Honestly, I'd rather the city completely revoke street parking on that block of Mt. Vernon than continue to let the car dealerships take all the available street parking that residents need.
3. Making left turns onto Mt. Vernon from either side of East Mason Ave. is downright dangerous, because the Hyundai & Audi dealerships park their cars so close to the curb that it is nearly impossible to see oncoming traffic. I have narrowly avoided several accidents at this intersection because of this problem.

Thanks very much for considering my thoughts. I hope the SUP is not renewed this time.

Sincerely,  
Ashley Alley

**From:** "kathyva@aol.com" <kathyva@aol.com>  
**To:** jimkapsis@yahoo.com  
**Sent:** Fri, October 8, 2010 1:22:21 PM  
**Subject:** Re: [delraycitizens] Clarification -- From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station?

Jim,

I am a DRCA member but will be unable to attend the November general meeting. I'd like to share some brief thoughts for the LUC's consideration.

I see a distinction between the two automotive-related businesses in question, and feel that one belongs on the Avenue while the other does not. A gas and auto service station provides a useful and needed service to neighborhood residents. The location of the Del Ray Service Station at the corner of two of our main streets seems appropriate -- it allows easy access and does not interfere with other activities. I'm aware that there is a Shell gas station on the same corner -- it would be helpful to know if they are governed by a separate rule, or if there is just a different expiration year for their SUP (in other words, at some point will there also be a decision to be made on an extension for that business?) My impression of the two stations is that the Del Ray

station offers more services, including safety and emissions inspections, which I really like having available in the neighborhood.

By contrast, a car dealership does not primarily provide services for neighborhood residents. It takes up a lot of space that could be home to more neighborhood-focused businesses. I've always been puzzled by the fact that a dealership chose that location -- I would think that a Route 1 location would be a much better fit for drawing in customers and for ease of access.

I would support a 10-year extension of the SUP for the Del Ray Service Station. In another 10 years, let's see how that end of the Avenue has evolved and revisit the question at that time.

I do not support an extension for the car dealership.

Thanks for providing the opportunity for input.

Kathy Patrick

**From:** Lindsay DuVall Clarke <LClarke@agingresearch.org>  
**To:** James Kapsis <jimkapsis@yahoo.com>  
**Sent:** Fri, October 8, 2010 11:40:16 AM  
**Subject:** RE: [delraycitizens] Clarification -- From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station?  
Dear James-

I would like to submit comments regarding the special use permit for the Hyundai dealership. While I respect the fact that it will be a cost to the dealership to move elsewhere, I do not support the extension of their permit. Del Ray is incredibly unique because of its walkability, main street feel, and access to restaurants and stores. It is the fact that it's unique that has drawn together such great people into a place that others want to live. One great side effect of this is the fact that our real estate prices have remained somewhat insulated from the devaluation of surrounding areas. The Hyundai dealership takes up prime real estate with its storefront and its parking lot, both of which are not in keeping with the vision that I believe most residents share for Del Ray. The space presents an opportunity to unite North and South Del Ray and to put something in place that will welcome visitors as they enter through the "Gateway" at Monroe and Mt. Vernon. While I appreciate that the cost of moving is not negligible for the Hyundai dealership, I believe that we need to keep the best interests of the community in mind.

Sincerely,

Lindsay Clarke

**From:** Jonathan Krall <jonathan@jonathankrall.net>  
**To:** James Kapsis <jimkapsis@yahoo.com>  
**Sent:** Thu, October 7, 2010 2:23:00 PM

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**Subject:** Re: [delraycitizens] From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station? [3 Attachments]

Jim,

Thanks for the posting! Please put me down for no extension or a very short (1 year) extension. The latter might make sense based on the economy, still being slow.

Thanks!

Jonathan Krall

**From:** Nadine Drury <Nadine@AffordableSigns.com>

**To:** James Kapsis <jimkapsis@yahoo.com>

**Sent:** Thu, October 7, 2010 1:20:04 PM

**Subject:** RE: [delraycitizens] From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station? [3 Attachments]

I have lived on E Alexandria Ave for 14 years which is 2 and 3 blocks from the locations in question. I strongly SUPPORT both applications for SUP extensions of any length requested.

Both companies are good neighbors and provide a necessary service to the community and city as a whole. Who are we to put successful businesses out just because we want to see a deli or a cute shop that as individuals and as a neighborhood, we can not support their growth? A car dealership and a gas/service station were there, providing valuable services, long before many of the current Del Ray residents moved in and the Mount Vernon Area Business Plan was developed.

With all due respect, I think the Mount Vernon Area Business Plan envisioned for these two sites is unrealistic. I am no expert, but I believe redevelopment of these sites as ground level retail and underground parking is unrealistic and unsustainable for the following reasons:

- Ground water problems in Del Ray are an impediment to any underground parking lot in the neighborhood.
- Entrance/egress via a side street would be more disruptive to the adjoining neighbors than entrances directly from Mt Vernon Ave.
- Successful small retail operations to replace the current seemingly successful automotive operations are questionable under current market conditions.
- Traffic and safety conditions at the intersection of Mt Vernon and Monroe would deteriorate if retail and residential density increased.

In summary, I STRONGLY support these successful, valuable businessmen's requests for extensions of their SUPs.

Thank you for the opportunity to express my opinion.

Nadine Drury Roland

Member: Del Ray Citizens Association and Del Ray Business Association

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**From:** S. Nawly <DCLonghorn@gmail.com>  
**To:** James Kapsis <jimkapsis@yahoo.com>  
**Sent:** Thu, October 7, 2010 12:57:33 PM  
**Subject:** Re: [delraycitizens] From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station? [3 Attachments]

Unless there are entities already willing to use these locations that will provide the same or greater tax revenue, the current businesses should remain.

There is enough empty retail space on the Avenue as it is and new construction underway or planned in several locations that will be working hard to fill their space in this economy.

Much worse than a couple of "automotive uses" on the Avenue would be huge vacant lots or derelict buildings at the gateway to the retail area.

That said, if there are other businesses willing now, than I am all for conforming to the walkable plans laid out by the DRCA.

As an ancillary thought, at one point, I passed on a job offer in New York State because there were no gas stations any where in the town. They had regulated them all away and I nearly ran out of gas trying to get to the next town to fill up. I realize that Del Ray is in a very different situation as there are plenty of gas stations on Route 1 and the other gas station at that intersection isn't going anywhere, but please keep in mind that people do make decisions based on available services, even in unconsciously. One of the key reasons I moved from DC to NVa was because of the hassle involved with getting a drivers license and license plates in the District. I also bought my last car in part because I could walk to and from the dealership in Del Ray.

Del Ray is amazing because it's unique and walkable, that shouldn't change. On the other hand, if Del Ray and Alexandria continue to systematically remove all car dealers, gas stations, drive-thru restaurants, and Potomac Yard shopping, people will begin to look elsewhere in place with more conveniences even if they are less quaint.

Thanks for the opportunity.

Brian Hart

P.S. I previously lived on E. Duncan on the same block as the Hyundai dealership. I never had any problems or concerns even if they weren't the most beautiful of neighbors.

**From:** "Astin, Rainey" <rastin@quad1.com>  
**To:** Sarah Haut <hautsl@yahoo.com>  
**Sent:** Thu, October 7, 2010 11:36:30 AM  
**Subject:** FW: [delraycitizens] From Del Ray Land Use Committee: What Are Your Views on the Hyundai Dealership and Del Ray Service Station? [3 Attachments]

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Good stuff! Since I am still living in Del Ray, I'd like to register my thoughts, as a resident:

The gas station is a helpful residential benefit. I get gas there and have my car inspected there. I support the extension of this permit

The car dealership, although also an automotive use, is not in the same helpful benefit class (this includes the audi dealership as well and is aimed at all car dealerships on Mt Vernon), and I do not support the extension.

□ Rainey Astin

Alexandria, Virginia

Forwarded Message ----

**From:** Sheryl Gorsuch <sheryl-gorsuch@comcast.net>

**To:** Amy Slack <amylanduse@yahoo.com>

**Sent:** Fri, October 8, 2010 9:27:30 AM

**Subject:** Fwd: [delraycitizens] Digest Number 1213[3 Attachments]

Amy-

My 2 cents:

An active and thoughtful member of the community, a thriving business, a business that brings people into Del Ray from outside the city...leave Hyundai alone and let them renew their SUP to match their existing lease. Encourage them to make asthetic improvements (sidewalk planters, attractive signage etc) because they will be there another 15+ years.

Sheryl Gorsuch



Docket Item #7  
SUP2010-0052  
Docket Item #8  
SUP2010-0051

November 4, 2010

Dear Members of Planning Commission,

The Del Ray Business Association (DRBA) would like to express our absolute support for the extension of the SUP for Alexandria Hyundai for an additional fifteen years as requested (SUP2010-0052). As a matter of consistency (and as Staff articulates in its recommendation), we also support the extension of the SUP for Del Ray Service Station for fifteen years as requested (SUP2010-0051).

Regarding SUP2010-0052, we find the decision to extend for fifteen years to make the most sense because it will allow Alexandria Hyundai to coordinate the expiration of its SUP with that of its lease, which ends in 2025. If the SUP expired before the lease, the owner would be left paying rent on property that he could not use. Additionally, the property would most likely remain vacant for some time, which would create a significant eyesore on the Avenue.

DRBA understands the the Mt. Vernon Area Plan aims to discourage automotive uses on the Avenue. We very much respect the intent of the Plan, but as we understand it, that Plan was created five years *after* Alexandria Hyundai last renewed it SUP. Requiring the business to adhere to those regulations when it existed before they did would not be fair.

That being said, we are happy that both the Del Ray Citizens Association and City Staff agreed to recommend the extension as requested. This entire process was an excellent example of citizens, Staff, and businesses communicating early, openly and honestly in order to arrive at the best outcome for all involved. Alexandria Hyundai is an exemplary neighbor and community member and we will be happy to see them on the Avenue for fifteen more years.

Thank you for your consideration.

Sincerely,

Jill Erber, President  
Del Ray Business Association





# APPLICATION SPECIAL USE PERMIT

SPECIAL USE PERMIT # 2010-0051

PROPERTY LOCATION: 1601 Mount Vernon Ave

TAX MAP REFERENCE: 043-02-04-26 ZONE: CL

APPLICANT:  
Name: MVSC, Inc.

Address: 1601 Mount Vernon Ave Alex VA 22301

PROPOSED USE: Continuation of a non-conforming use - Service Station

**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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

**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.

<u>Asif Mahmood</u>	<u>[Signature]</u>	<u>8/24/10</u>
Print Name of Applicant or Agent	Signature	Date
<u>1601 Mt Vernon Ave</u>	<u>(703)579-0225</u>	
Mailing/Street Address	Telephone #	Fax #
<u>Alexandria VA</u>	<u>22301</u>	<u>CARZ80am@aol.com</u>
City and State	Zip Code	Email address

<u>Recommended Approval 7-0</u>	
ACTION-PLANNING COMMISSION: _____	DATE: <u>11/4/10</u>
ACTION-CITY COUNCIL: <u>CC approved PC recommendation</u>	DATE: <u>11/13/10</u>
<u>7-0</u>	

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