

DATE: March 10, 2011

TO: Barbara Ross, Deputy Director  
Department of Planning and Zoning

FROM: Nathan Randall, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2011-0008  
Administrative Review for Change of Ownership  
Site Use: Automobile/Trailer Rental or Sales Area  
Applicant: ASE Automotive, LLC  
Location: 2514 Jefferson Davis Highway  
Zone: I / Industrial

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**Request**

Special Use Permit #2011-0008 is a request to change ownership of an existing automobile sales and rental area from Fred's Auto Sales, LLC to ASE Automotive LLC. The applicant proposes to operate a U-Haul truck and trailer rental business, which is the same use in the Zoning Ordinance as the previous used car sales business at this site, which most recently operated under the tradename Best Auto Sales. The applicant proposes to store 15-20 vehicles at this site and will have an administrative office located directly across the street at 2520 Oakville Street. The applicant intends to rent only box trucks measuring up to 26 feet in length and will not allow after-hours drop-off of equipment.

**Background**

In May 1992, City Council granted Special Use Permit #2582 to Alexandria Toyota for the operation of a used automobile sales business. The SUP was amended in 1993 and 1994. On April 9, 2008, staff administratively approved Special Use Permit #2008-0015 that changed ownership of the business to Fred's Auto Sales, LLC.

Staff issued a warning ticket in 2008 and a notice of violation in 2009 to the prior owner of the business for signage violations. The business has been closed for approximately six months. Staff has not received any complaints that would require the Special Use Permit to be docketed for public hearing.

**Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Del Ray Citizens' Association was sent an e-mail with information about the current application. Staff has not received any comments from residents or adjacent businesses that would require staff to docket the Special Use Permit for public hearing.


**Staff Action**

Staff does not object to the applicant's change of ownership request. Staff has amended, added and deleted conditions of approval for consistency with current standard condition language. Another amended condition will now prohibit repair work at the site entirely, rather than only prohibiting it outside, since the applicant does not have access to an indoor space on the property for repair work. Staff has also added a new condition prohibiting the after-hours drop-off of trucks or other equipment at the facility to prevent vehicles from being parked either on public right-of-way or in a disorderly manner in the applicant's parking lot.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: March 14, 2011  
Action: Approved

  
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Barbara Ross, Deputy Director

Attachments: 1) Special Use Permit Conditions  
2) City Department Comments  
3) Statement of Consent

**CONDITIONS OF SPECIAL USE PERMIT # 2011-0008**

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

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&CD) (SUP 2582-A)
2. **CONDITION AMENDED BY STAFF:** All cars stored on the lot ~~fronting Jefferson Davis Highway~~ shall be parked in a neat and orderly fashion at all times. ~~(P&CD) (SUP-2582-A)~~ (P&Z)
3. **CONDITION AMENDED BY STAFF:** No vehicle repair work shall be done ~~outside the building on the premises~~ at any time. ~~(P&CD) (T&ES) (SUP-2582-A)~~ (P&Z)
4. No vehicles shall be displayed, parked, or stored on the public right-of-way. (P&CD) (T&ES) (SUP 2582-A)
5. No debris shall be discarded on the public right-of-way. (P&CD) (T&ES) (SUP 2582-A)
6. No streamers or banners shall be displayed at any time. (SUP 2582-A)
7. Vehicles shall be loaded and unloaded on Oakville Street only. (City Council) (SUP 2582-A)
8. Deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP#2008-0015)
9. No junked, stripped, unlicensed or abandoned cars shall be kept on the property at any time. (P&CD) (SUP 2582-A)
10. The hours of operation shall be limited to 9:00 A.M. to 9:00 P.M., Monday through Friday; 9:00 A.M. to 6:00 P.M. on Saturday; and 12:00 Noon to 5:00 P.M. on Sunday. (P&CD) (SUP 2582-A)
11. The applicant shall install low shrubbery along the Jefferson Davis Highway frontage to the satisfaction of the Department of Planning and Community Development. (P&CD) (SUP 2582-A)
12. Tractor trailers shall use only major streets and avoid local neighborhood side streets when delivering vehicles to the site. (P&CD) (SUP 2582-A)
13. No amplified sound shall be audible outside. (P&CD) (SUP 2582-A)

14. All loudspeakers shall be prohibited from the exterior of the building. (T&ES) (SUP#2008-0015)
15. The applicant shall paint an outline around the area for the two emergency vehicle easements and shall paint the words "no parking" within each of those areas. (P&CD) (SUP 2582-A)
16. No more than 85 vehicles shall be parked on the lot at any one time. (P&CD) (SUP 2582-A)
17. No vehicles shall be displayed, parked or stored in the emergency vehicle easements. (P&CD) (SUP 2582-A)
18. Condition deleted (SUP#2008-0015)
19. The applicant shall construct standard curb and gutter along Oakville Street sides of the property and shall repair and replace existing curb where necessary. (T&ES) (SUP 2582-C)
20. The applicant shall install handicapped ramps on street corners adjacent to the site. (T&ES) (SUP 2582-C)
21. Condition deleted (SUP#2008-0015)
22. Applicant shall maintain the existing landscaping along Jefferson Davis Hwy., Oakville St. and Swann Ave. (Parks and Recreation) (SUP#2008-0015)
23. Replace dead or missing plants according to the approved landscape plan submitted with SUP# 2582-C. (Parks and Recreation) (SUP#2008-0015)
24. **CONDITION DELETED BY STAFF:** ~~The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "Solid Waste and Recyclable Materials Storage Space Guidelines", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: [www.alexandriava.gov](http://www.alexandriava.gov) or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES) (SUP#2008-0015)~~
25. 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) (SUP#2008-0015)
26. **CONDITION DELETED BY STAFF:** ~~Applicant shall provide the City \$1000.00 for one Model SD-42 Bethesda Series litter receptacle for installation on~~

~~the adjacent public right of way (monetary contribution to be submitted to the Department of T&ES, Engineering Division, Room 4130, 301 King Street within 60 days of approval). Contact T&ES Solid Waste Division (703/751-5130) regarding information on ordering and installation. (T&ES) (SUP#2008-0015)~~

27. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES) (SUP#2008-0015)
28. No vehicles shall be displayed, parked or stored in the emergency vehicle easement. (Code Enforcement) (SUP#2008-0015)
29. The new applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business. (Police) (SUP#2008-0015)
30. **CONDITION ADDED BY STAFF: No after-hours drop-off of rental vehicles or equipment shall be permitted at this facility. (P&Z)**
31. **CONDITION ADDED BY STAFF: 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)**
32. **CONDITION ADDED BY STAFF: The Director of Planning and Zoning shall review the Special Use Permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if: (a) there have been documented violations of the permit conditions 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 the 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)**