

DATE: March 2, 2011

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

FROM: Nathan Randall, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2011-0005
Administrative Review for Change of Ownership
Site Use: Automobile Sales and Repair
Applicant: Modern Motors, LLC by Saad Javed
Location: 26 Dove Street
Zone: OCM(50) / Office Commercial Medium(50)

Request

Special Use Permit #2010-0005 is a request to change ownership of an existing noncomplying automobile sales and repair business from Alexandria Auto Sales to Modern Motors LLC by Saad Javed. No changes to the operation are proposed, and the new owner will continue to operate the business as a small car sales lot with up to 20 vehicles at one time. Minor repair work on vehicles stored or sold at the lot, such as headlight and wiper blade changes and minor interior cleaning/detailing, will also be offered in two repair bays, consistent with SUP condition language. No mechanical tune-up work is permitted at this site.

Background

On April 21, 1990, City Council granted Special Use Permit #2367 to Alexandria Auto Sales for the operation of an automobile sales lot of up to 20 vehicles. On March 21, 1992, City Council granted Special Use Permit #2367A to the applicant to allow minor, non-mechanical repair work in a new two-bay garage at the business.

The business became a noncomplying use when the property was rezoned from I-1 to OCM(50) as a part of City-wide remapping approved in June 1992.

In 2008, as a part of its routine inspection program, staff found violations of the conditions of SUP#2367A that were later corrected. On February 7, 2011, staff visited the subject property and found one violation of the conditions of Special Use Permit #2367A relating to whether parking spaces at the site were striped (Condition #8). Staff forestalled enforcement of this condition because the striping of the parking lot would not provide an appreciable benefit to the neighborhood and would likely cause a reduction in the number of parking spaces on the site.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff has received one comment from a neighboring business owner regarding the operation of the existing automobile repair business on the site. He expressed concern that employees of the business are parking in no-parking zones near his business, that tall grass is growing on the site, and that someone has been using the building on the property for sleeping quarters. These concerns do not rise to the level of requiring a public hearing for this SUP request and can be effectively addressed through the enforcement of already-existing City codes and ordinances.


Staff Action

Staff does not object to the proposed change of ownership. For consistency with current standard condition language for automobile repair businesses, staff has amended existing conditions and added new conditions. Staff has also deleted Condition #8 regarding site improvements. Paving and lighting already exist at the site and, with Condition #4 already requiring the neat and orderly storage of vehicles, striping the parking lot would not benefit either the applicant or the neighborhood.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: March 4, 2011
Action: Approved



Barbara Ross, Deputy Director

- Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2011-0005

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. **CONDITION AMENDED BY STAFF:** ~~That~~ The Special Use Permit shall be granted to the applicant only or to any corporation in which the applicant has a controlling interest. (SUP#2367) (P&Z)
2. **CONDITION AMENDED BY STAFF:** ~~That~~ 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 Section 7-6-173 of the City Code. (SUP#2367) (P&Z)
3. **CONDITION AMENDED BY STAFF:** ~~That~~ 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. (SUP#2367) (P&Z)
4. **CONDITION AMENDED BY STAFF:** ~~That~~ All ~~used~~ cars for sale shall be stored on the property in a neat and orderly fashion at all times. (SUP#2367) (P&Z)
5. **CONDITION AMENDED BY STAFF:** ~~That~~ The hours of operation of the automobile sales business shall be restricted to between 9:00am to 8:00pm Monday through Saturday, between 9:00am and 6:00pm on Sunday, as indicated by the applicant. (SUP#2367) (P&Z)
6. **CONDITION AMENDED BY STAFF:** ~~That~~ No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. (SUP#2367) (P&Z)
7. **CONDITION AMENDED BY STAFF:** ~~That~~ No vehicles shall be displayed, parked, or stored on a public right-of-way. (SUP#2367) (P&Z)
8. **CONDITION DELETED BY STAFF:** ~~That the applicant pave, stripe, and provide lighting for the lot to the satisfaction of the Department of Transportation & Environmental Services. (SUP#2367) (P&Z)~~
9. **CONDITION AMENDED BY STAFF:** ~~That~~ No vehicles shall be loaded or unloaded in the public right-of-way. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (P&Z) (SUP#2367)
10. **CONDITION AMENDED BY STAFF:** ~~That~~ No more than 20 ~~used cars~~ vehicles shall be displayed on the lot at any one time. (SUP#2367) (P&Z)
11. **CONDITION AMENDED BY STAFF:** ~~That~~ No repair work shall be done outside. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (SUP#2367A) (P&Z)

12. **CONDITION AMENDED BY STAFF:** ~~That~~ Repair work done on the premises shall be restricted to washing, waxing, and minor automobile repair (e.g. replacement of headlights, wiper blades and tires) on vehicles for sale only. (SUP#2367A) (P&Z)
13. **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. (P&Z)
14. **CONDITION ADDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (P&Z)
15. **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. (P&Z)
16. **CONDITION ADDED 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. (P&Z)
17. **CONDITION ADDED 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 Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (P&Z)
18. **CONDITION ADDED BY STAFF:** The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 to schedule a security survey for the business and robbery readiness training for all employees. (P&Z)
19. **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)
20. **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)