



APPLICATION

SPECIAL USE PERMIT

SPECIAL USE PERMIT # ~~2009-0049~~ 2009-0070

PROPERTY LOCATION: 499 South Pickett Street

TAX MAP REFERENCE: ~~058-03-01-06~~ 58-01-02 **ZONE:** CSL

APPLICANT:

Name: AV Automotive Munich LLC d/b/a BMW of Arlington

Address: 1100 S. Glebe Road, Arlington, Virginia 22204

PROPOSED USE: Automotive Dealership - Sales & Service Facility

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.

AV Automotive Munich, LLC			
by: Jerry H. Griffin, Esq. <i>VICE PRESIDENT</i>		<i>10.21.09</i>	
Print Name of Applicant or Agent	<i>SECRETARY</i>	Signature	Date
1100 S. Glebe Road	<i>VSB # 29369</i>		
Mailing/Street Address		703-553-4300	703-553-8435
		Telephone #	Fax #
Arlington, VA 22204		legal@rosenthalauto.com	
City and State	Zip Code	Email address	

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

SUP # 2009-0070

PROPERTY OWNER'S AUTHORIZATION

As the property owner of 499 SOUTH PICKETT STREET, I hereby
(Property Address)
grant the applicant authorization to apply for the EXTENDED OPERATING use as
(use) HOURS
described in this application.

Name: 499 S. Pickett Street LLC Phone 240/482-2909
Please Print by H.J. Darcey
Address: 7521 Wisconsin Ave, Bethesda Email: jdarcey@ASBLM.com
MD, 20814
Signature: H.J. Darcey Date: 10/21/09

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.

PROPERTY OWNER'S AUTHORIZATION

As the property owner of _____, I hereby
 (Property Address)
 grant the applicant authorization to apply for the _____ use as
 (use)
 described in this application.

Name: _____ Phone: _____
 Please Print
 Address: _____ Email: _____
 Signature: _____ Date: _____

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. (attached as exhibit "A")

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.

AV Automotive LLC is 100% owner of AV Automotive Munich, LLC (ownership of AV Automotive LLC is comprised of Donald B. Bavely (25%)*; Robert M. Rosenthal (25%)*; Greg Pugh (25%)*; and David Smilow (25%)*. Address for all parties is 1100 S. Glebe Road, Arlington, Virginia, 22204

(*percentages are approximate)

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: _____

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).

Approximately 100 customers/patrons per day are expected to visit the site. Most patrons will be service oriented whose visitation will be heavier in the am and pm hours of operation (generally dropping off vehicle in the am and picking up vehicle in the pm)

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

Between 90-100 employees during the hours of operation (one shift as currently reflected in event number 3). The amended hours are on weekends when total employees will not be as high, i.e. applicant does not expect to have more than 20 employees on site on any Sunday during hours of operation that might be grant

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

Day:	Mon-Fri	Hours:	7:00am - 9:00pm
	Saturday		9:00am - 9:00pm
	Sunday		12:00pm - 6:00pm

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

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

- B. How will the noise be controlled?
- Applicant will comply with condition #9 of SUP #2009-0049
- _____
- _____

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

Applicant does not anticipate any odor issue. Applicant will ensure
compliance with conditions #33, #34 of SUP #2009-0049.

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)

Nothing out of the ordinary (paper, cardboard & plastic)

B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

1 dumpster full per week

C. How often will trash be collected?

twice a week

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

Dumpsters and trash containers already exist on site and more may be
added if necessary. The property will be kept clean by janitorial staff

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:

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:

Used motor oil kept in an approved storage container(existing) & emptied
bi-weekly by a mobile disposal service.

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

All city, state and OSHA code requirements will be met and maintained
and compliance with all conditions of SUP #2009-0049.

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.

PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:
Applicant will comply with the conditions of #20 of SUP#2009-0049
- _____ Standard spaces (applicant attaches as exhibit "C" a copy of relevant diagrams/documents pertaining to condition #20)
 - _____ Compact spaces
 - _____ 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?
 Yes 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?

N/A

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? _____

Planning and Zoning Staff Only

Required number of loading spaces for use per Zoning Ordinance Section 8-200 _____

Does the application meet the requirement?
 Yes No

B. Where are off-street loading facilities located? Applicant will comply with conditions #19 and 21 of SUP#2009-0049; and conduct these activities on site.

C. During what hours of the day do you expect loading/unloading operations to occur?
Applicant will comply with condition#21 of the SUP#2009-0049; this activity will take place between 7am and 9pm

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

Approximately once per 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?

Existing access is adequate

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?

77,158 sq. ft. (existing) + 0 sq. ft. (addition if any) = 77,158 sq. ft. (total)

19. The proposed use is located in: (check one)

a stand alone building

a house located in a residential zone

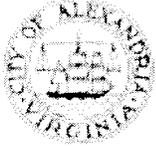
a warehouse

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

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

other. Please describe: two stand alone buildings

End of Application



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?

General automobile maintenance and repair related to franchised (New) dealership operations

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

- 0 hydraulic lifts or racks
- 0 service pits
- 40-50 service bays currently existing in the 2 stand alone buildings on site.

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)?

See condition #20 of SUP#2009-0049 and exhibit "C" attached.

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.

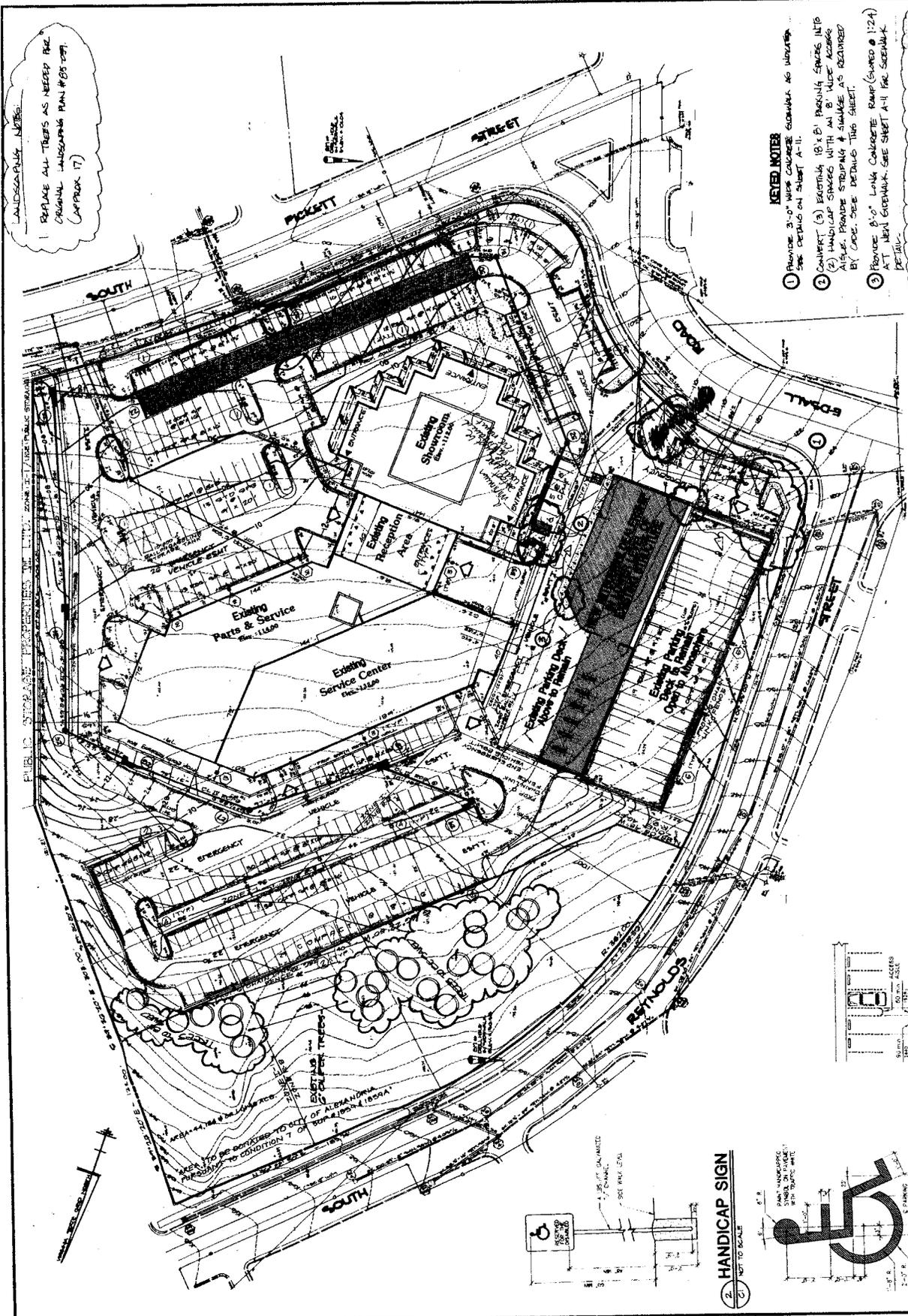
CROSS DUNNING & ASSOCIATES ARCHITECTS AND PLANNERS
 1705 DUNNICK CIRCLE, SUITE 200 • CHARLOTTE, NC 28204
 (703) 222-2700 FAX (703) 222-0288



PROPOSED KOONS MITSUBISHI
 ARCHITECTURAL SITE PLAN
 499 SOUTH ROCKLIT STREET
 ALEXANDRIA, VIRGINIA

DATE: 2-17-00
 DRAWN BY: [Name]
 CHECKED BY: [Name]

PROJECT NO.: 20144
 SHEET NO.: C1

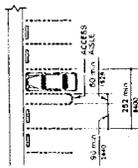


LANDSCAPE NOTES
 1. REPAIR ALL TREES AS NEEDED PER ORIGINAL LANDSCAPING PLAN #89-1097 (APPENDIX 17)

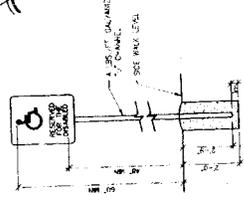
- KEYED NOTES**
1. PROVIDE 3'-0" WIDE CONCRETE CURBWAIR AS INDICATED. SEE DETAILS ON SHEET A-1-1.
 2. CURBWAIR (3) EXISTING 18" X 8" PARKING SPACES INTO (2) HANDICAP SPACES WITH AN 8' WIDE ACCESS AISLE. PROVIDE STRIPING & SIGNAGE AS REQUIRED BY CODE. SEE DETAILS THIS SHEET.
 3. PROVIDE 8'-0" LANK CONCRETE PUMP (SLOPED @ 1:24) AT NEW GREENWALL. SEE SHEET A-1-1 FOR SCHEDULE DETAILS.

* NEW CURBWAIR TO UTILIZE EXISTING TRANSCURB.

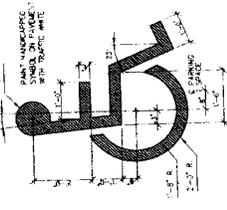
1. ARCHITECTURAL SITE PLAN
 1/4" = 1'-0"



2. STRIPING DETAIL
 NOT TO SCALE

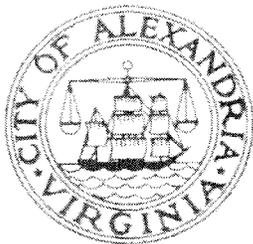


3. HANDICAP SIGN
 NOT TO SCALE



4. STRIPING DETAIL
 NOT TO SCALE

These drawings, designs and specifications are prepared by or under the direct supervision of the architect or engineer in the State of North Carolina. The architect or engineer is not responsible for any errors or omissions in these drawings, designs and specifications. The architect or engineer is not responsible for any errors or omissions in these drawings, designs and specifications. The architect or engineer is not responsible for any errors or omissions in these drawings, designs and specifications.



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this special use permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit #2009-0049
Approved by Planning & Zoning on: September 23, 2009
Permission is hereby granted to: AV Automotive Munich, LLC
to use the premises located at: 499 South Pickett Street
for the following purpose: see attached report

It is the responsibility of the special use permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

9/23/09

Date

Faroll Hamer by Gwen Wright

Faroll Hamer, Director
Department of Planning and Zoning

SUP#2009-0049
499 South Pickett Street

CONDITIONS OF SPECIAL USE PERMIT # 2009-0049

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 or to any corporation in which the applicant has a controlling interest only. (P&Z) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
2. CONDITION AMENDED BY STAFF: No repair work shall be done outside. All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (P&Z) (T&ES) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
3. The hours of operation shall be restricted to between 7:00 a.m. and 9:00 p.m., Monday through Friday and from 9:00 a.m. to 6:00 p.m. on Saturday. (P&Z) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
4. CONDITION AMENDED BY STAFF: No junked, abandoned, or stripped vehicles shall be displayed, parked or stored outside. (P&Z) ~~(T&ES)~~ ~~(SUP #1859)~~ ~~(SUP #1859-A)~~(SUP2000-0093)
5. 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)(T&ES) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
6. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)(T&ES) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
7. Condition deleted. (SUP 2000-0093)
8. CONDITION AMENDED BY STAFF: No banners, flags (other than City, State and national flags), streamers, balloons or other unfixd signs or moving objects shall be used for advertising purposes or displayed on the premises outside the main building. Signs advertising the general business conducted on the premises may be displayed in accordance with Article IX, Section 9-100 of the Zoning Ordinance of the City of Alexandria. ~~(PC)~~ ~~(SUP #1859)~~ ~~(SUP #1859-A)~~(SUP2000-0093) (P&Z)
9. The garage doors shall be kept closed except when moving a vehicle into or out of the building so all noise is kept inside from air guns and other equipment used in repair facility. (T&ES)(P&Z) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
10. All noise, air pollution and other codes shall be completely complied with at all times. (T&ES) (SUP #1859) (SUP #1859-A)(SUP2000-0093)

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11. ~~CONDITION DELETED BY STAFF: The effective date of the special use permit shall be coincidental with the issuance of the Certificate of Occupancy (Code Enforcement) (SUP #1859) (SUP #1859-A) (SUP2000-0093)~~
12. No outside public address system shall be utilized at any time. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
13. All lights on the property shall be directed away from residential uses. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
14. All vehicles parked on the site shall be parked in a neat and orderly fashion at all times. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
15. A security fence, having a minimum height of six feet, shall be constructed in a location to be agreed upon by the applicants and city staff. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
16. City, State and national flags shall be no larger than five feet by six feet (5' x 6') for each flag, and the flag poles shall be no higher than 35 feet from ground level. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
17. All lights not required for illumination by City ordinance or not required for security purposes shall be turned off from 9:30 p.m. to dawn. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
18. The repair facility shall be subject to health department approval prior to operation. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
19. The applicant shall conduct no loading or unloading of vehicles on the public right-of-way at any time. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
20. The applicant shall provide employee and customer parking as needed, and as indicated by the number of spaces (but not necessarily the location of the spaces) on its revised plan dated August 18, 2000. (SUP2000-0093)
21. All loading and unloading of vehicles shall take place no earlier than 7:00 a.m and no later than 9:00 p.m. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
22. The applicant agrees to place appropriate traffic signage along Edsall Road to satisfaction of Transportation and Environmental Services. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)
23. Sales personnel shall refrain from using neighboring private property for purposes of demonstrating automobiles. (PC) (SUP #1859) (SUP #1859-A)(SUP2000-0093)

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499 South Pickett Street

24. Condition deleted. (SUP 2000-0093)
25. The applicant shall maintain the landscaping on the site in good condition and shall replace any trees along its South Reynolds Street and Edsall Road frontages with comparable stock. (P&Z)(SUP2000-0093)
26. The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for all employees. This is to be completed prior to opening for business. (Police)(SUP2000-0093)
27. The applicant shall store vehicle keys in a safe location. (Police)(SUP2000-0093)
28. 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. (T&ES) (SUP#2005-0046)
29. **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 at 703-746-4065. (T&ES) (SUP#2005-0046)
30. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit after it has been operational for one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to 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) (SUP2000-0093)
31. 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#2005-0046)
32. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP#2005-0046)

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499 South Pickett Street

33. 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#2005-0046)
34. The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES) (SUP#2005-0046)
35. 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#2005-0046)
36. CONDITION AMENDED BY STAFF: ~~Car wash discharges resulting from a commercial operation shall not be discharged into a storm sewer. The car washing equipment shall be operated during business hours only. It is not clear from the SUP application if applicant proposes to have car washing operations on-site for the sales or services car. Car wash discharges resulting from commercial operations shall not be indiscriminately discharged into a storm sewer system. If applicant proposes on-site car washing, the applicant shall comply with one of the following four alternatives available to the applicant:~~
 1. ~~Car washes be done at an off-site commercial car wash facility.~~
 2. ~~Wash water may be discharged to sanitary sewers after seeking appropriate approval from Alexandria Sanitation Authority.~~
 3. ~~Applicant may choose to seek coverage under a general VPDES (Virginia Pollution Discharge Elimination System) permit issued by Virginia Department of Environmental Quality to discharge wash water from car washes into surface waters/storm sewer and comply with the conditions specified there in.~~
 4. ~~Commercial car wash installations shall be equipped with water recycling system approved by the building official. (T&ES) (SUP#2005-0046)~~
37. CONDITION REQUIRED BY CITY CODE - DELETED BY STAFF: ~~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. (SUP#2005-0046)~~

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499 South Pickett Street

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2009-0049. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile sales dealership with automobile repair at 499 South Pickett Street.

[Handwritten Signature]
Applicant - Signature

11/20/09
Date

[Handwritten Name]
Applicant - Printed

11/20/09
Date

EXHIBIT NO. 2

14
9-16-00

ROSENTHAL RICH & COSTLE, LLP
ATTORNEYS & COUNSELLORS AT LAW
1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928

EDWARD S. ROSENTHAL*
LONNIE C. RICH**
CAROLINE E. COSTLE*

CLAIRE E. JENKINS**
* ALSO MEMBER OF THE
DISTRICT OF COLUMBIA BAR
* ALSO MEMBER OF THE
TENNESSEE BAR
** ALSO MEMBER OF THE
NEW YORK BAR

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September 8, 2000

Mayor and Members of Council
City of Alexandria
City Hall - 2nd Floor
301 King Street
Alexandria, Virginia 22314

Re: Koons of Alexandria, LLC - Application for SUP
Council Public Hearing on September 16, 2000

Dear Mr. Mayor and Members of Council:

I represent Koons of Alexandria, LLC, the applicant for a Special Use Permit to add a Mitsubishi dealership to an existing Buick, Pontiac and GMC dealership on South Pickett Street. The Planning Commission has recommended approval of the SUP.

We are requesting a modification to Condition #20 to clarify its meaning. Staff has indicated that they do not have any objection to the following change:

"20. The applicant shall provide employee and customer parking as needed and as indicated by the number of spaces (but not necessarily the location of the spaces) on its revised plan dated August 18, 2000."

This means that the applicant shall have available as much as 60 employee spaces and as much as 125 spaces for sales and service customers, but that those spaces would not necessarily have to be the particular ones as demonstrated on the plan.

In other words, our August 18 revised plan was intended simply to be "a plan" showing how to accommodate the various parking needs; but it was not intended to necessarily be "the plan" that would arguable preclude a service customer vehicle from being parked in an empty employee space or vice versa.



I should note that in addition to the 528 spaces at the site, which should be more than sufficient for the proposed use, the applicant has 120 more spaces at another location for any overflow inventory.

If you have any questions about the proposed language change to condition #20 or the application generally, please call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Lonnie C. Rich". The signature is written in a cursive, flowing style.

Lonnie C. Rich

c: Mike Field, Koons of Alexandria, LLC
Barbara Ross, Planning & Zoning

SUP 2000-0093

ROSENTHAL RICH & COSTLE, LLP

ATTORNEYS & COUNSELLORS AT LAW
1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928

EDWARD S. ROSENTHAL*
LONNIE C. RICH**
CAROLINE E. COSTLE*

CLAIRE E. JENKINS**

* ALSO MEMBER OF THE
DISTRICT OF COLUMBIA BAR

** ALSO MEMBER OF THE
TENNESSEE BAR

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NEW YORK BAR

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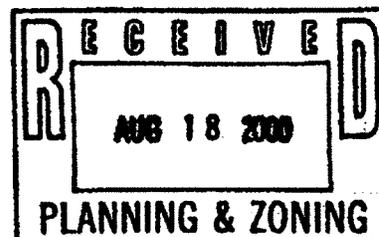
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August 18, 2000

DELIVERY BY HAND

Ms. Kathleen Beeton
Department of Planning and Zoning
Room 2100
City Hall
301 King Street
Alexandria, Virginia 22314



Re: Koons Mitsubishi Dealership – SUP Application dated 7/18/00
Parking Matters

Dear Kathleen:

This letter responds to a couple of questions you raised about parking at this site in connection with the new dealership being added. It is important for the applicant and for the citizens to know how parking for customers, employees and inventory will be accommodated.

Enclosed is a revised "parking" plan which shows not only designated parking places, but also other areas where parking can and should be expected to occur: showrooms, service areas, and one non-fire lane for occasional double parking. The plan shows potential parking for 528 cars. Note the reference to an off-site lot for an additional 120 cars. The applicant leases the offsite lot and has an option to purchase it. This plan shows that usage of the spaces can be broken down as follows: 21 for sales customers, 104 for service customers, 278 for new cars in inventory (including about 40 used by employees as demonstrators), 65 for used cars in inventory, and 60 for employees.

Regarding employee parking, the application indicates a maximum of 90

employees with the added dealership. Of those, 40 drive demonstrators. Also, all 90 employees do not work at the site at the same time. There are two shifts each day. The 60 employee spaces on the revised plan are probably double the number actually needed at any one time. If ever 61 spaces were needed for employees, as apparently required by Code calculations, there could and would be a space made available on the site.

Regarding customers, it is my understanding that the required parking for customers (both sales and service) is 123 spaces. The revised plan shows 125 spots for customers – 21 for sales customers and 104 for service customers. It is estimated that 60 to 85 customers will be the most to visit the site throughout a given day. For sales customers, there are rarely more than 10 customers at a time – only once, for a huge auction sale, about 20 customers were attracted at one time. As for service customers, there are at most 45 on a given day. Spaces not needed for sales customers should be available for service customers and vice versa. There should be many more parking spaces for customers than actually needed.

Regarding vehicle inventory, it is expected that at any one time there would not be more than 200 new cars and 60 used cars. The plan can accommodate 278 new cars and 65 used cars.

Now a word about the plan document – whether the original plan or the plan as revised -- it is not intended that the document would operate as "the plan," but simply as "a plan." Even though it is important to show how all of the parking needs can be accommodated, flexibility is very important because needs shift during the day and from season to season. The applicant should not be prohibited from using an unused "employee" spot for a vehicle coming out of service, especially when the number of spaces for employees appears to be considerable more than will ever be needed.

The applicant can represent that no employees, no vehicle inventory and no cars in for service will be parked on the streets or in any nearby neighborhood. The applicant has a strong interest in and will always maintain sales customer parking spaces near the building – for its own obvious business reasons and to ensure that no sales customers will park on the streets.

Turning to a new subject, I understand that the police department recommends that all vehicles in for service be stored inside at night. We ask that this not be included as a condition of the SUP. Every automobile dealer providing service allows its customers to drop cars off at night and leave the keys in a drop box. This applicant is no different. In this day, with every person working, many people drop their cars off at night. It is needed and expected by customers. Having said that it is certainly in this

applicant's interest, like any other dealer, to have as many customer cars inside as possible to cut down on potential theft and damage. Every reasonable effort is and will continue to be made to store inside as many customer cars as possible.

If you have any questions about either issue or the application generally, please contact me.

Sincerely,



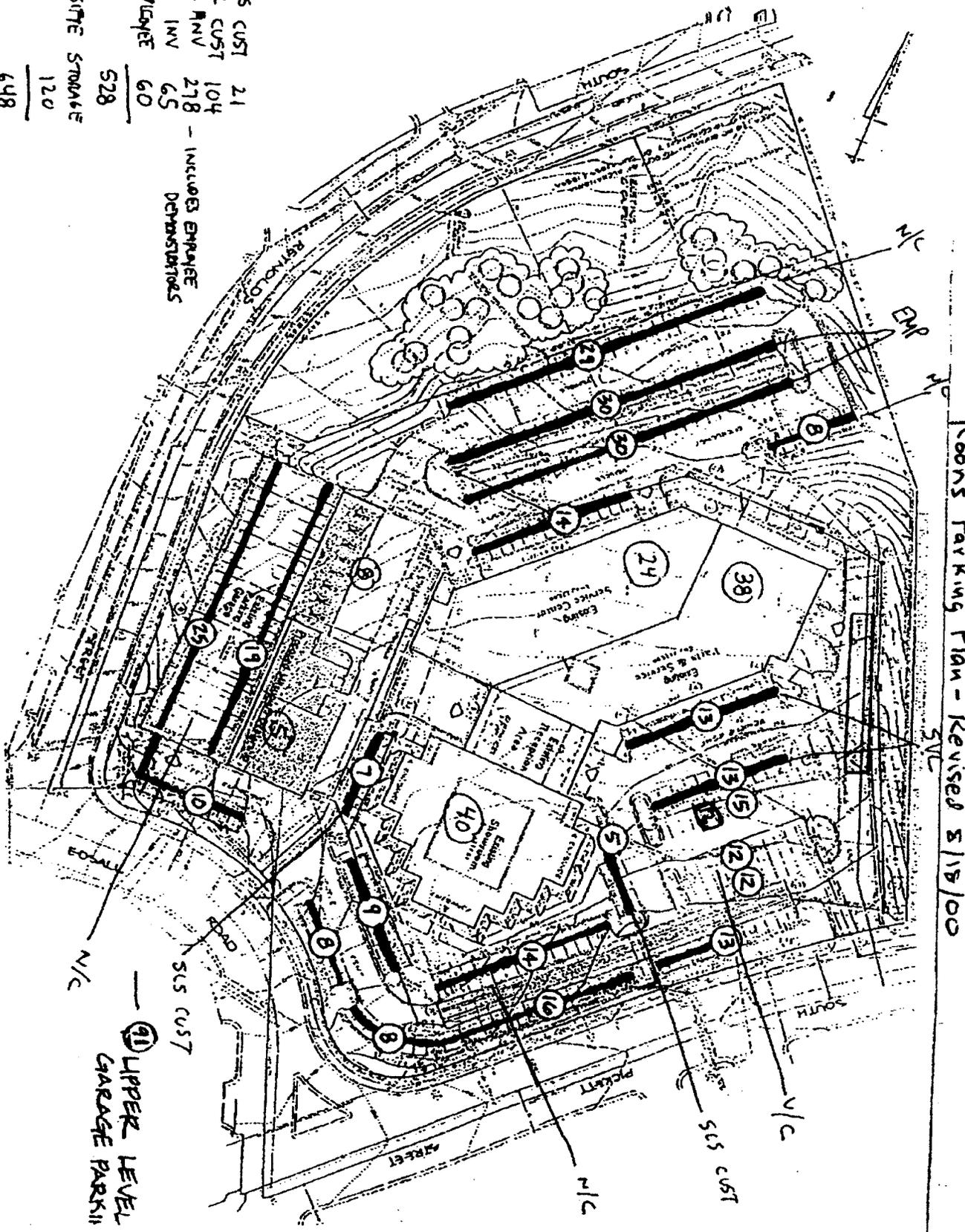
Lonnie C. Rich

c: Mike Field

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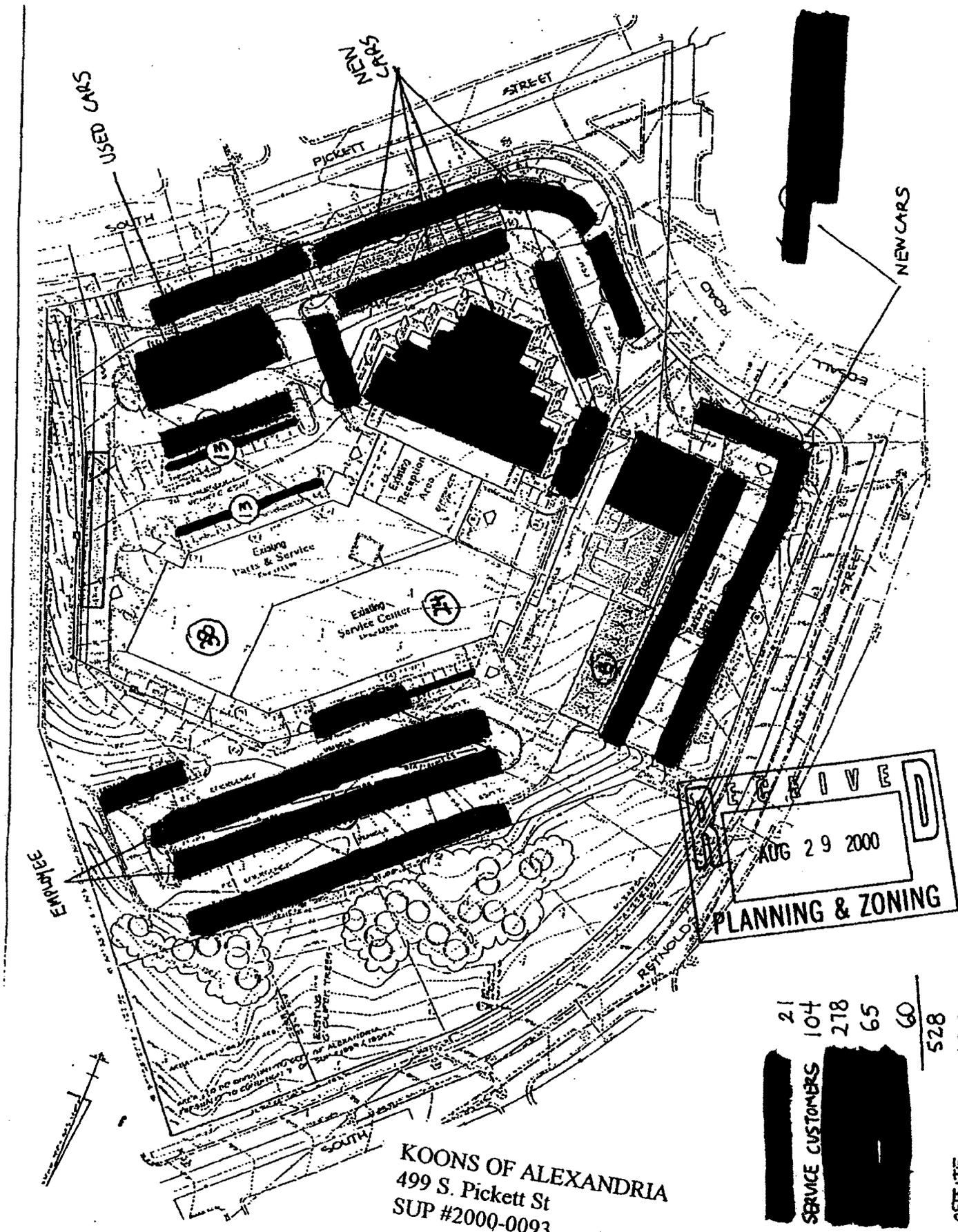
SLS CUST	21
SVC CUST	104
N/C INV	278
N/C INV	65
EMPL	60
528	
OFFSITE STORAGE	120
648	

- INCLUDES ENTRANCE
DEPARTURES



UPPER LEVEL GARAGE PARKING - REVISED 8/15/00

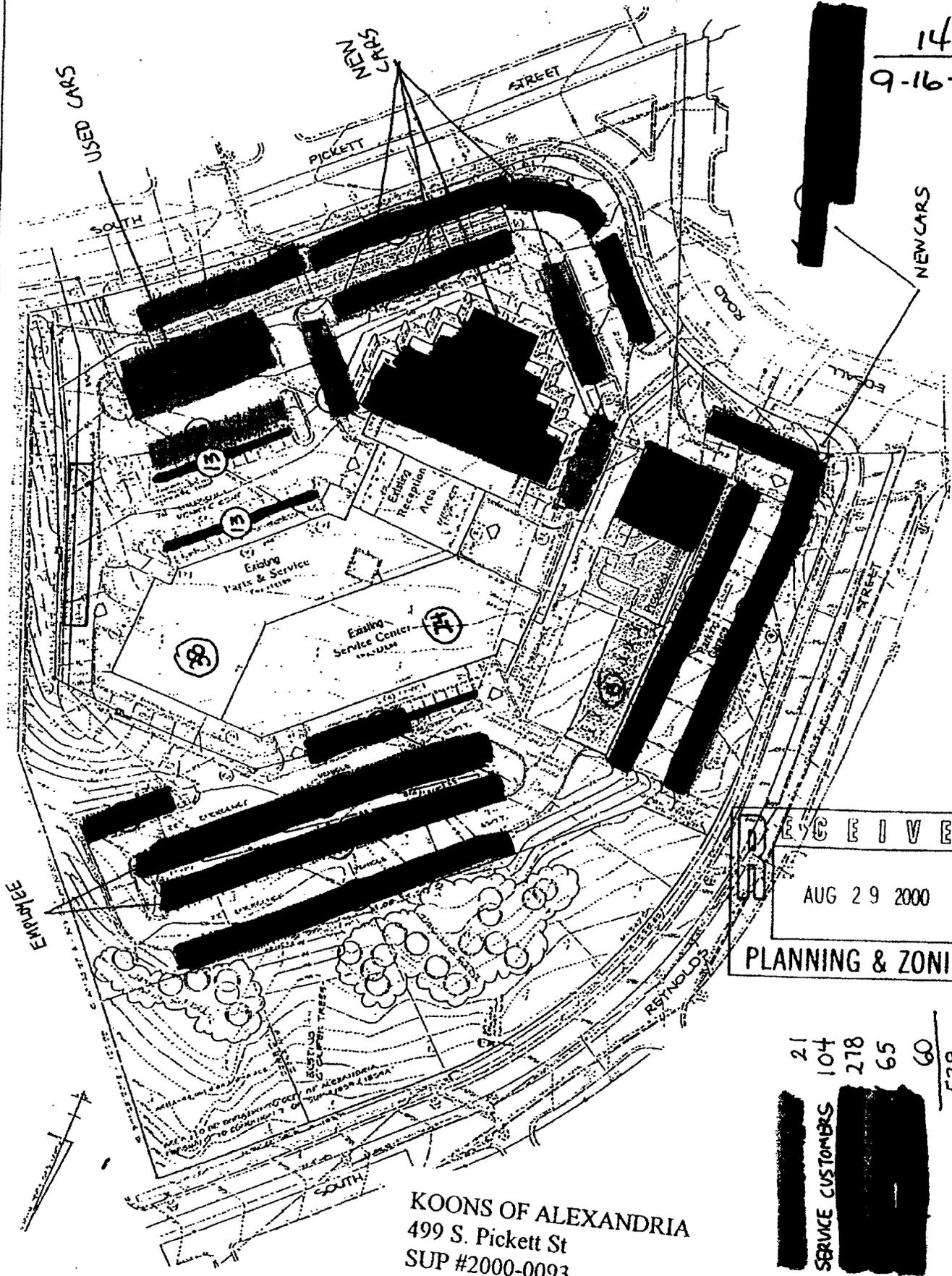
TOTALS: INTERIOR TO SVC + 45 SLS / GARAGE 185 / EXTERIOR (167 FRONT) (111 BACK) = 528 TOTAL
SUP 2000-0093



KOONS OF ALEXANDRIA
499 S. Pickett St
SUP #2000-0093

[REDACTED]	21	
SERVICE CUSTOMERS	104	
[REDACTED]	278	
[REDACTED]	65	
[REDACTED]	60	
	528	
OFFSITE	120	
	648	

14
9-16-00



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AUG 29 2000
PLANNING & ZONING

KOONS OF ALEXANDRIA
499 S. Pickett St
SUP #2000-0093

21	
104	
278	
65	
60	
528	
120	
648	

OFFSITE