

EXHIBIT NO. 1

7
2-23-02

Docket Item #6
SPECIAL USE PERMIT #2001-0006

Planning Commission Meeting
February 5, 2002

ISSUE: Consideration of a request for a special use permit for expansion of an automobile sales and service facility.

APPLICANT: Passport Motorcars Inc.
by Everett A. Hellmuth, III

LOCATION: 150 South Pickett Street
Passport Infiniti and Nissan Dealership

ZONE: CG/Commercial General

PLANNING COMMISSION ACTION, FEBRUARY 6, 2002: On a motion by Mr. Dunn, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendation. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

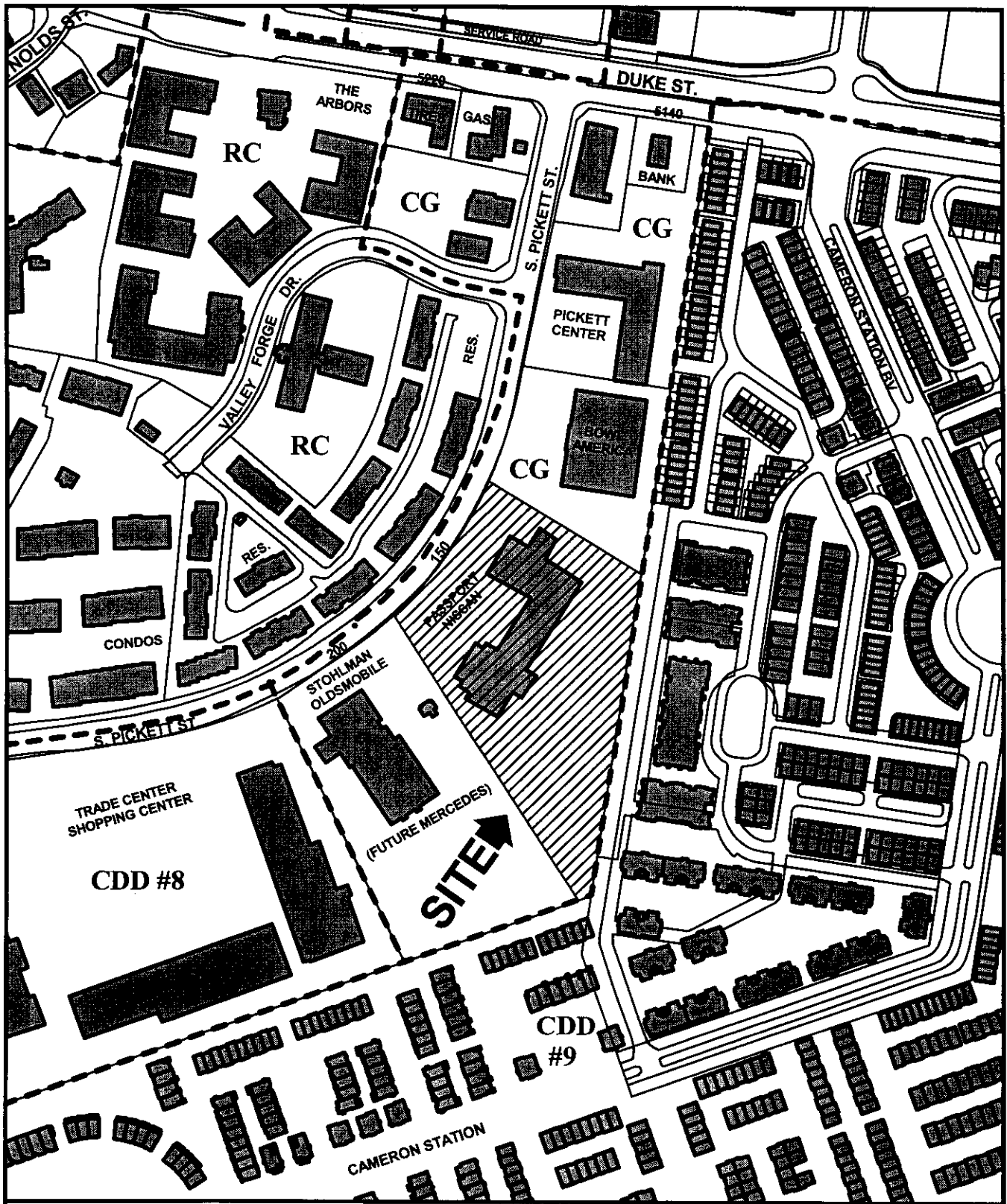
Speakers:

Everett A. Hellmuth, applicant, stated that he read the staff report and supported the staff recommendations.

Joseph Bennett, on behalf of the Board of Directors of the Cameron Station Civic Association, stated that they have worked with the applicant and believe that most of their issues have been or are on the way to being resolved by the applicant, including the noise and lighting issues. He stated that the Association wished to go on record as being opposed to any future plans by the applicant or the adjacent Mercedes dealership that may include a multi-level car storage facility in the rear storage area adjacent to the Cameron Station property.

PLANNING COMMISSION ACTION, APRIL 3, 2001: By unanimous consent, the Planning Commission deferred the request.

Reason: The applicant requested the deferral.



SUP #2001-0006

02/05/02



STAFF RECOMMENDATION:

Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. 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 1628)
2. No vehicles shall be displayed, parked or stored on a public right-of-way. (P&Z)(SUP 1628)
3. No repair work shall be done outside. (P&Z)(SUP 1628)
4. **CONDITION AMENDED BY STAFF:** No junked, abandoned or stripped vehicles shall be displayed, parked or stored outside. ~~(P&Z)(SUP 1628)~~ (P&Z)
5. The special use permit shall be granted to the applicant or to any business or entity in which the applicant has a controlling interest. (P&Z)(SUP 1628)
6. **CONDITION AMENDED BY STAFF:** 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 Code~~ Article IX, Section 9-100 of the zoning ordinance of the City of Alexandria, Virginia, 1981 as amended. ~~(P&Z)(SUP 1628)~~ (P&Z)
7. **CONDITION ADDED BY STAFF:** The hours of operation shall be restricted to between 7:30 a.m. and 9:00 p.m., Monday through Friday, from 9:00 a.m. to 7:00 p.m. on Saturdays, and from Noon to 5:00 p.m. on Sundays. (P&Z)
8. **CONDITION ADDED BY STAFF:** The applicant shall post the hours of operation at the entrance to the showroom. (P&Z)
9. **CONDITION ADDED BY STAFF:** Loading and unloading of vehicles shall take place on-site and during the hours of operation. Auto transporters shall not be loaded or unloaded from the public right-of-way. Solid waste pick up shall be prohibited between the hours of 11:00 p.m. and 7:00 a.m. (P&Z) (T&ES)
10. **CONDITION ADDED BY STAFF:** All vehicles on the lot shall be stored in a neat and orderly manner.(P&Z)

11. **CONDITION ADDED BY STAFF:** The applicant shall provide and maintain landscaping along the S. Pickett Street right-of-way, within the front and rear parking lots, and at the rear property line generally consistent with the attached landscaping plan proposed by staff to the satisfaction of the Director of Planning and Zoning and the City Arborist. (P&Z)
12. **CONDITION ADDED BY STAFF:** The applicant shall remove the existing noncomplying freestanding sign and install one ground-mounted monument sign to the satisfaction of the Director of Planning and Zoning. (P&Z)
13. **CONDITION ADDED BY STAFF:** The applicant shall install slats on the existing chain link fencing located between the Mercedes and Nissan dealerships or replace the existing fence with new solid fencing that serves as screening to the satisfaction of the Director of Planning and Zoning. The barbed wire located atop the chain link fencing located along the rear property line shall be removed. (P&Z)
14. **CONDITION ADDED BY STAFF:** The applicant shall provide and implement a site lighting plan to the satisfaction of the Director of the Department of Planning and Zoning. The plan shall be prepared by a lighting engineer, show the existing and proposed site lighting, indicate the type of fixture, show mounting height and strength of fixture in Lumens or Watts, and provide manufacturer's specifications for the fixtures. Additionally, the plan shall provide lighting calculations to verify that lighting meets city standards and are located and shielded to prevent excessive spillover lighting and glare to adjacent properties.(P&Z)
15. **CONDITION ADDED BY STAFF:** All required site improvements, including landscaping, signage, fencing, and lighting shall be installed and approved as acceptable within one year of approval. (P&Z)
16. **CONDITION ADDED BY STAFF:** No amplified sound shall be audible at the property line. (P&Z)
17. **CONDITION ADDED BY STAFF:** All loudspeakers shall be prohibited from the exterior of the building. (T&ES)
18. **CONDITION ADDED BY STAFF:** The applicant shall provide all employee and customer parking on the site. (P&Z)

19. **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 shall not be discharged into the sanitary or storm sewers or onto the ground. (T&ES)
20. **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 Division of Environmental Quality at (703) 838- 4334. (T&ES)
21. **CONDITION ADDED BY STAFF:** The applicant shall submit plot/grading plan for review by City staff. The plan shall show all improvements, alternations to grade, surface treatments, pedestrian/vehicular access and utility services, landscaping, lighting, signage, and fencing. (T&ES) (P&Z)
22. **CONDITION ADDED BY STAFF:** The stormwater collection system is part of the Cameron Run/Holmes Run watershed. All stormwater inlets shall be so marked to the satisfaction of the Director of Transportation and Environmental Services. (T&ES)
23. **CONDITION ADDED BY STAFF:** The applicant shall provide a drainage map for the area flowing to the chosen BMP, including topographic information and storm drains. (T&ES)
24. **CONDITION ADDED BY STAFF:** The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard. (T&ES)
25. **CONDITION ADDED BY STAFF:** The surface appurtenances associated with the on-site structural BMPs shall be marked to the satisfaction of the Director of T&ES to identify them as part of the structural BMP system. (T&ES)
26. **CONDITION ADDED BY STAFF:** If any surface-installed Best Management Practices, i.e. bio-retention filters, vegetated swales, etc. are employed for this site, descriptive signage for the BMPs is required to be installed to the satisfaction of the Director of T&ES. (T&ES)

27. **CONDITION ADDED BY STAFF:** The developer shall furnish the owners with an Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. The manual shall include an explanation of the functions and operations of each BMP and any supporting utilities, catalog cuts on any mechanical or electrical equipment, a schedule of routine maintenance for the BMP(s) and supporting electrical equipment, a schedule of routine maintenance for the BMP(s) and supporting equipment, and a copy of the maintenance agreement with the City. (T&ES)
28. **CONDITION ADDED BY STAFF:** A “Certified Land Disturber” must be named on the Erosion and Sediment Control sheets prior to release of the plot plan in accordance with Virginia Department of Conservation and Recreation guidelines. (T&ES)
29. **CONDITION ADDED BY STAFF:** If cars are to be washed on site, provide a plan that shows the method of connection for the discharge of vehicle wash to an approved sanitary sewer system and proper disposal of rainwater to the storm sewer system. In case the applicant chooses to install commercial car washing equipment, such equipment shall be equipped with a water recycling system approved by the building official. (T&ES)
30. **CONDITION ADDED BY STAFF:** The applicant shall control odors 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).
31. **CONDITION ADDED BY STAFF:** No material may be disposed of by venting into the atmosphere. (T&ES)
32. **CONDITION ADDED BY STAFF:** No paint or coatings shall be applied outside the paint spray booth. (T&ES)
33. **CONDITION ADDED BY STAFF:** The applicant’s engineer shall use the revised Engineers and Surveyors Institute (ESI) checklist to prepare the plot plan. (T&ES)
34. **CONDITION ADDED BY STAFF:** The applicant shall vacate and rededicate the Emergency Vehicle Easement as required by and to the satisfaction of the City Fire Marshall. (T&ES)

35. **CONDITION ADDED BY STAFF:** The applicant shall consult with the Crime Prevention Unit of the Alexandria Police Department regarding locking hardware for the business prior to the commencement of construction. (Police)
36. **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, (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, 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)

DISCUSSION:

1. The applicant, Passport Motorcars Inc., trading as Passport Nissan and Passport Infiniti and represented by Everett A. Hellmuth, III requests special use permit approval for the expansion of the existing automobile sales and service facility located at 150 South Pickett Street.
2. The subject property is one lot of record with approximately 338 feet of frontage on South Pickett Street and a total lot area of 47,266 square feet. The site is developed with a one story building that consists of a new and a used automobile showroom, offices and a repair area.
3. On February 22, 1975, City Council granted Special Use Permit #998 to Stohlman Oldsmobile-Datsun Inc. for the construction and operation of an automobile sales dealership. Site Plan #78-009 was approved by the Planning Commission in 1978, allowing the detached sales and service building and body shop building to be physically connected. On January 14, 1998, Special Use Permit #97-0180 was administratively approved by the Department of Planning and Zoning to change the ownership of the automobile sales and service business to Passport Motorcars Inc., represented by Everett A. Hellmuth, III. In May 1999, a plot plan was approved by staff allowing the applicant to reconfigure the front parking area and to add a canopy to the used car showroom portion of the building.
4. The applicant seeks special use permit approval to expand the existing automobile sales facility to include the sale of Infiniti automobiles. The applicant currently sells and repairs new and used Nissan automobiles and will continue that dealership.
5. The applicant proposes to expand and redesign the existing used car showroom area to include a total of 3,298 square feet mostly within the footprint of the existing canopy area. The applicant will use this space as a showroom for Infiniti automobiles (see attached plans). The existing red canopy will be removed and the facade of the building will be redesigned to be architecturally compatible with the manufacturer's required design (see elevation). A new canopy is proposed to cover the existing service drive located adjacent to the building to the south.
6. A total of 100 parking spaces is required for the existing sales, service and body shop uses (S.P. #78-009). Pursuant to Section 8-200(A)(16) of the zoning ordinance, a minimum of 11 additional spaces is required for the expanded showroom, for a total requirement of 111 spaces. The plan submitted by the applicant depicts a total of 384 parking spaces. Therefore, the technical requirement is met.

7. The hours of operation are 7:30 a.m. to 9:00 p.m. Monday through Friday, from 9:00 a.m. to 7:00 p.m. on Saturdays, and from Noon to 5:00 p.m. on Sundays.
8. According to the applicant, approximately 65 employees operate the automobile facility. Of that number, not more than 50 employees, including sales and service persons, work at any one time. The applicant currently employs 21 sales persons and expects to hire ten additional sales persons if the expansion is approved.
9. The applicant has advised staff that not more than 25 sales customers visit the facility on the weekend, with as few as five customers daily during the week. As for the service component of the business, the applicant estimates that it services 60 to 70 vehicles daily. According to the applicant, service vehicles are parked directly behind the building to the east and are generally repaired the same day they are brought in for repair. If the expansion is approved, the applicant expects to offer approximately 50 new Infiniti automobiles for sale. The total inventory of sales vehicles on the lot will be 150. The applicant advises staff that new and used cars are stored in the rear parking lot behind the building until they are sold.
10. The applicant receives car carriers between the hours of 8:30 a.m. and 9:00 p.m. Monday through Friday. In response to questioning by staff, the applicant estimates that it receives 10 or 11 carriers per month and expects three additional deliveries per month if the expansion is approved. The applicant explained to staff that it currently receives 85 new cars a month, that a carrier typically transports eight vehicles at one time and that some, if not all of the eight vehicles, are the applicant's stock. As a result, the applicant stated that the dealership may receive as many as three deliveries one week and none the following week. The applicant has advised staff that car carriers unload the vehicles on the site adjacent to the building, between the new and used car showrooms.
11. Staff visited the subject property to determine if the business was in compliance with the conditions of its special use permit, observed a violation of the zoning ordinance and permit conditions, and issued a citation. Specifically, staff observed an illegal temporary sign advertising automobile repair services located in the planting bed along South Pickett Street. Staff explained to the service director that the sign, and similar temporary signage, is not permitted. The applicant removed the sign during staff's inspection.

In early March 2001, staff was made aware of a complaint received by the Traffic Division of T&ES regarding large, metal signs affixed to utility poles on Edsall Road, and Van Dorn and Duke Streets, advertising the "Alexandria Auto Park" and listing the models of vehicles for sale, such as Buick, GMC Truck, Mitsubishi, Nissan, Oldsmobile, and Pontiac. The zoning ordinance prohibits signs affixed to utility poles and staff issued a citation to each dealership that sells these vehicles in this area. The applicant has advised staff that it is not responsible for the signs and did not install them.

Staff is also aware of past complaints regarding loading and unloading on South Pickett Street and after regular business hours. Staff has spoken with the applicant who advised us that he has directed his employees and security personnel to advise the trucking companies that vehicles may only be unloaded on site and during normal business hours (see attached information).

Staff also spoke with the applicant regarding complaints received by the Department of Transportation and Environmental Services regarding early morning trash pick up. The applicant advised staff that trash is placed in a compactor and the entire compactor is removed once a month between the hours of 8:00 a.m. and 5:00 p.m.

12. Zoning: The subject property is located in the CG/Commercial general zone. Section 4-403(D) of the zoning ordinance allows an automobile sales and service business in the CG zone only with a special use permit.
13. Master Plan: The proposed use is consistent with the Landmark/Van Dorn small area plan chapter of the Master Plan which designates the property for commercial service uses.

STAFF ANALYSIS:

Staff has no objection to the proposed expansion of the existing Nissan dealership located at 150 South Pickett Street. The subject property is of sufficient size to accommodate both the additional Infiniti vehicles that will be offered for sale and parking for potential buyers. Although additional customers may visit the expanded dealership, it is likely that any impacts on the residential community will be no greater than those impacts already associated with the existing Nissan dealership.

Staff notes that the east side of South Pickett Street has been occupied by commercial uses historically, but that the recent development of Cameron Station immediately behind the commercial land raises questions about the continued compatibility of the commercial uses with their new residential neighbors. Staff views this case as an example of how the City must, in reviewing SUP cases in this area, be sensitive to issues such as noise, hours, landscaping and aesthetics, and endeavor to find ways that the commercial uses, which staff supports in concept, can best coexist with the adjacent residential use. See attached photographs and site description prepared by staff.

As in other SUP cases throughout the City, staff is proposing several site improvements regarding landscaping, signage, lighting and fencing. As is true elsewhere, these improvements are designed to create a unified streetscape, and to make the existing asphalt landscapes more attractive and pedestrian friendly. In this case, they also include essential elements to establish or strengthen buffers between the neighboring residential and the subject commercial use.

Staff has met with representatives of the Cameron Station community and staff's recommendations take their concerns into account. Staff has also met with the applicant to review staff's proposed site improvements and the applicant has indicated a willingness to work with staff. Staff was encouraged to find that the applicant recognizes the importance of maintaining a buffer between it and the adjacent residential community, making the site more attractive from the street, and generally upgrading the appearance of the lot. The site improvements staff recommends as well as the applicant's reaction regarding each recommendation are outlined in more detail below.

Proposed Site Improvements:

1. **Landscaping and Signage:** Staff's landscaping and signage proposal is shown in the attached plan, and associated conditions are included under the Staff Recommendations section of this report. The applicant reviewed the following recommendations with staff and indicated that he was willing to work with staff on each of them.
 - ***South Pickett Street Frontage*** – Staff recommends that the applicant plant trees and shrubs along South Pickett Street and within the front parking lot, and replace the existing freestanding sign with a monument sign. These changes will create an orderly, attractive and pedestrian scaled edge for the subject property, and are consistent with landscaping and new signs the City has required along other major corridors throughout Alexandria. The proposed landscaping will also extend the existing row of trees and shrubs running alongside South Pickett, and thereby help establish a unified presence for this important commercial corridor. Staff made a similar recommendation for the adjacent Stohlman/Oldsmobile site last month.
 - ***Interior of Front Parking Lot*** – Staff recommends that the applicant create two planting beds within the front parking lot, on the north side of the subject property. These planting beds will consist of trees which will break up and soften the view pedestrians, drivers and adjacent homeowners have of the large asphalt parking lot. The trees also provide shade within the parking lot and help reduce ambient heat.
 - ***Rear of Property*** – Staff acknowledges that it is impossible to fully screen the subject property from Cameron Station given the change of grade and the height of the multifamily units under construction in this section of Cameron Station. Given those limitations, it is staff's goal to provide a better buffer between Cameron Station residents and the auto dealership's parking lot and break up the views residents have of the large asphalt parking lot. The proposed addition of trees to the existing mature trees which will enhance the existing buffer.

- ***Interior of Rear Parking Lot*** – Related to the recommendation that the applicant plant new trees along the rear property line, staff also recommends the addition of several trees within the interior of the parking lot. These trees are well-sited to break up the adjacent residents' view of the automobile dealership lot. The trees will have the added benefit of providing shade within the parking lot which will help reduce ambient heat.
2. **Lighting Study:** Representatives of Cameron Station notified staff and the applicant that residents had complained about glare from and the brightness of lighting both in the rear parking lot and the fixtures attached to the automobile dealership building. In a recent meeting, the applicant told staff that he was already working to address the neighborhood's lighting concerns by conducting a lighting study, and that he will have the existing lighting fixtures replaced with fixtures that will direct the lighting downward onto the parking lot. Staff commends this effort, and proposes that the applicant use the lighting study to provide and implement a lighting plan to staff's satisfaction.

The Police Department has recommended that a minimum of two foot candles of lighting be maintained in the parking lot and in all common areas. Planning staff does not support the Police recommendation because that level of lighting is inappropriate given the close proximity of residential uses to the site. Instead, staff recommends that the study be done to the satisfaction of the Department of Planning and Zoning to address both the glare and brightness issues for the adjacent residential properties, as well as the applicant's security issues. A condition to this effect is included.

3. **Fencing:** Staff recommends that the applicant add screening to the existing fencing located between the subject property and the Stohlman Oldsmobile/Mercedes and at the rear of the property adjacent to Cameron Station in order to make it opaque. This screening will help block the adjacent homeowners' view of the subject site's large black asphalt parking lots, rows of cars, and service and showroom buildings. Staff also advised the applicant of Cameron Station residents' request that the barbed wire located atop the fencing adjacent to Cameron Station be removed. Staff reviewed this recommendation with the applicant, and he stated that he would be amenable to placing slats in the fencing between the dealerships and to the removal of the barbed wire on the fence at the rear.

However, the applicant is unwilling to place slats in the rear fencing adjacent to Cameron Station because he believes the solid wood fence to be installed by the developer at Cameron Station will provide a better buffer between the two properties. Staff has reviewed the approved location of the Cameron Station fence at the base of the slope on its property and

believes that relocating the fence near the top of the slope in front of the existing chain link fence on the Nissan property will provide two good benefits: the fence will be taller in this location, with an overall height of approximately 12 to 14 feet, which will better screen the automobile storage area from Cameron Station, and it will provide an opportunity for the slope to be landscaped. Staff has talked with the applicant about this possibility, and he has indicated that he has no objection to the relocation of the fence onto his property with the understanding that Cameron Station will install and maintain the fence. In addition to the applicant's consent, the relocation of the fence will require both the consent of the developer and an administrative site plan amendment. Staff has contacted the developer to discuss this proposal with him and will have a statement from him prior to the Planning Commission meeting. Staff understands that he has indicated a willingness in the past to relocate other sections of the perimeter fencing where doing so would provide better screening for Cameron Station residents.

Finally, staff has included a series of recommendations made by T&ES staff related to the required BMP on the site and some standard conditions missing from the existing special use permit. Staff also recommends a condition requiring a review of the business one year after approval so that if there are problems with its operation, additional conditions may be imposed. With these conditions, staff recommends approval of the special use permit.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 Only a portion of the site will be served by the proposed Best Management Practices (BMP) stormwater facility. T&ES, Division of Environmental Quality (DEQ) reminds the applicant that redevelopment in Alexandria must meet the requirements of the Northern Virginia BMP Handbook, the Alexandria Supplement and the City's Environmental Ordinance which includes the reduction of pollutant loading by 10% and treatment of the entire Water Quality Volume, defined as ½" across all impervious surfaces in the development site, where the development site is defined as the tax parcel. To ease this burden a master plan may be proposed for stormwater management and a request for waiver may be submitted for stormwater treatment for non-impacted drainage divides of the development site.
- F-2 DEQ has received complaints in the past concerning noise from late deliveries and solid waste pickup. The Noise Control Code also prohibits excessive noise from deliveries, loading and unloading. The applicant is advised that deliveries must be done quietly and during normal business hours.
- 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.
- C-2 The applicant must comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control.
- C-3 The applicant must comply with the City of Alexandria, Erosion and Sediment Control Code, Section 5, Chapter 4.
- R-1 That all waste products including ,but not limited to, organic compounds (solvents), motor oil, compressor lubricant and antifreeze 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 onto the ground.
- R-2 The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at (703) 838- 4334.

- R-3 That all loudspeakers be prohibited from exterior of building.
- R-4 Loading and unloading of vehicles shall take place on-site and during the hours of operation. In addition, solid waste pickup shall be prohibited from the hours of 11:00 pm to 7:00am.
- R-5 The stormwater collection system is part of the Cameron Run/Holmes Run watershed. All stormwater inlets shall be so marked to the satisfaction of the Director of T&ES.
- R-6 Provide a drainage map for the area flowing to the chosen BMP, including topographic information and storm drains.
- R-7 The applicant is advised that all stormwater designs that require analysis of pressure hydraulic systems and/or inclusion and design of flow control structures must be sealed by a professional engineer, registered in the Commonwealth of Virginia. If applicable, the Director of T&ES may require resubmission of all plans that do not meet this standard.
- R-8 The stormwater Best Management Practices (BMPs) required for this project shall be constructed and installed under the direct supervision of the design engineer or his designated representative. The design engineer shall make a written certification to the City that the BMP(s) are constructed and installed as designed and in accordance with the approved plot plan.
- R-9 The surface appurtenances associated with the on-site structural BMP's shall be marked to the satisfaction of the Director of T&ES to identify them as part of the structural BMP system.
- R-10 If any surface-installed Best Management Practices, i.e. Bio-Retention Filters, Vegetated Swales, etc. are employed for this site, descriptive signage for the BMPs is required to be installed to the satisfaction of the Director of Transportation and Environmental Services.
- R-11 The Developer shall furnish the owners with an Operation and Maintenance Manual for all Best Management Practices (BMPs) on the project. The manual shall include an explanation of the functions and operations of each BMP and any supporting utilities, catalog cuts on any mechanical or electrical equipment, a schedule of routine maintenance for the BMP(s) and supporting equipment, and a copy of the maintenance agreement with the City.

- R-12 A "Certified Land Disturber" must be named on the Erosion and Sediment Control sheets prior to release of the plot plan in accordance with Virginia Department of Conservation and Recreation guidelines.
- R-13 If cars are to be washed on site, provide a plan that shows the method of connection for the discharge of vehicle wash to an approved sanitary sewer system and proper disposal of rainwater to the storm sewer system. In case the applicant chooses to install commercial car washing equipment, such equipment shall be equipped with a water recycling system approved by the building official.
- R-14 The applicant shall control odors and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services.
- R-15 No material may be disposed of by venting into the atmosphere.
- R-16 No paint or coatings shall be applied outside the paint spray booth.
- R-17 Engineer shall use the revised Engineers and Surveyors Institute (ESI) checklist to prepare final site plan.
- R-18 The applicant shall vacate and rededicate the Emergency Vehicle Easement as required by and to the satisfaction of the City Fire Marshall.
- R-19 Applicant shall submit plot/grading plan for review by City staff. Plan shall show all improvements, alternations to grade, surface treatments, pedestrian/vehicular access and utility services.

Code Enforcement:

- C-1 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-2 Required exits, parking, and accessibility within the building for persons with disabilities must comply with USBC Chapter 11. Handicapped accessible bathrooms shall also be provided.

- C-3 This structure contains mixed use groups [M, Mercantile; B, Business; S-2, Low-Hazard Storage (public garage, group 2) and is subject to the mixed use and occupancy requirements of USBC ^[313.0.
- C-4 The final site plans shall show placement of fire easement signs. See attached guidelines for sign details and placement requirements.
- C-5 A soils report must be submitted with the building permit application.
- C-6 Prior to submission of the Final Site Plan, the developer shall provide a fire flow analysis by a certified licensed fire protection engineer to assure adequate water supply for the structure being considered. See attached guidelines for calculation methodology.
- C-7 A Certificate of occupancy shall be obtained prior to any occupancy of the building or portion thereof, in accordance with USBC 118.0.
- C-8 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-9 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-10 Alterations and additions to the existing structure and/or installation and/or altering of equipment therein requires a building permit Four sets of plans must accompany the written application. The plans must include all dimensions, construction alteration and addition details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-11 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.

Health Department:

- F-1 No comments.

Police Department:

- R-1 The applicant is to consult with the Crime Prevention Unit of the Alexandria Police Department regarding locking hardware for the business prior to the commencement of construction.
- R-2 Lighting for the parking lots and all common areas is to be a minimum of 2.0 foot candles minimum maintained.

KB
11-27-01
REVISED
APPLICATION for SPECIAL USE PERMIT # 2001-0006
[must use black ink or type]

PROPERTY LOCATION: 150 480 South Pickett Street

TAX MAP REFERENCE: 58.02-03-05 ZONE: CG

APPLICANT Name: Passport Motorcars, Inc.
T/A Passport Nissan of Alexandria
Address: 150 S. Pickett Street Alexandria, Virginia 22304

PROPERTY OWNER Name: Millennium Realty, LLC
Address: 150 S. Pickett Street Alexandria, Virginia 22304

PROPOSED USE: Automobile Sales and Service

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) 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 Planning Commission or City Council in the course of public hearings 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.

Passport Motorcars, Inc., T/A Passport Nissan and Passport Infiniti
By: Everett A. Hellmuth, III, Pres.

Print Name of Applicant or Agent

Signature

Cell Tel: (703) 906-9378

150 S. Pickett Street

703-823-9000

301-899-0736

Mailing/Street Address

Telephone #

Fax #

CONNIE HARRIS @ 301-702-6448

Alexandria, Virginia 22304

January 22, 2001

City and State

Zip Code

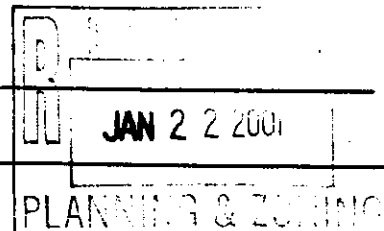
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____



AUTOMOBILE ORIENTED USES SUPPLEMENTAL APPLICATION

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?

Mechanical repairs and automotive maintenance to new and
late model used cars; no body work.

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

	existing	proposed
<u>4</u> hydraulic lifts or racks		4
<u>0</u> service pits		0
<u>10</u> service bays		10

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: 31

Customers: 25 (transient)

inventory: 150 (includes the current used car inventory
of 100 units)

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.

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

1. The applicant is (check one) ☐ the Owner ☐ Contract Purchaser
☒ Lessee or ☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

Everett A. Hellmuth, III	(55%)
Rocky Robinson	(25%)
Bruce Dunigan	(20%)
	(100%)

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
N/A
☐ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

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, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

The Applicant is proposing to extend the enclosed showroom area
currently in use as a used car sales facility, to include certain a
located around and underneath the existing used car canopy in
accordance with the attached plans. The expanded showroom area
will be architecturally similar to the required manufacturer's
design for all Infiniti showrooms, as the proposed elevation will
show. Subject to final construction documents, the additional
enclosed area will add approximately 3,298 square feet of heated
and airconditioned interior showroom to the existing facility.
The existing elevated canopy with the red seamed metal roof will
be removed, and in its place the uniform INFINITI elevation
will be erected. See plan attached.

USE CHARACTERISTICS

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

- ☐ a new use requiring a special use permit,
- ☐ a development special use permit,
- ☐ an expansion or change to an existing use without a special use permit,
- ☒ expansion or change to an existing use with a special use permit,
- ☐ other. Please describe: _____

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

Sales customers: 200/month; Service and Parts customers:

200/month; New and Used Car Sales combined per month would be an increase of 40/month to 110 total.

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

Now: 21

Proposed: 31

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

Day:

Hours:

Monday - Friday

7:30 AM to 9:00 PM

Saturday

9:00 AM to 7:00 PM

Sunday

12 noon to 5:00 PM

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

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

All loading of new and used cars will occur adjacent to existing building; no exterior loud speakers are proposed.

B. How will the noise from patrons be controlled?

No significant amount of noise is generated by patrons.

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

No odors will be generated.

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?

Paper and cardboard in dumpsters and compactors, currently
located behind the building

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

One container per month

C. How often will trash be collected?

Monthly due to compaction equipment located behind existing
building

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

Personnel police the site to keep the site and road frontage
clean, using a parking lot vacuum, which will continue.

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:

Insignificant amounts of lubricants and solvents are used on
site in accordance with all applicable regulations. Eastern Waste
Oil removes waste oils.

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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

Safety and training sessions are conducted periodically with
employees.

ALCOHOL SALES

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

☐ Yes. ☒ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

100 for existing uses plus 10 for proposed addition = 110

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

386 Standard spaces

0 Compact spaces

2 Handicapped accessible spaces.

2 Other.

- C. Where is required parking located? ☒ on-site ☐ off-site (check one)

If the required parking will be located off-site, where will it be located:

N/A

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

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

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

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

- C. Where are off-street loading facilities located? On Site adjacent to bldg

D. During what hours of the day do you expect loading/unloading operations to occur?

Between the hours of 8:00 AM to 9:00 PM 6 days per week

excluding Sundays.

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

5 - 7 loaded car trailers per month.

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?

Little if any additional traffic will be generated by the addition of the new car franchise to the site.

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? ^{approximately} 3,298 square feet.

18. What will the total area occupied by the proposed use be?

3680 sq. ft. (existing) + ^{approximately} 3,298 sq. ft. (addition if any) = ^{approximately} 6,978 sq. ft. (total)

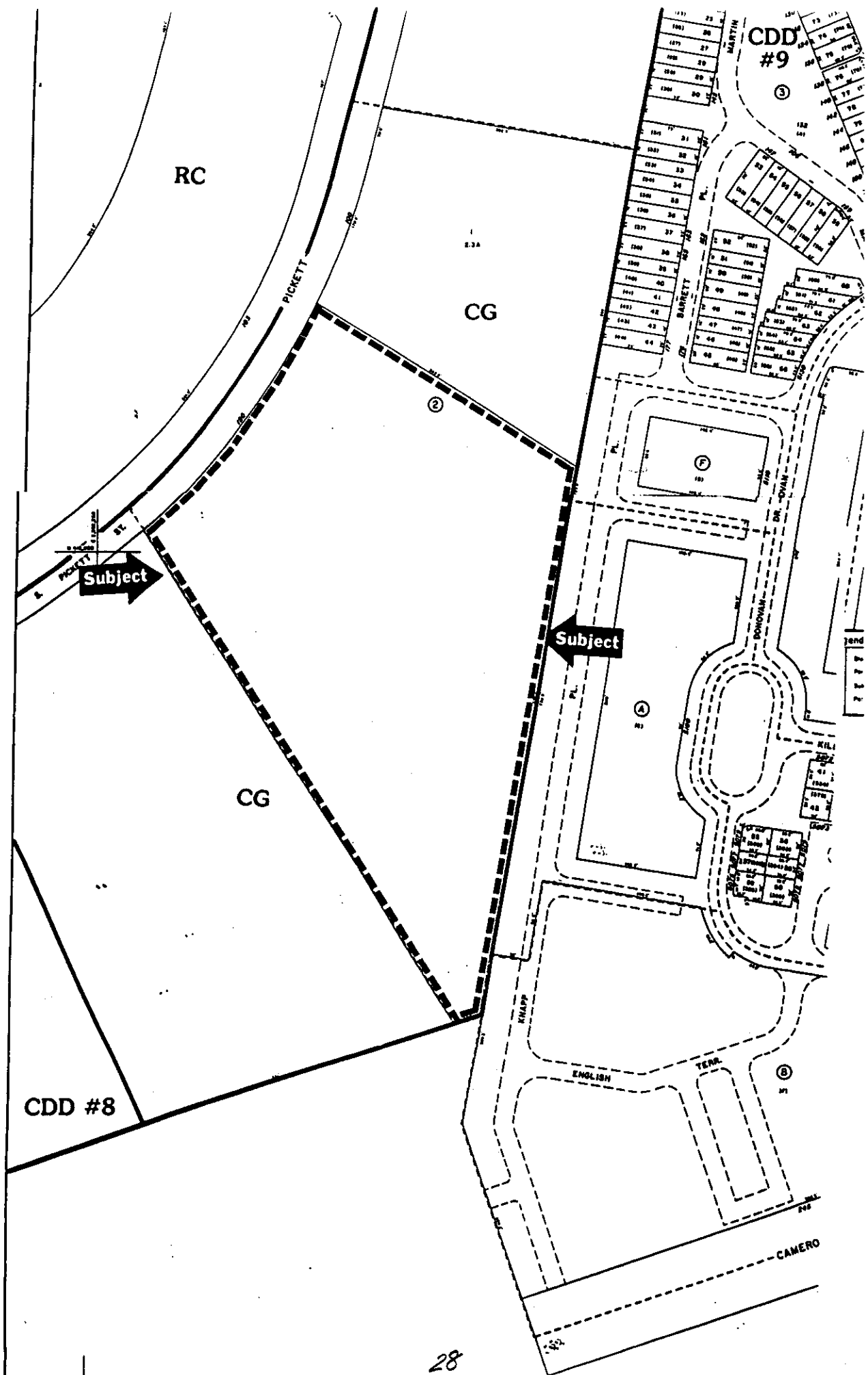
19. The proposed use is located in: (check one)

☒ a stand alone building ☐ a house located in a residential zone ☐ a warehouse

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

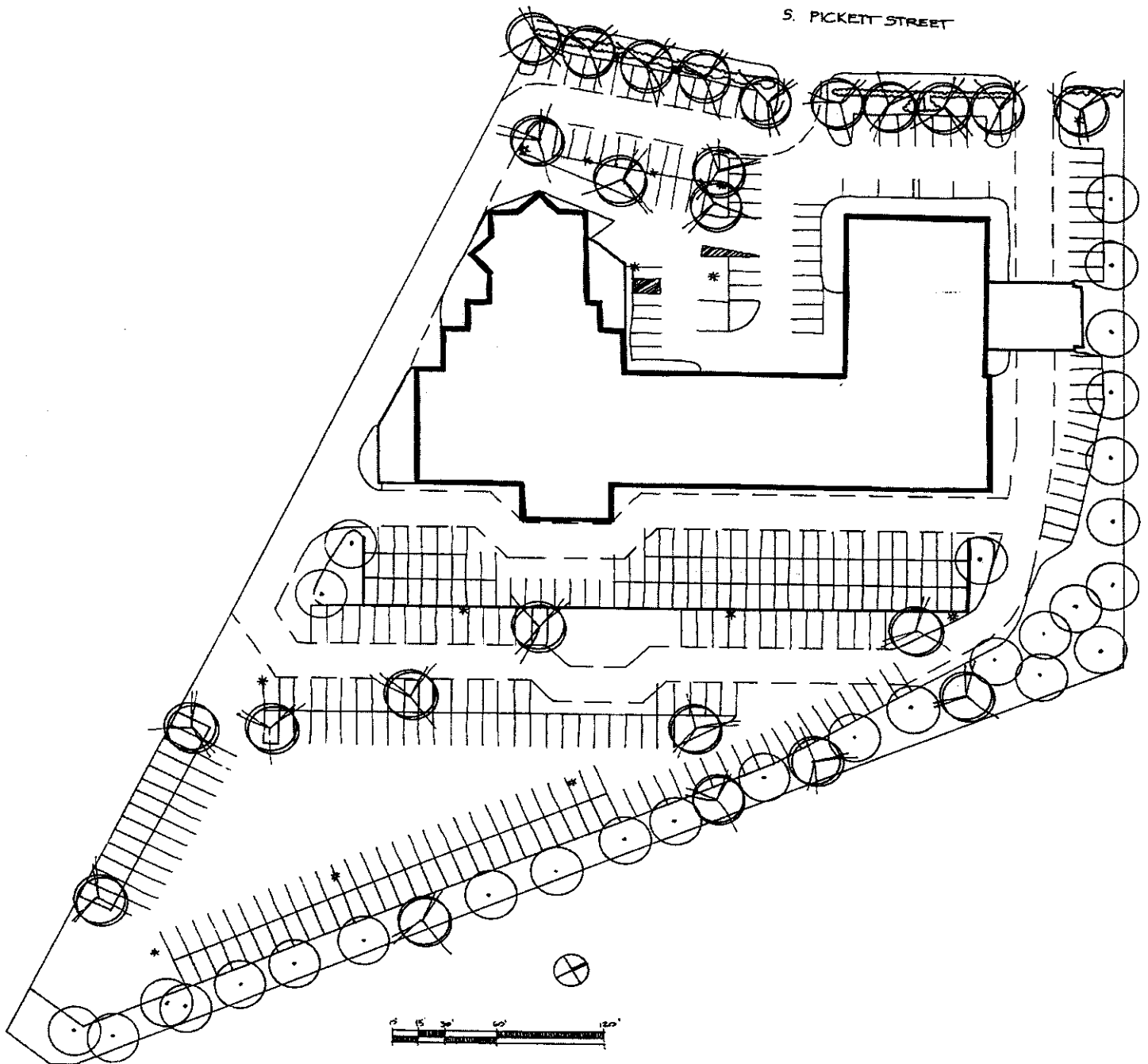
☐ an office building. Please provide name of the building: _____

☐ other, please describe: _____



SUP 2001-0006

SUP2001-0006
150 S. PICKETT ST



Prepared by the Department of Planning and Zoning
City of Alexandria
Date: January 14, 2002

SUP 2001-0006

PASSPORT

September 14, 2000

Ken Whitlock
Alexandria Health Department
Office of Environmental Quality
517 North St. Asaph Street
Alexandria, Va. 22314

Dear Mr. Whitlock,

I enjoyed speaking with you yesterday. As we discussed I want to be a good neighbor to all the residents who live in our community. I have given a copy of the attached letter to our security guard and reviewed it with our management team.

Please feel free to call me directly on my cell # 703-906-9378 should you have other concerns or comments.

Sincerely,

Everett A. Hellmuth III

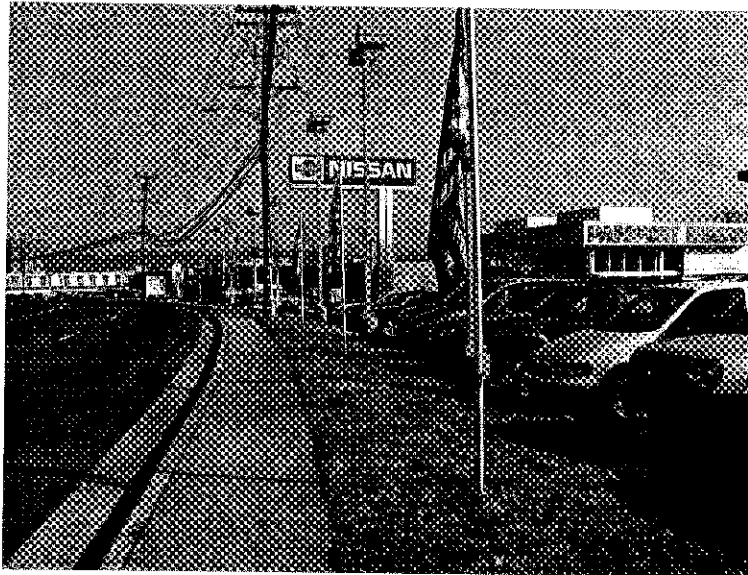


150 S. Pickett St.
Alexandria
VA 22304
703-823-8000

150 South Pickett Street, SUP #2001-0006

Views of Passport Nissan Dealership

These photographs show the lot as it faces South Pickett Street, and the existing landscaping and sign. Staff proposes the addition of trees and shrubs along the street frontage and the creation of landscaping islands in the parking lot. Staff also recommends the replacement of the freestanding sign with a monument sign.



Prepared by the
Department of Planning and Zoning
City of Alexandria

SUP 2001-0006

150 South Pickett Street, SUP #2001-0006

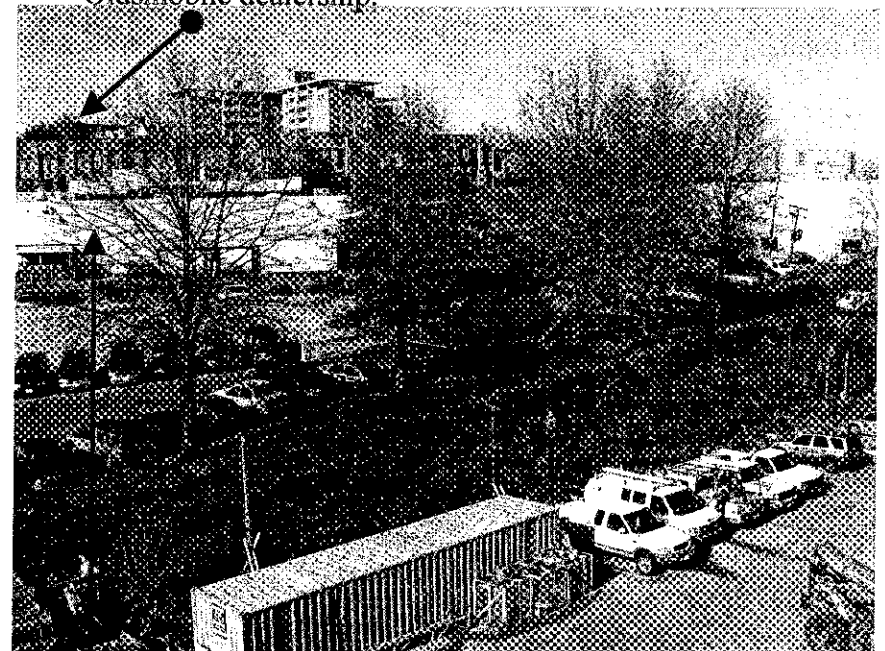
Views of Surrounding Land Uses

Rear view of the Oldsmobile and Nissan dealerships and surrounding land uses. Photographs taken from top floor of adjacent residential building under construction within Cameron Station.

Residential, Cameron Station

Shopping Center, Trade Center

Residential west of South Pickett Street and directly across from Oldsmobile dealership.



View looking east of South Pickett Street.

Oldsmobile Dealership
Rear Parking Lot

Nissan Dealership Building
Adjacent to and North of
Oldsmobile Dealership

Nissan's Rear Parking Lot

View looking west towards
and across South Pickett Street.

Prepared by the
Department of Planning and Zoning
City of Alexandria

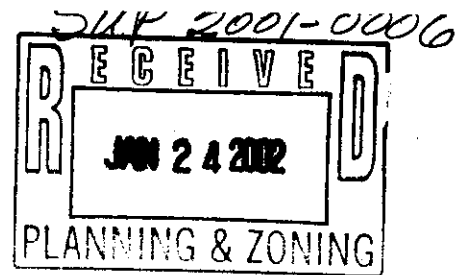
SUP 2001-0006

PASSPORT



150 S. Pickett St.
Alexandria
VA 22304
703-823-9000

January 16, 2002



Ms. Kathleen A. Beeton
Urban Planner
Dept. of Planning & Zoning
301 King St. Rm. 2100
Alexandria, Virginia 22313

Dear Ms. Beeton,

I am writing to you to recap our conversations at the meeting on January 8, 2002 with Barbara Ross, you, and your staff.

We are currently getting bids to replace the lighting fixtures in our rear storage lot in order to cut down on any glare reflecting onto our neighbors behind us. The new fixtures allow the light to be directed downward versus shining out in all directions that is currently causing the neighbors to be unhappy.

In order to cut down on noise from the rear of the service department we have installed cut off switches which easily allow our employees to cut off the "automatic water drain system" which drains the water out of our air compressor storage tanks.

As we also discussed we had already had Musac disconnect the lone speaker in the rear storage lot so that no paging could be heard.

As we stated we had installed a trash compactor system which means that our company only picks up our trash every 5 to 6 weeks. This pickup is done between 8: am and 6:00 PM Monday through Friday.

We have contacted our fence contractor and have prices to install slats in the fencing between the Oldsmobile store and our rear storage lot. We can have the slats installed in the fence with about one week notice.

As far as the propane tanks that were a complete surprise to me, I called Jim Stohman the previous owner whose father built the dealership and he said they were temporary (for about 9 months) until his father could get natural gas run to their body shop which he believed was in 1976. There are no tanks below ground. I also called "Engineering Consulting Services, LTD", the company we hired to due our environmental study and they told me that they found no evidence of tanks below ground and that Alexandria Fire and other agencies that

PASSPORT



150 S. Pickett St.
Alexandria
VA 22304
703-823-9000

ESC called as a result of their research showed no record of any propane tanks underground on the property.

As we discussed I have been meeting with Tony Morse of Bowman Consulting to determine the best location of any tree plantings to be able to maximize our parking layout. At this time he is not finished, therefore, I ask that you allow Passport the same consideration that Mercedes of Alexandria requested which is that the trees be in planters until we can see how the parking and traffic flow develops and we are able to make a permanent proposal to you.

Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Everett Hellmuth".

Everett A. Hellmuth, III
President
Passport Motorcars, Inc.

KB
APPLICATION for SPECIAL USE PERMIT # 2001-0006 7

[must use black ink or type]

PROPERTY LOCATION: 150
480 South Pickett Street

TAX MAP REFERENCE: 58.02-03-05 ZONE: CG

APPLICANT Name: Passport Motorcars, Inc.
T/A Passport Nissan of Alexandria
Address: 150 S. Pickett Street Alexandria, Virginia 22304

PROPERTY OWNER Name: Millennium Realty, LLC
Address: 150 S. Pickett Street AlexANDRIA, Virginia 22304

PROPOSED USE: Automobile Sales and Service

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) 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 Planning Commission or City Council in the course of public hearings 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.

Passport Motorcars, Inc., T/A Passport Nissan and Passport Infiniti
By: Everett A. Hellmuth, III, Pres.

Print Name of Applicant or Agent

Signature

Cell Tel: (703) 906-9378

150 S. Pickett Street

703-823-9000

301-899-0736

Mailing/Street Address

Telephone #

Fax #

CONNIE HARRIS @ 301-702-6448

Alexandria, Virginia 22304

January 22, 2001

City and State

Zip Code

Date

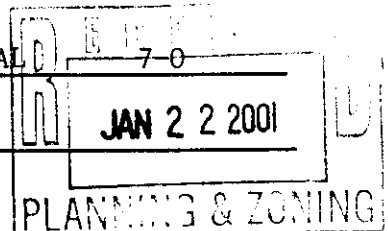
DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

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

ACTION - PLANNING COMMISSION: 2/5/02 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 2/23/02PH--See attached.

(Separate Motion)



REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

ACTION CONSENT CALENDAR (continued)

Planning Commission (continued)

6. SPECIAL USE PERMIT #2001-0131
4213 DUKE ST
ENTERPRISE RENT-A-CAR
Public Hearing and Consideration of a request for a special use permit to operate an automobile rental business; zoned CG/Commercial General. Applicant: Enterprise Rent-A-Car, by Daniel Milwit.

COMMISSION ACTION: Recommend Approval 7-0

7. SPECIAL USE PERMIT #2001-0006
150 S PICKETT ST
PASSPORT INFINITI AND NISSAN
Public Hearing and Consideration of a request for a special use permit for expansion of the existing automobile dealership facility; zoned CG/Commercial General. Applicant: Passport Motorcars, Inc., by Everett A. Hellmuth, III.

COMMISSION ACTION: Recommend Approval 7-0

END OF ACTION CONSENT CALENDAR

City Council approved the Action Consent Calendar with the exception of docket item nos. 6 and 7 which were considered under separate motions. The City Council action was as follows:

3. City Council approved the Planning Commission recommendation.
4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. In response to Councilman Speck's inquiry, the applicant confirmed that there is no misunderstanding about the signage--there will be no freestanding sign.

The applicant responded to Councilwoman Pepper's questions and stated that care will be taken to significantly improve the site's appearance.

City Council approved the Planning Commission recommendation, with the change to condition #22 to change the one-year review to a six-month review.
(Separate Motion)

7. Councilwoman Pepper raised her concern about the view of the back of this facility from the Cameron Station development, and she encouraged the applicant to make the effort to keep it well-kept and landscaped.

City Council approved the Planning Commission recommendation.
(Separate Motion)

END OF ACTION CONSENT CALENDAR

Council Action: _____