

EXHIBIT NO. 1

21  
9-15-01

Docket Item #24  
SPECIAL USE PERMIT #2001-0071

Planning Commission Meeting  
September 4, 2001

**ISSUE:** Consideration of a request for a special use permit to operate a nonconforming automobile service station use.

**APPLICANT:** Mount Vernon Service Center Inc.  
by Erik J. Dorn

**LOCATION:** 1601 Mount Vernon Avenue  
Exxon Station

**ZONE:** CL/Commercial Low

---

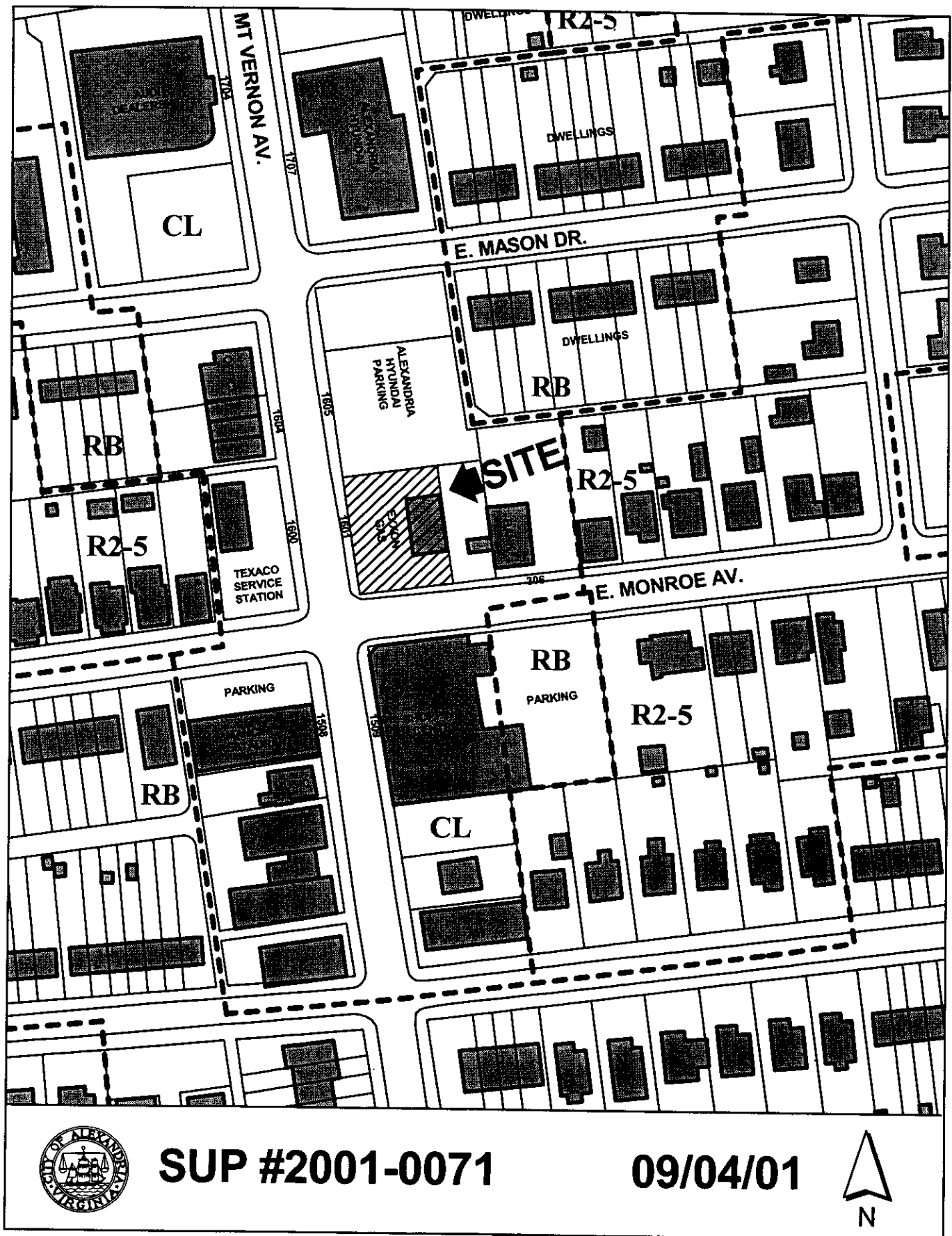
**PLANNING COMMISSION ACTION, SEPTEMBER 4, 2001:** On a motion by Mr. Leibach, seconded by Mr. Komoroske, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendation. The motion carried on a vote of 7 to 0.

**Reason:** The Planning Commission agreed with the staff analysis and expressed concern about the unlikely potential for reuse or redevelopment of the site on its own.

**Speakers:**

Amy Slack, on behalf of the Del Ray Citizens Association, stated that the Association does not support the operation of the gas station beyond 2008 because the use is inconsistent with the small area plan for Potomac West.

Erik Dorn, applicant, objected to the proposed expiration date in 2010, and stated that, with this approval, he would gain only two additional years beyond the date that he is currently permitted to operate the gas station.



STAFF RECOMMENDATION:

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

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. Repair work done on the premises shall be limited to light automobile repair such as tune-ups, oil changes, brake and tire repair and hose and belt replacements as stated by the applicant. (P&Z)
3. No repair work shall be done outside. (P&Z)
4. No more than six repair vehicles shall be parked or stored outside at any time. (P&Z)
5. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z)
6. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)
7. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z)
8. No amplified sound shall be audible at the property line. (P&Z)
9. Loading and unloading of vehicles, if any, shall take place on-site and during the hours of operation. (P&Z)
10. All vehicles on the lot shall be stored in a neat and orderly manner. (P&Z)
11. No expansion of the building or pump islands is permitted. (P&Z)
12. Any change to the color of the building or signage must be approved by staff pursuant to the Mount Vernon Design Guidelines. (P&Z)
13. The applicant shall remove all debris and weeds from the property and maintain the property in good condition. (P&Z)

14. The applicant shall screen the dumpster to the satisfaction of the Director of Planning and Zoning and shall maintain the screening in good condition. (P&Z)
15. The applicant shall either remove the two vending machines and the displays of oil and transmission fluid located outside the building or relocate them against the building wall within 60 days of approval. (P&Z)
16. The applicant shall provide landscaping to the satisfaction of the Director of Planning and Zoning as follows:
  - (a) the asphalt shall be removed at the corner of Mount Vernon and Monroe Avenues in order to create a landscaped triangle, and
  - (b) additional planters with flowers shall be provided on the pump islands similar to the existing planters. The applicant shall maintain all landscaping in good condition. (P&Z)
17. All waste products, including but not limited to organic compounds (solvents), motor oils, 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)
18. The applicant shall comply with the City of Alexandria Best Management Practices Manual for automotive related industries. (T&ES)
19. The hours of operation shall be limited from 6:00 a.m. to 10:00 p.m. Monday through Saturday and 6:00 a.m. to 9:00 p.m. on Sundays. Repair operations may take place from 8:00 a.m. until 5:00 p.m., Monday through Saturday. (P&Z)
20. The applicant shall post the hours of operation at the entrance to the building. (P&Z)
21. The applicant shall not sell alcoholic beverages. (P&Z)
22. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program. (Police)

23. The special use permit shall expire in November 2010. (P&Z)
24. CONDITION ADDED BY STAFF AFTER PLANNING COMMISSION ACTION:  
The provisions of Section 12-214 (B) limiting repairs and improvements shall not apply to this site and building. Improvements and investments shall, however, be consistent with section 12-214 (A)(2) which prohibits expansion or intensification and with the expiration date in this permit. (P&Z)
25. 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)

---

Staff Note: The applicant must comply with Section 9-7-20 which specifies the order in which prices for gasoline are to be placed on existing signs and the requirements for the construction of new signs.

DISCUSSION:

1. The applicant, Mount Vernon Service Center, Inc. by Erik J. Dorn, contract purchaser, requests special use permit approval for the continued operation of a nonconforming automobile service station located at 1601 Mount Vernon Avenue.
2. The subject property is one lot of record with approximately 112 feet of frontage on Mount Vernon Avenue, approximately 87 feet of frontage on Monroe Avenue, and a total lot area of approximately 9,744 square feet. The site is developed with an automobile service station.

To the north of the site is an automobile display and storage lot operated by Alexandria Hyundai. To the east is the Burke and Herbert bank. To the west across Mount Vernon Avenue is a Texaco service station. To the south is a shopping center.

3. An automobile service station has been in operation in this location since at least 1941. In 1951, the land was zoned C-2 which allowed a service station with a special use permit. In 1992, the subject property was rezoned from C-2 to CL, and automobile service stations are not permitted in the CL zone. This station never obtained a special use permit as a C-2 use and is therefore considered to be a nonconforming use. Pursuant to Section 12-214 of the zoning ordinance, nonconforming uses must either cease operation within seven years from the date they are notified by the City of their nonconforming status or obtain special use permit approval. Although the applicant may continue to operate the station as a nonconforming use until 2008, he wishes to ensure the continued approval of his investment.
4. The Texaco station located to the west of the subject property was granted special use permit approval by City Council in 1953 (SUP #117). The only condition imposed on the special use permit was that the permit be granted only to the Texaco company. The station is also located on property zoned CL; however, because special use permit approval was granted allowing the operation of the service station, the use is now considered to be noncomplying and is permitted to continue to operate indefinitely pursuant to Section 12-302 of the zoning ordinance.

Mike's Auto Repair, formerly the Citgo service station, located at 2312 Mount Vernon Avenue is also a noncomplying use (SUP #2000-0020).

5. The Exxon station that is the subject of this request consists of three gasoline pump islands with a total of six gasoline dispensers on each island. There are also three service bays at the station. No state inspections or vehicle emissions testing are conducted on the premises. According to the applicant, nine parking spaces are provided on the site, with the majority of spaces provided in a tandem fashion to the north of the building. Vehicles awaiting repair are parked in this location.
6. According to the application materials, the service station has been and will continue to be operated during the following hours:
- 7.
- |                         | <u>Gasoline sales</u>   | <u>Auto repairs</u>      |
|-------------------------|-------------------------|--------------------------|
| Monday through Saturday | 6:00 a.m. to 10:00 p.m. | 8:00 a.m. to 5:00 p.m.   |
| Sundays                 | 6:00 a.m. to 9:00 p.m.  | No repair work performed |
8. The applicant indicates that it serves 134 customers per day and will have as many as three employees operating the station at any one time.
9. As at technical matter, there is no off-street parking requirement for the service station. Under today's rules, a minimum of one parking space is required per pump, or in this case, a total requirement of six parking spaces. According to the applicant's plans, nine spaces are provided on the site. In addition, the applicant has secured three off-street parking spaces at 313 Monroe Avenue for its employee parking; however, that property is developed by a residence and located in a residential zone which does not permit motor vehicle parking and storage. Staff has explained to the applicant that its employees cannot park on that property.
10. Last spring, the applicant filed an application for CBDG funds, as part of the Business Assistance Loan Program, to help with his acquisition and improvement of the station. If this special use permit is approved, the City will process that application.
11. Zoning: The subject property is located in the CL/Commercial low zone. The CL zone does not permit an automobile service station.
12. Master Plan: The proposed use is not consistent with the Potomac West small area plan chapter of the Master Plan which designates the property for CL/Commercial low uses, and those uses do not include automobile related ones.

STAFF ANALYSIS:

The Exxon automobile service station that is the subject of this request is a nonconforming use. In addition to the criteria set forth in Section 11-504, when considering a request for special use permit approval to allow a nonconforming use to continue to operate, Council is also charged with considering the “degree to which the use serves the nearby neighborhood,” and the “degree to which the use is compatible with the uses in the nearby neighborhood” (Section 12-214(A)(3)).

With regard to the neighborhood serving aspects of the Exxon station, unlike many other service stations that historically offered automobile repair but have since converted their repair bays into convenience stores, staff notes that the station offers minor repair work such as tune-ups, oil changes and other light repairs. Staff believes that the minor repair services offered by the station are neighborhood serving and offer a convenience that is increasingly unavailable in other parts of the City. To the extent that the community values the ability to purchase gasoline and have minor car repairs made in its own neighborhood, this service station, with its few pump islands and small building, harkens back to an earlier time before the advent of large gasoline stations with multiple pump islands, large overhead canopies with bright lighting, and convenience stores that serve a regional clientele.

On the other hand, the small area plan for Potomac West identifies the intent of the CL zone as providing for low scale, pedestrian-oriented retail and office uses. The CL zone, unlike the other commercial zones, does not permit automobile related uses. Uses such as gas stations, car repair, drive-thrus, and car sales, which are allowed, typically with a special use permit, in other commercial zones, are not allowed on Mount Vernon Avenue. However, last year Council voted to approve the Hyundai dealership and car lot just north of this property, despite the fact that the uses are auto related. Of the two lots involved, the main Hyundai lot may continue indefinitely. The car lot has only a ten year life, although City Council can renew the permit at that time.

Staff's first preference would be the auto uses along Mount Vernon Avenue, including this one, redevelop consistent with a vibrant, energetic, pedestrian oriented Mount Vernon Avenue. To that end, this special use permit presents an opportunity for redevelopment of the site with the desired neighborhood-oriented commercial uses. However, it is unlikely that this small site could be easily redeveloped by itself. Given the ten year approval of the Alexandria Hyundai car storage lot that abuts the site to the north, and staff's belief that both sites could be more easily redeveloped in a coordinated manner, staff believes that the station should be permitted to continue to operate during the life of the car storage lot. At that time, Council may reconsider both uses and the redevelopment potential for both properties.

Therefore, staff recommends approval of the special use permit limited to November 2010, consistent with the expiration of the Alexandria Hyundai approval.



In order to maintain the existing footprint of the building with the aspects of the site that are compatible with the character of the Avenue, staff has included conditions that prohibit new signage on the building, maintain the existing color of the building, and require the provision of new landscaping planters on the pump islands. Staff also recommends that the applicant landscape the corner of its property on Mount Vernon and Monroe Avenue in a manner similar to the landscaping at Mancini's restaurant and the Texaco gas station. Finally, staff included conditions requiring the applicant to remove all debris and weeds from the property, to screen the existing dumpster, and to maintain the property in good condition. To ensure that all recommended site improvements are made, staff has included a condition requiring a review of the service station one year after approval. With these conditions, staff recommends approval of the operation of the nonconforming automobile service station.

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:

- R-1 All loudspeakers shall be prohibited from the exterior of the building.
- R-2 All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, State and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground.
- R-3 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 703-519-3400 ext. 166.
- R-4 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-5 That no material be disposed of by venting into the atmosphere.
- 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.

Code Enforcement:

- F-1 No comments.

Health Department:

- F-1 No comments.

Police Department:

- R-1 Security survey for the business.
- R-2 Robbery awareness program for all employees.
- F-1 The applicant is not requesting an A.B.C. permit. The police department concurs with this.

Citizen Assistance:

- F-1 On Friday, July 13, 2001, the Consumer Administrator and Consumer Investigator performed an inspection of the property for compliance with Section 9-9(a-f) of the City Code which specifies the requirements for the display of gasoline prices by retail gasoline dealers in the City. No violations of Section 9-7(a-f) were found. Applicant should be required to continue to comply with Code requirement.

# APPLICATION for SPECIAL USE PERMIT # 2001-0071

[must use black ink or type]

PROPERTY LOCATION: 1601 Mount Vernon Ave.

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

APPLICANT Name: Mount Vernon Service Center, Inc.

Address: 104 W. Alexandria Ave. Alex. VA 22301

PROPERTY OWNER Name: Exxon Corporation

Address: PO Box 53, Houston Texas 77001

PROPOSED USE: Continuation of a non-conforming use

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.

Erik J. Dorn  
Print Name of Applicant or Agent

Erik J. Dorn  
Signature

104 W. Alexandria Ave.  
Mailing/Street Address

703-683-6355  
Telephone # Fax #

Alex. VA 22301  
City and State Zip Code

6/26/01  
Date

===== DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY =====

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

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

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

Special Use Permit # 2001-0071

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.

Erik J. Dorn 104 W. Alex. Ave. Alex. VA 22301	33 1/3%
Daniel Dever 2612 Country Creek LN. Ft.Worth TX 76123	33 1/3%
Larry Dever 1200 S. Washington St. Alex. VA 22314	33 1/3%

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☐ Yes. Provide proof of current City business license

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

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)

We would like to continue the operation of the current Exxon Service  
Station. Due to zoning changes in 1998 we are required to get an SUP

prior to June 2008. Our hours of operation will remain the same.

The current hours for gasoline and convenience sales are Monday-Saturday

6:00AM to 10:00PM and Sundays 6:00AM to 9:00PM. The hours for the

automotive service repairs are Monday-Saturday 8:00AM-5:00PM.

We have a maximum of 3 employees working at any one time with 3

off site parking spaces available across the street at 313 Monroe Ave.

We service approximately 125 gasoline customer per day and our service

repair bays provide minor automotive repairs to approximately 9

customers per day. The station has 8 parking spaces on the lot

and 3 spaces in the service bays.

**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: Continue our current business.

5. Please describe the capacity of the proposed use:

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

We service 135 customers per day from 6:00AM to 10:00PM.

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

We will have as many as 3 employees at one time.

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

Day:

Hours:

Gasoline sales Monday-Saturday

6:00AM to 10:00PM

Gasoline sales on Sunday

6:00AM to 9:00PM

Auto repairs Monday-Saturday

8:00AM to 5:00PM

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 from the air tools used in the service bays.

B. How will the noise from patrons be controlled?

We don't seem to have noise from patrons.

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

Normal gasoline odors which are controled by air filters attached  
to the main tanks.

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?

Normal trash like paper products and soda bottles.

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

The station currently generates half of a dumpster per week.

C. How often will trash be collected?

The dumpster is collected once a week.

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

Employees will pick up an loose trash.



10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☒ Yes.    ☐ No.

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

motor oil, brake fluid and anti-freeze. We accumulate  
about 25 gallons of all fluids per month. The materials  
are disposed of every two weeks by a hazardous materials company.

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?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 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?

6 spaces required (1 spaced required per gas pump)

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

7 Standard spaces

           Compact spaces

1 Handicapped accessible spaces.

           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:

We have 3 additional off-site spaces.

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? 0

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

- C. Where are off-street loading facilities located? NA

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

Gasoline delivery every two weeks during regular  
business hours.

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

NA

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?

Street 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?

1628 sq. ft. (existing) + \_\_\_\_\_ sq. ft. (addition if any) = 1628 sq. ft. (total)

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

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

☐ a shopping center. Please provide name of the center: \_\_\_\_\_

☐ an office building. Please provide name of the building: \_\_\_\_\_

☐ other, please describe: \_\_\_\_\_

**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?

Minor repairs. Tune-ups, oil changes, brake repair and  
hose & belt replacements.  
 \_\_\_\_\_  
 \_\_\_\_\_

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

3 hydraulic lifts or racks  
0 service pits  
3 service bays

4. How many vehicles will be parked on-site at any one time. Please provide information on the type (i.e., for sale, customers, employees, or repairs)?

4 or 5 repair customers at any one time.

No employee parking will be on site.  
 \_\_\_\_\_  
 \_\_\_\_\_

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.*

SUP 2001-0071

Rosemont, LLC P.O. Box 277, Alexandria, Virginia 22301  
(703) 967-6915

June 22, 2001

Mt. Vernon Service Center, Inc.  
Erik J. Dorn  
1601 Mt. Vernon Ave.  
Alexandria, VA 22301

Dear Mr. Dorn:

Rosemont, LLC would be happy to allow you to use 3 off street parking spaces for employee parking on our property located across the street at 313 E. Monroe Avenue. We would like to renew this arrangement every year by a similar letter.

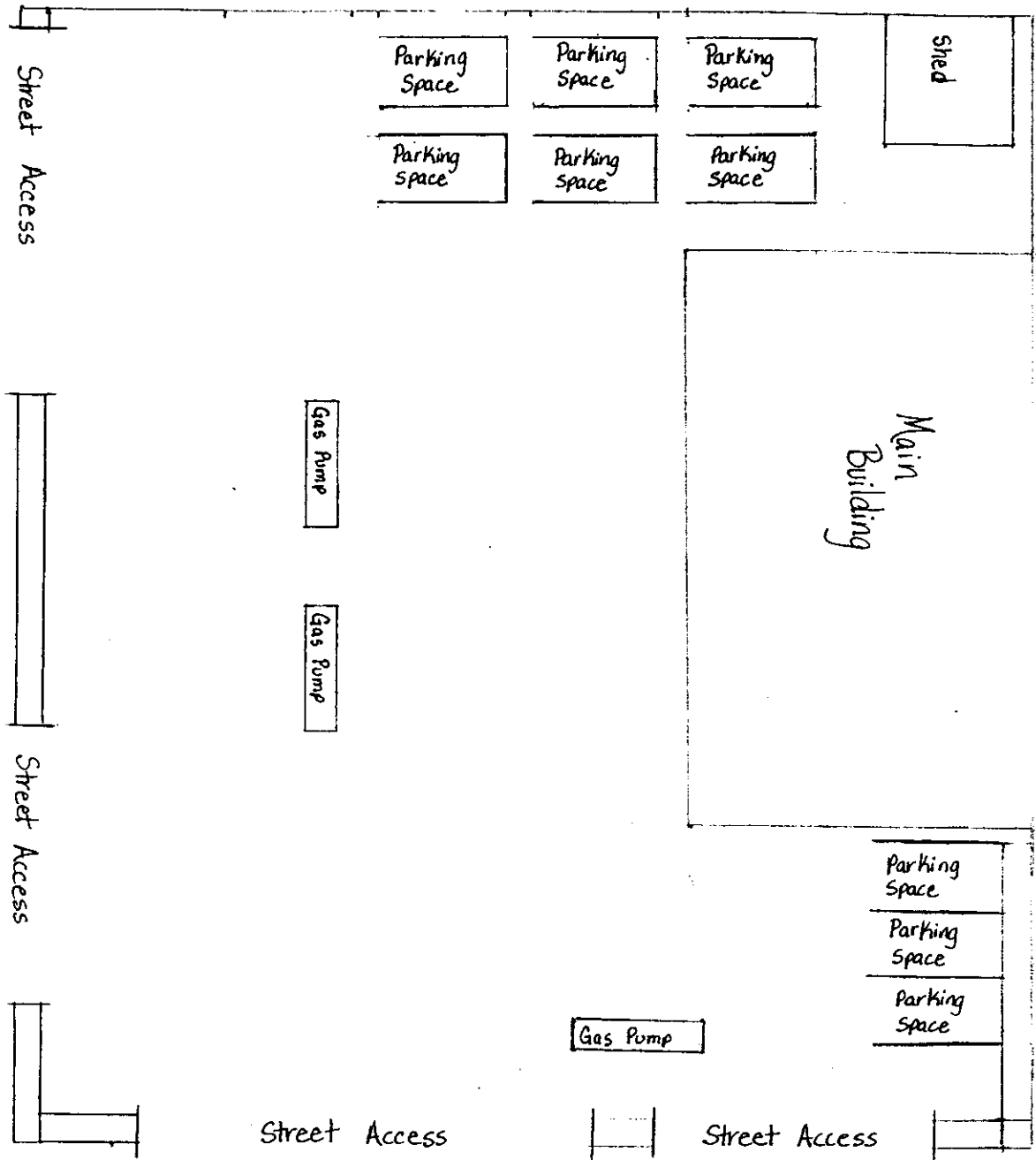
If you have any questions, please feel free to contact my office.

Very truly yours,



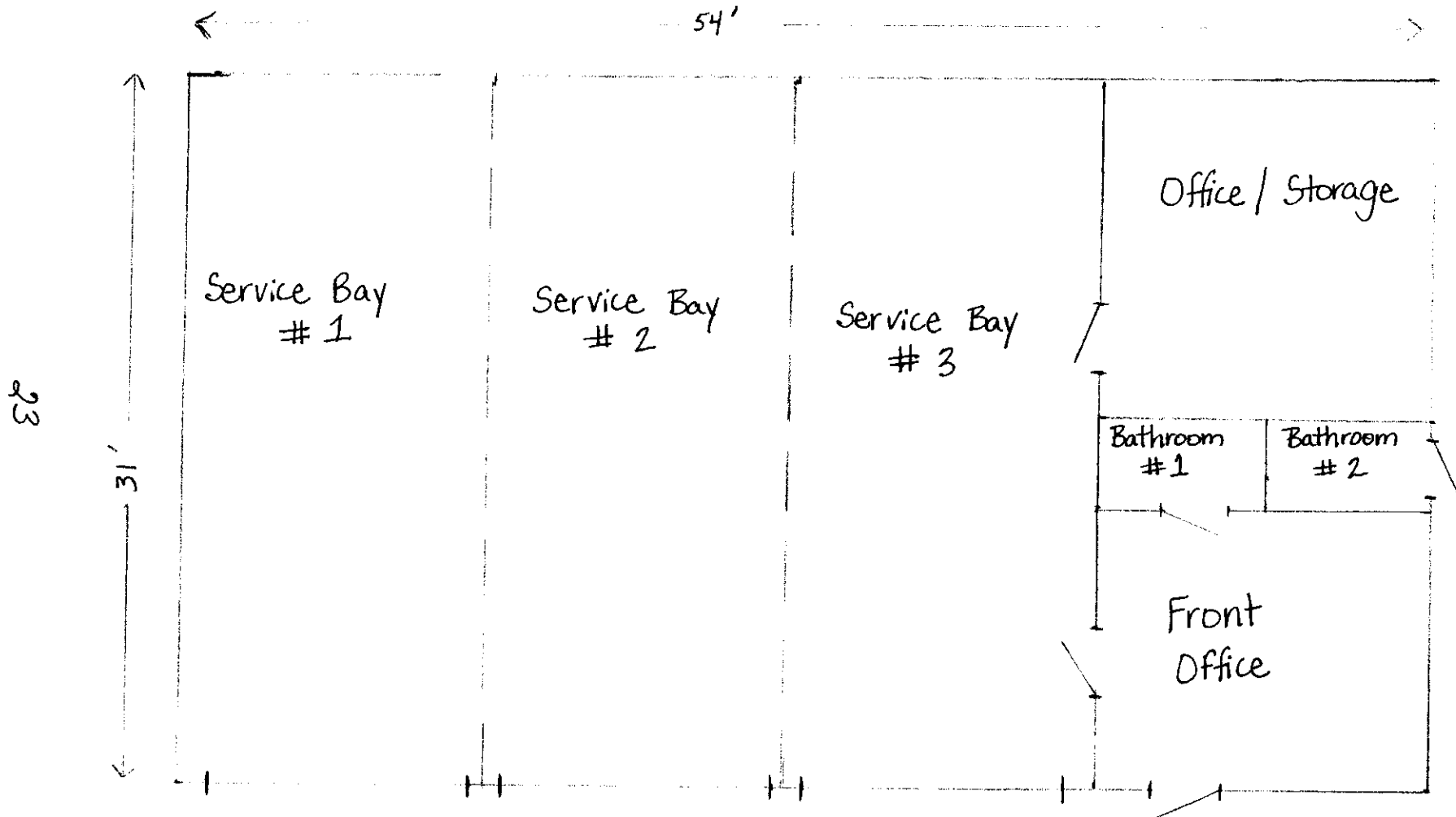
J. Lawrence Hirsch, *member/manager*

SUP 2001-0071



Building

mt. Vernon Av



SUP 2001-2071

# THE DEL RAY CITIZENS ASSOCIATION

P.O. BOX 2233

ALEXANDRIA, VIRGINIA 22301

ESTABLISHED 1954

**To:** Members of Alexandria Planning Commission  
Eileen Fogarty, Director, Office of Planning and Zoning

**From:** Amy Slack, Land Use Committee Co-chair  
Sarah Haut, Land Use Committee Co-chair  
Bill Hendrickson, President

**Date:** August 30, 2001

**Subject:** SUP #2001-0071, Request for a SUP to continue a nonconforming automobile service station use at 1601 Mt. Vernon Avenue (zoned CL/Commercial Low).

The applicant, Mr. Erik Dorn, attended the DRCA land use committee meeting on August 29, 2001 and presented the application to the committee.

The applicant proposes to operate the business under the same hours of operation with the same number of employees as is currently. Employees will be provided parking on site. In addition to the landscape changes recommended by staff, he plans to improve the area along the rear of the site and remove the vending machines.

Stuart Beckwith, a resident at 239 East Monroe Avenue, requested that the hours of operation not extend past 10 PM and that noise associated with the coin-operated vacuum cleaner be kept to a minimum. The applicant stated that he planned to remove the vacuum and did not plan to expand the proposed hours of operation.

The Committee asked Mr. Dorn to consider reducing the impact of the curb cuts and continue the brick paver sidewalk along the Monroe Avenue side in conjunction with the City upgrades to Mt. Vernon Avenue. We also questioned the continued use of the "back lighted" pole mount sign.

The Committee feels that the proposed use for this site is not consistent with the Small Area Plan and continued operation of a gas station should not be permitted beyond the year 2008 period.

In addition to conditions recommended by staff, the Committee voted to recommend support of the SUP with the following modification:

- Condition 23. That the special use permit be shall expire in November 2008 and be docketed for review at that time.

We request your support for this position and welcome your questions and comments. Please feel free to contact Co-chairs Amy Slack at 703-549-3412 or Sarah Haut at 703-838-9060 and President Bill Hendrickson at 703-549-7365 (days), 703-519-9410 (evenings).



21

# APPLICATION for SPECIAL USE PERMIT # 2001-0071

[must use black ink or type]

PROPERTY LOCATION: 1601 Mount Vernon Ave.

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

APPLICANT Name: Mount Vernon Service Center, Inc.

Address: 104 W. Alexandria Ave. Alex. VA 22301

PROPERTY OWNER Name: Exxon Corporation

Address: PO Box 53, Houston Texas 77001

PROPOSED USE: Continuation of a non-conforming use

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.

Erik J. Dorn  
Print Name of Applicant or Agent

Erik J. Dorn  
Signature

104 W. Alexandria Ave.  
Mailing/Street Address

703-683-6355  
Telephone # Fax #

Alex. VA 22301  
City and State Zip Code

6/26/01  
Date

**DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY**

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

ACTION - PLANNING COMMISSION: 9/4/01 RECOMMEND APPROVAL 7-0

ACTION - CITY COUNCIL: 9/15/01PH--See attached.

## REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

## Planning Commission (continued)

- ✓ 20. SPECIAL USE PERMIT #2000-0138  
3901 MT VERNON AV  
LILLIAN'S RESTAURANT  
Public Hearing and Consideration of a request for a special use permit amendment to a restaurant to (1) add live entertainment, (2) increase the hours of operation, (3) add outdoor seating, and (4) hold an outdoor community event; zoned CL/Commercial Low. Applicant: Oavars Inc., by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend Approval 6-1

City Council approved the Planning Commission recommendation.

Council Action: \_\_\_\_\_

- ✓ 21. SPECIAL USE PERMIT #2001-0071  
1601 MT VERNON AV  
EXXON STATION  
Public Hearing and Consideration of a request for a special use permit to continue a nonconforming automobile service station use; zoned CL/Commercial Low. Applicant: Mount Vernon Service Center Inc., by Erik J. Dorn.

COMMISSION ACTION: Recommend Approval 7-0

City Council approved the Planning Commission recommendation **with a condition that staff (Planning and Zoning, and Transportation and Environmental Services) work with the applicant to examine the number of curb cuts with a goal towards improving pedestrian and vehicular safety relative to ingress and egress to the gas station.**

Council Action: \_\_\_\_\_

## ORDINANCES AND RESOLUTIONS

22. Public Hearing, Second Reading and Final Passage of AN ORDINANCE to amend Section 12-12-2 of the City Code to adopt an amendment to conform to the comprehensive services act regarding private provider membership on the Alexandria community policy and management team. (#24 9/11/01)  
**[ROLL-CALL VOTE]**

**Without objection**, the Public Hearing, Second Reading and Final Passage was deferred to Tuesday, September 25, 2001 Regular Meeting.

Council Action: \_\_\_\_\_