

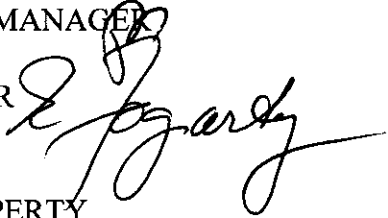
*City of Alexandria, Virginia*11  
1-13-01

## MEMORANDUM

DATE: JANUARY 10, 2001

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THRU: PHILIP SUNDERLAND, CITY MANAGER

FROM: EILEEN FOGARTY, DIRECTOR  
PLANNING AND ZONING 

SUBJECT: ALEXANDRIA TOYOTA PROPERTY  
1605-1611 MOUNT VERNON AVENUE  
DOCKET ITEM #11

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On Saturday, with docket item #11, City Council is being asked to consider an amendment to the approval previously granted to Jack Taylor regarding the use of his Mount Vernon Avenue dealership properties. The case involves only 1605-1611 Mount Vernon Avenue, the stand alone parking lot previously used by Alexandria Toyota to store vehicles.

As to that site, on November 28, 2000, City Council approved SUP #2000-0110, granting a special use permit allowing the parking lot use to continue in conjunction with an adjacent dealership for Hyundai. The permit was approved for the party who applied for it: Alexandria Toyota Inc. Since the time of approval, a request has been made to change the name of the applicant to Alexandria Hyundai LLC and John E. Taylor, Jr., in order that this permit is consistent with the applicant's name on the approval for the adjacent dealership site.

Staff has no objection to the request. Staff believes Council understood that both lots would be used by a new Hyundai dealer. The applicant simply failed to make the names on the two applications the same.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

Acting Planning and Zoning Director Ross indicated that would do.

City Council approved the Planning Commission recommendation, with the following amendments: Condition #7 was amended to read: "7. No vehicles, under the control of the applicant, shall be displayed, parked, or stored on a public right-of-way, including without limitation sales or repair vehicles."; Condition #9 was amended to read: "9. There shall be no parking or storing of automobiles, under the control of the applicant, on Duncan Avenue or Mason Avenue or road testing of automobiles on these streets at any time."; Condition #14 to read as was agreed to by Mr. Hart and Ms. Ross, which is: "14. The number of vehicles allowed to be parked in the parking lot shall be in accord with a plan that is submitted and approved by the appropriate city agencies."; and approved, #13, as written, with the understanding that the representation has been made that the applicant will consult with the appropriate neighborhood groups.

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

- ✓ 26. SPECIAL USE PERMIT #2000-0110  
1605-1611 MT VERNON AVENUE  
ALEXANDRIA TOYOTA  
Public Hearing and Consideration of a request for a special use permit for the continuation of a nonconforming motor vehicle parking and storage lot; zoned CL/Commercial Low. Applicant: Alexandria Toyota Inc., by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend Denial 7-0

City Council overturned the Planning Commission recommendation and approved the special use permit, subject to compliance with all applicable codes, ordinances and staff recommendations, with the added condition #13 to read as follows: "13. Within 10 years from the approval of this special use permit, the applicant shall file an application for extension of this permit, and the continuance of this use shall be reviewed by the Planning Commission and the City Council."; with modification to condition #7, similar to what Council did previously, which would be to insert the language: "7. No vehicles, under the control of the applicant,...."; and directed staff to discuss with dealer on the west side, who is not subject to a sup, whether they will voluntarily agree to include that in their management since we have no sup in position on them.

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

ORDINANCES AND RESOLUTIONS

- 27. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Section 2-4-100 and Section 2-4-101 of the City Code to conform the composition and responsibility of the Alexandria Community Criminal Justice Board to recent changes in state law. (#14 11/14/00) [ROLL-CALL VOTE]

City Council finally passed the ordinance on its Second Reading and Final Passage.

ORD. NO. 4170

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

*City of Alexandria, Virginia*~~11-28-00~~

## MEMORANDUM

11  
1-13-01

DATE: NOVEMBER 21, 2000

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: PHILIP SUNDERLAND, CITY MANAGER *PS*

SUBJECT: AMENDMENT OF SPECIAL USE PERMIT #2000-0110  
(1605-1611 MOUNT VERNON AVENUE)

**ISSUE:** Whether to consider an amendment to Council's decision on special use permit #2000-0110 for the property at 1605-1611 Mount Vernon Avenue.

**RECOMMENDATION:** That City Council determine whether it wishes to consider an amendment to Council's decision on special use permit #2000-0110 for the property at 1605-1611 Mount Vernon Avenue. If Council decides to consider an amendment, I propose to docket the matter for public hearing and consideration at the December 16, 2000 public hearing.

**DISCUSSION:** On November 18, 2000, Council approved SUP #2000-0110, allowing a nonconforming car lot to continue for ten years, to be used as part of a proposed Hyundai dealership which will also occupy the adjacent lot at 1707 Mount Vernon Avenue. The name of the applicant on the car lot case is "Alexandria Toyota, Inc." The name of the applicant on the main dealership case is "Alexandria Hyundai, LLC and John E. Taylor, Jr." On November 21, 2000, Harry Hart, attorney for Jack Taylor, wrote to Council requesting that the name of the applicant on the car lot case be changed to conform to the name on the dealership site case.

Under its terms, the "car lot" SUP #2000-0110 is to be issued in the name of the applicant only. As presently approved, therefore, the SUP does not extend to Alexandria Hyundai, LLC, the entity that will operate the dealership which will, in fact, use the car lot, as well as the dealership site across Mason Ave. Mr. Hart seeks an amendment to the SUP which will remedy this technical difficulty by changing the name of the permit applicant, and permittee, to Alexandria Hyundai, LLC and John E. Taylor, Jr.

If Council determines to consider this amendment, we will set it for public hearing on December 16, and will, prior to that date, provide for proper and timely advertisement of the amendment's consideration on December 16.

**STAFF:** Eileen Fogarty, Director, Planning and Zoning

**ATTACHMENT:** Letter from Harry Hart dated November 21, 2000.

**HART & CALLEY**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELLORS AT LAW  
307 NORTH WASHINGTON STREET  
ALEXANDRIA, VIRGINIA 22314-2557

1201 CONNECTICUT AVENUE, N.W.  
TWELFTH FLOOR  
WASHINGTON, D.C. 20036

HARRY P. HART  
CYRIL D. CALLEY  
MARY CATHERINE H. GIBBS

(703) 836-5757  
FAX (703) 548-5443

OF COUNSEL  
ROBERT L. MURPHY  
LUIS CHINCHILLA

November 21, 2000

Mayor Kerry J. Donley and Members of City Council  
City Hall  
301 King Street  
Alexandria, VA 22314

Re: SUP #2000-0110

Dear Mr. Mayor and Members of City Council:

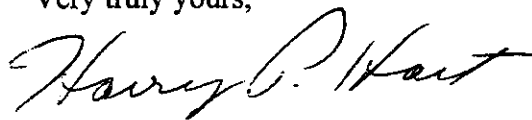
Would you please docket SUP #2000-0110, which was Docket Item #26 on November 18, 2000, for consideration of an amendment to the motion in favor of the SUP to conform the name of the applicant in Item #26 to the name in Docket Item #25, i.e. Alexandria Hyundai LLC and John E. Taylor, Jr.

I believe it was very clear that the matter before City Council was the authorization of the use of the lot involved in Item #26 in conjunction with the Hyundai dealership that will be located on the property in Docket Item #25. My apologies for not having brought this up as soon as Item #25 was granted, as that was the operative factor -- tying the two properties together under the Hyundai/Taylor scenario.

My chagrin that a technicality got by me on Saturday is tempered by the knowledge that this truly is an affirmation of what all present understood on Saturday; and that its correction will be docketed and advertised and corrected with full public exposure.

Thank you very much.

Very truly yours,



Harry P. Hart

HPH/eah

cc: Jack Taylor  
Barbara Ross  
Phil Sunderland  
Ignacio Pessoa

EXHIBIT NO.

4  
11  
1-13-01

~~26~~  
~~11-18-00~~

Docket Item # 22  
SPECIAL USE PERMIT #2000-0110

Planning Commission Meeting  
November 9, 2000

**ISSUE:** Consideration of a request for a special use permit for the continuation of a nonconforming motor vehicle parking and storage lot.

**APPLICANT:** Alexandria Toyota Inc.  
by Harry P. Hart, attorney

**LOCATION:** 1605-1611 Mt. Vernon Avenue  
Alexandria Toyota

**ZONE:** CL/Commercial Low

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**PLANNING COMMISSION ACTION, NOVEMBER 9, 2000:** On a motion by Ms. Fossum, seconded by Mr. Robinson, the Planning Commission voted to recommend denial of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 to 0.

**Reason:** The Planning Commission agreed with the staff analysis, and distinguished this case, which involves a nonconforming use, from the one regarding 1707 Mount Vernon Avenue, which involves a noncomplying use. The latter are expressly allowed to continue indefinitely by the zoning ordinance; the zoning ordinance does not include any statement of policy allowing preexisting nonconforming uses to remain indefinitely.

**Speakers:**

Bud Hart, attorney, represented the applicant.

Jack Taylor, the applicant, spoke.

Jack Sullivan spoke regarding the recent SUP violations.

Sarah Hought spoke in opposition.

Amy Slack, Del Ray Citizens Association, spoke in opposition.

Bill Hendrickson, Del Ray Citizens Association, spoke in opposition.

Lloyd Martin, Potomac West Business Association, spoke in support.

**Paul Hare spoke in opposition.**

**Mark Horowitz spoke in opposition.**

**David Fromm spoke in opposition.**

**Marilyn Doherty spoke in opposition.**

**Wendy Chappell spoke in opposition.**

**Laurie MacNamara spoke in opposition.**

**Gail Reuter spoke in support.**

**Rod Kuckro spoke in opposition.**

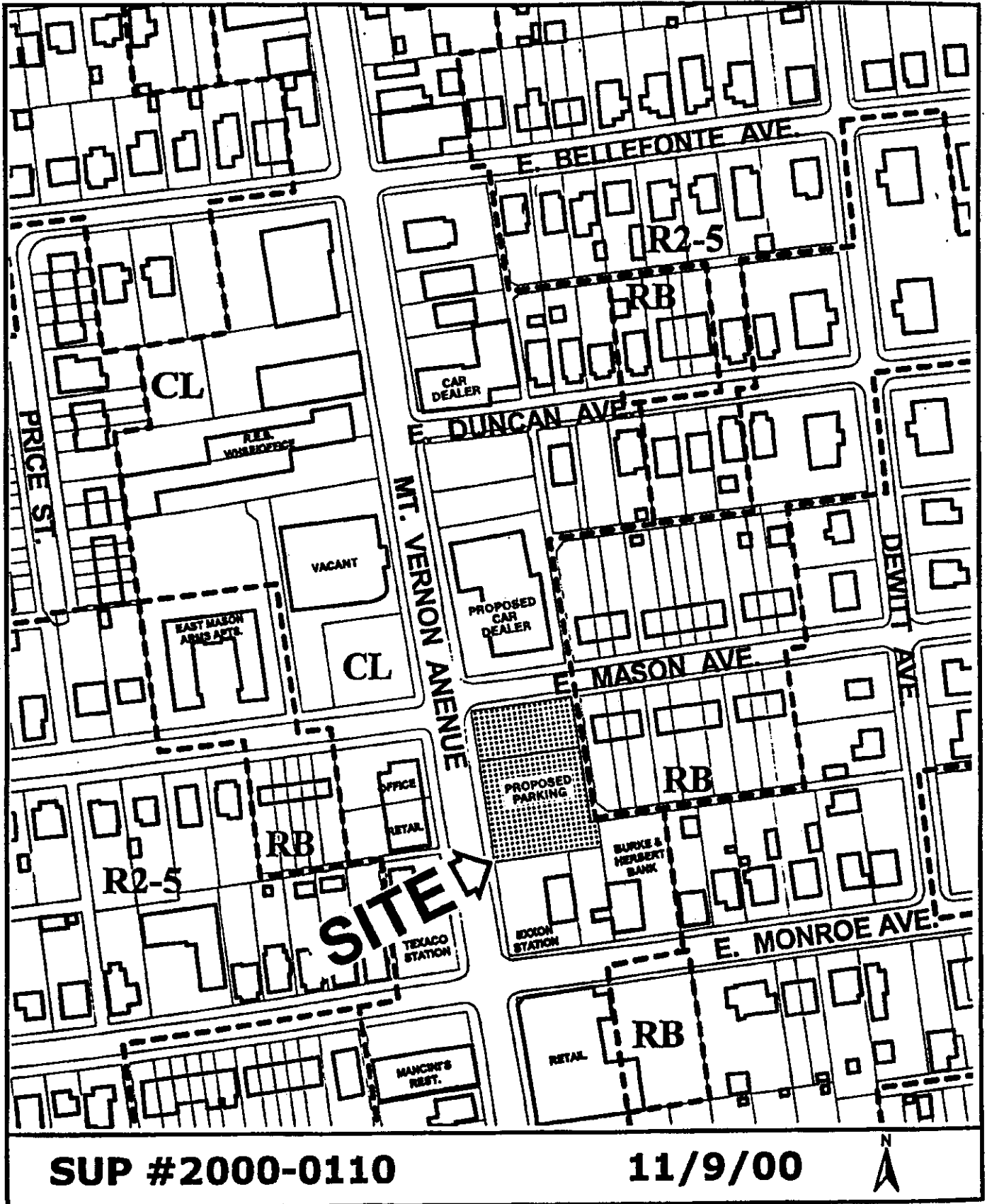
**Pat Miller spoke in support.**

**Haellyn Rincharde spoke in support.**

**Hara Ann Souganim spoke in favor of the use for five years.**

**Peter Smirnitopolis spoke in support.**

**Owen Malone spoke in opposition.**



**STAFF RECOMMENDATION:**

Staff recommends **denial** of the request. If City Council approves the request, staff recommends the approval be subject to compliance with all applicable codes and ordinances and the following conditions:

1. This 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. The parking lot shall be limited to the parking of service, customer, or new sales automobiles in conjunction with an automobile dealership on the adjacent property. No sales or repair work shall occur on the lot. The number of vehicles allowed to be parked in the parking lot shall be limited to 88, and they shall be parked in the parking spaces shown on Site Plan 82-055, unless and until an amendment to the Site Plan is approved. (P&Z)
3. Fencing shall be added on the south and west sides of the parking lot. It shall be six feet tall and board on board construction along the south property line; similar fencing shall be installed on top of the retaining wall along the east property line, with the total height of the retaining wall and fencing combined to be six feet. All fencing shall be installed within one year of this approval and shall be maintained in good condition in perpetuity. (P&Z)
4. Landscaping shall be added as follows: A continuous 3½ foot evergreen screening hedge shall be installed along Mt Vernon and Mason Avenues in the existing planting beds. Two additional street trees shall be planted on the Mount Vernon Avenue frontage, with approval of the species and size from the City Arborist. All plantings shall be installed within one year of this approval and shall be maintained in good condition in perpetuity. (P&Z)
5. No signs shall be allowed on this site. (P&Z)
6. The existing curb cut on Mount Vernon Avenue shall be closed. (P&Z)
7. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)
8. No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z)
9. The parking lot shall be maintained in good condition. (P&Z)



10. The property owner shall grant a public utility easement to the City of Alexandria for the placement of an electrical switch box to be used as part of the Mt. Vernon Avenue utility undergrounding project. The location of the easement and switch box shall be reviewed by the Directors of Transportation and Environmental Services and Planning and Zoning to ensure that it is well screened by the required hedge and fencing; if additional landscaping is required to screen the box, it shall be provided by the property owner. (T&ES, P&Z)
11. All exterior improvements, including signs, shall comply with the Mount Vernon Avenue Design Guidelines. (P&Z)
12. 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, 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)

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**Staff Note:** In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

**DISCUSSION:**

1. The applicant, Alexandria Toyota, Inc., requests special use permit approval for the continuation of a nonconforming parking lot at 1605 -1611 Mount Vernon Avenue. This case is a companion to SUP #2000-123 for the adjacent dealership lot, but is to be considered for approval separately.
2. The subject property is two lots of record with 180 feet of combined frontage on Mount Vernon Avenue, 120 feet of frontage on Mason Avenue and a total lot area of approximately 22,000 square feet. The site is developed with a parking lot, the southeast corner of which is not paved. There are two curb cuts, one on each frontage, although only the Mason Avenue entrance is used for vehicular access to the lot.

Adjacent to the parking lot to the south is an Exxon gasoline service station. There are commercial uses directly across the street to the west, and residential uses abutting the parking lot to the east. To the north and the northwest are the other Alexandria Toyota sites.

3. The subject parking lot property is one of four sites that have historically comprised the Alexandria Toyota car dealership business. After operating on Mount Vernon Avenue for many years, the business has relocated to Route 1, with City approval. The zoning history of this and the other related sites is set forth in detail in case SUP #2000-0123.
4. In 1992, the zoning of each of the above sites was changed from C-2 to CL/Commercial low. The CL zoning does not permit automobile dealerships. It does not permit automobile sales or repair. The other three sites that have been part of Alexandria Toyota have SUP approval, and are allowed to continue as noncomplying uses, with certain limitations. The parking lot site is considered a motor vehicle parking and storage lot under the CL zone, and that use requires a SUP. Because the parking lot site never obtained a SUP, it became a nonconforming use in 1992.
5. Under section 12-214 of the zoning ordinance, nonconforming uses must cease operation within seven years from notice from the Director of Planning and Zoning directing the property owner and operator to terminate the use. In this case a notice was sent to Mr. Taylor in 1998, advising that a SUP must be approved by July 1, 2005, or the use must cease by that date. (See attached letter) The SUP application now before the Commission and Council requests permission to allow the nonconforming parking lot to continue indefinitely beyond the July 1, 2005 date.
6. The application does not elaborate on the proposed use except to say that it will be the same as exists now. At staff's request the applicant has supplied written supplements explaining, as to this site, it seeks to store up to 100 cars, which would require vehicles to be parked in

tandem fashion, consistent with recent practice. It acknowledges that the parking of vehicles on this lot will be in conjunction with the use of the parcels to the north, currently planned for a Hyundai dealership. It states that the lot will be used for employee and customer parking and for new car storage.

7. The applicant has not filed a parking plan for the site as part of this proposal. The site plan approved for the subject parking lot in 1982 (SP #82-055) is attached and shows discrete parking spaces sufficient for 88 cars. Over time, the lot has been used for more vehicles, with cars parked in tandem. From inspections over the last few months, staff has counted anywhere from 94 to 114 cars parked in the lot. More recently, the lot has been empty.
8. **Zoning:** The subject property is located in the CL/Commercial low zone. Section 4-103(H) of the zoning ordinance allows a motor vehicle parking and storage use for more than 20 vehicles, when operated as a separate use, only with a special use permit. The CL zone does not permit an auto dealership or automobile sales or repair or a lot used as part of such a use. Section 12-214 allows a nonconforming dealership parking lot to continue beyond the seven year abatement period only with a special use permit.
9. **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 the area for neighborhood serving, pedestrian friendly uses.

#### **STAFF ANALYSIS:**

Staff recommends denial of the special use permit because the City's land use policies provide clear direction for uses on Mount Vernon Avenue and those uses do not include parking of vehicles associated with a car dealership, or any other auto related uses. Staff incorporates here the analysis included in case SUP #2000-0123, and would add that without this site for parking to store sales vehicles, a car dealership will have a difficult time operating on the east side of Mount Vernon Avenue.

Staff acknowledges that, by virtue of the flexibility allowed by the noncomplying use rules in the 1992 zoning scheme, and the prior SUPs on the Jack Taylor sites, the three other parcels included in the current auto dealership may be allowed to continue as automotive uses, although with significant limitations. In addition, if the proposal is denied, the parking lot itself may continue until 2005, but then must cease operation. Council may therefore believe that disapproving this use, when the others may continue, does not accomplish the City's "no auto uses" policy. Staff disagrees with that analysis, believing that the City's policy against automotive uses is an important one from a land use perspective and that the City should not take steps to facilitate any automotive uses on the Avenue.

SUP #2000-0110  
1605-1611 Mt Vernon Av - Alexandria Toyota

If the Commission and Council believe the current request should be approved, staff has included conditions designed to make the lot more attractive, and to require the applicant to file an amendment to the site plan in order to park more cars on the lot than previously approved.

Staff recommends, however, that this SUP and SUP 2000-0123 for the main dealership lot, should be denied.

**STAFF:** Barbara Ross, Acting Director, Department of Planning and Zoning.

**CITY DEPARTMENT COMMENTS**

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

**Transportation & Environmental Services:**

R-1 Property Owner shall grant a public utility easement to the City of Alexandria for the placement of a electrical switch box to be used as part of the Mt. Vernon Avenue utility undergrounding project.

**Code Enforcement:**

F-1 No comments.

**Health Department:**

F-1 No comments.

**Police Department:**

F-1 No objections.

BR  
APPLICATION for SPECIAL USE PERMIT # 2000-0110

PROPERTY LOCATION: 1605 & 1611 Mount Vernon Avenue

TAX MAP REFERENCE: 43.02-04-02 & 01 ZONE: CL

APPLICANT Name: Alexandria Toyota, Inc.

Address: 1707 Mount Vernon Ave., Alexandria, VA 22301

PROPERTY OWNER Name: Taylor Holdings, L.L.C.

Address: 1704 Mount Vernon Ave., Alexandria, VA 22301

PROPOSED USE: To continue the non-conforming use on the property for motor vehicle parking and storage.

Continuation of a nonconforming 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 notices 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.

Harry P. Hart  
Print Name of Applicant or Agent

Harry P. Hart by mcb  
Signature

HART & CALLEY, P.C.  
Mailing Address

(703) 836-5757 (703) 548-5443  
Telephone # Fax#

307 N. Washington St., Alex. VA 22314  
City and State Zip Code

August 15, 2000  
Date

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

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

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

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

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.

Jack Taylor - 100%

1707 Mt. Vernon Ave.

Alexandria, VA 22301

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 8 1/2" x 14" or smaller. Twenty-four plans 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**

4. 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 seeks to continue the non-conforming use on this property for motor vehicle parking and storage of vehicles for the automobile sales and service of new vehicles on the adjacent property.**



**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,
  - an expansion or change to an existing use with a special use permit,
  - other. Please describe: An continuation of a non-conforming use with a special use permit pursuant to §12-214 of the Alexandria Zoning Ordinance.
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).  
Same as existing use.
  - B. How many employees, staff and other personnel do you expect? Specify time period (i.e. day, hour, or shift).  
Same as existing use.
6. Please describe the proposed hours and days of operation of the proposed use:
- |                              |        |
|------------------------------|--------|
| Day:                         | Hours: |
| <u>Same as existing use.</u> |        |
| _____                        | _____  |
| _____                        | _____  |
| _____                        | _____  |
| _____                        | _____  |
7. Please describe any potential noise emanating from the proposed use:
- A. Describe the noise levels anticipated from all mechanical equipment and patrons.  
Same as existing use.

B. How will noise from patrons be controlled?

Same as existing use.

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

Same as existing use.

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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?

Same as existing use.

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

Same as existing use.

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C. How often will trash be collected?

Same as existing use.

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

Same as existing use.

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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:

NA

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:

NA

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

Same as existing use.

**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.

NA

**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?

Same as existing use.

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

**NA**

\_\_\_\_\_ Standard spaces

\_\_\_\_\_ Compact spaces

\_\_\_\_\_ 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?

NA

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking with 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? NA

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

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

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

NA

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?

Same as existing use.

#### 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?

21,853 sq. ft. (existing) + 0 sq. ft. (addition if any) = 21,853 sq. ft. (total)

21. 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: an existing parking and storage area.

SUP 2000-0110  
 1605-1611 MT. YERNON AV.  
 ALEXANDRIA TOYOTA  
 (FILED BY APPLICANT)

MASON AVENUE  
 (40' WDE)

SUBDIVISION NORTH



N/F HARA ANN BOUGHNII, TR.  
 ZONE: RB  
 LOT 900

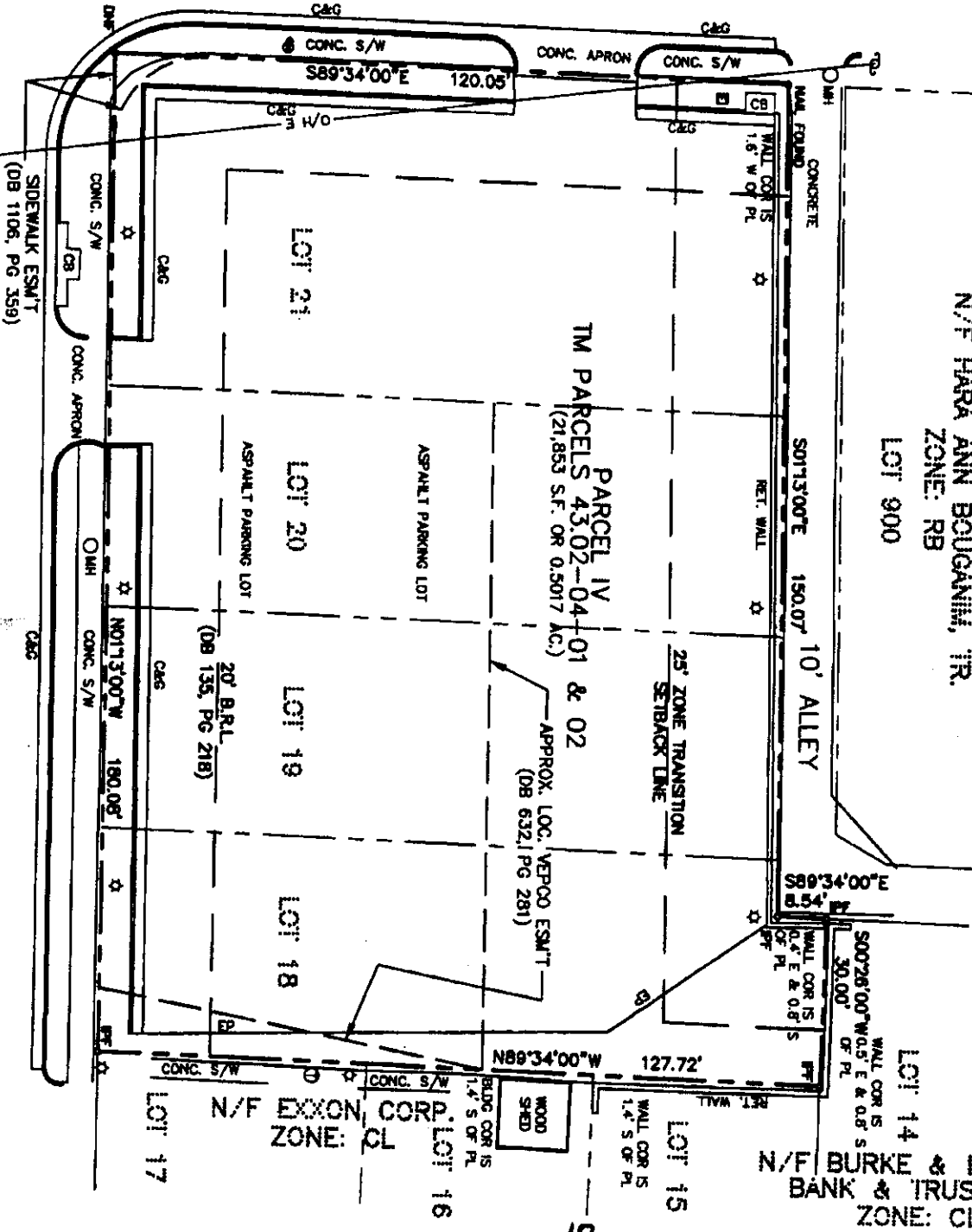
10' ALLEY  
 150.07'

PARCEL IV  
 TM PARCELS 43.02-04-01 & 02  
 (21,853 S.F. OR 0.5017 AC.)  
 APPROX. LOC. VETCO ESM'T  
 (DB 6321 PG 281)

25' ZONE TRANSITION  
 SETBACK LINE

SIDEWALK ESM'T  
 (DB 1106, PG 359)

MT. YERNON AVENUE



N/F EXXON CORP.  
 ZONE: CL  
 LOT 16

N/F BURKE & HERBERT  
 BANK & TRUST CO.  
 ZONE: CL  
 LOT 14

✓ SUP 2000-0110  
SUP 2000-0123

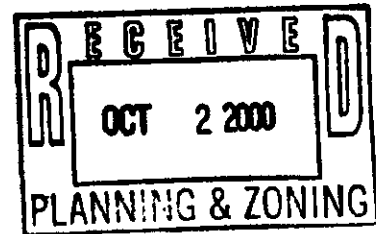
**HART & CALLEY**  
A PROFESSIONAL CORPORATION  
ATTORNEYS AND COUNSELLORS AT LAW  
307 NORTH WASHINGTON STREET  
ALEXANDRIA, VIRGINIA 22314-2557

HARRY P. HART  
CYRIL D. CALLEY  
MARY CATHERINE H. GIBBS  
  
OF COUNSEL  
ROBERT L. MURPHY  
LUIS CHINCHILLA

(703) 836-5757  
FAX (703) 548-5443

1201 CONNECTICUT AVENUE, N.W.  
TWELFTH FLOOR  
WASHINGTON, D.C. 20036

September 28, 2000



Ms. Barbara Ross  
Deputy Director, Planning & Zoning  
City Hall, Room 2100  
Alexandria, VA 22314

Re: SUP Applications for Jack Taylor's Mount Vernon Ave. Site

Dear Ms. Ross:

As requested the following presents further clarification to the current uses of the former Alexandria Toyota site on Mount Vernon Avenue as was presented on the plat attached to our SUP Application for Change in Ownership.

The 1801 site, awarded an SUP for new and used automotive sales and service, has historically been used for that purpose. More recently, it is used primarily for accounting offices and vehicle preparation along with occasional sales and other service. The 1707 site, also awarded an SUP for new and used automotive sales and service, is used for a showroom, new car display, new and used care sales, customer and employee parking, and the service and parts department, including the oil change operation. The 1605-1611 site, the automotive parking and storage lot, is used for employee and customer parking and new car storage.

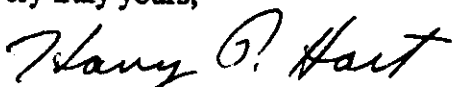
The entire operation includes about 100 employees. Because of the fluidity of the automotive dealership itself, it is difficult to assign a particular number of employees to each site as employees move from one site to the other during each day.

The hours of operation, which are the same as the existing hours under the current SUPs, are 7 a.m. to 6 p.m., Monday through Saturday. Parking is provided for customers and employees on site, about 10-20, and through agreement, employees also park at the Salvation Army site further north on Mount Vernon Avenue. This is the same as the existing parking for the site. The automotive parking and storage lot holds about 100 cars. We request that the SUP permit up to this amount.

Ms. Barbara Ross  
September 28, 2000  
Page 2

If you require additional information, please do not hesitate to contact me.

Very truly yours,

  
Harry P. Hart

VA:UTAYLOR\Rom.928.wpd



INABILITY TEST STRIP

S.E. CORNER - MT. VERNON & MASON

1977

**TOYOTA** **ALEXANDRIA TOYOTA, Inc.** **TOYOTA**  
 1707 Mt. Vernon Ave. Telephone TE 6-2700  
 ALEXANDRIA, VA. 22301

May 6, 1977

Mr. Charles Moore  
 Division Chief, Zoning-Subdivision  
 Box 178 City Hall  
 Alexandria, Va. 22313

Dear Mr. Moore:

The purpose of this letter is to discuss Alexandria Toyota's use of the property located at the South-east corner of Mason Avenue and Mt. Vernon Avenue, formerly known as the Burger Delight property.

Our use of the property is for service car parking only. We feel that the maximum capacity of this lot is between thirty-five and forty cars, however the normal use is between twenty and thirty cars. There will be very few cars, if any, parked on this lot after 7PM because most of our customers pick up their cars before that time.

In no way does our use of this property represent an expansion of the sale or display of our new or used car operation. My employees have been notified not to park or show any new or used car on this lot. If there are any more questions about our use of this lot, I would be happy to answer them in person.

Sincerely,

*Jack Taylor*

Jack Taylor  
 Vice President Alexandria Toyota, Inc.

JT/cg



LEGISLATIVE TEST STRIP

File: SUP Folder



*City of Alexandria, Virginia*

May 10, 1977



All-America City

Mr. Jack Taylor  
Alexandria Toyota, Inc.  
1707 Mt. Vernon Avenue  
Alexandria, Virginia 22313

Dear Mr. Taylor:

I have received your letter of May 6, 1977 concerning the use of the property on the southeast corner of E. Mason Avenue and Mt. Vernon Avenue by Alexandria Toyota.

As I understand from your letter and several telephone conversations with you, you are using the property for Toyota employee parking and customer parking. You do not, nor intend to display or sell new or used automobiles or do any repair work on this property.

It is my opinion that you can use the property on the southeast corner of E. Mason Avenue and Mt. Vernon Avenue for parking of Toyota employee and customer cars without a Special Use Permit with the understanding that this does not include display or sale of automobiles or automobile repair.

Very truly yours,

Charles B. Moore, Jr., Chief  
Zoning & Subdivision Administration

CBM:ifb

Preliminary: ALEXANDRIA TOYOTA STORAGE LOT

APPLICANT: Alexandria Toyota, Inc.  
1801 Mt. Vernon Avenue,  
Alexandria, Virginia 22301

Findings:

1. The applicant proposes to construct a lot for the storage of 88 vehicles, located at the southeast corner of Mt. Vernon Avenue and Mason Avenue.
2. The site area contains 28,863 square feet; zoned C-2.
3. Part of the property is currently being used for the storage of vehicles. The parking will be extended to the east to accommodate the added parking. The proposal shows the vehicular ingress and egress to the site will be from an existing driveway on Mt. Vernon Avenue.
4. To the south of this site is an Exxon station, to the north across Mason Avenue is the Toyota facility, to the east are row dwellings, to the west across Mt. Vernon Avenue are various types of commercial businesses.
5. The proposal shows a 10' chain link fence to be provided along the south, north, and east sides of the property.
6. The applicant is advised by parks that the existing trees on Mt. Vernon Avenue are sycamores.
7. Parks has suggested that the applicant prune and root feed the elm tree before construction begins.

Site Plan Coordinating Committee Recommendations

The Committee recommends approval, subject to all applicable codes and ordinances, and the following conditions:

- (1) Show existing 10" sanitary sewer on Mason Avenue and existing 18" storm sewer on 10' alley. (T&ES)
- (2) Developer to construct curb and gutter on Mason Avenue and connect sidewalk on both adjacent streets. (T&ES)
- (3) Dedicate sidewalk easement for fillet at corner of Mount Vernon and Mason Avenues. (T&ES)
- (4) Show proposed site lighting. Direct away from adjacent streets. (T&ES)
- (5) Remove the osage orange, which is tangling with the 18" elm on the southeast corner of the lot. (Parks)
- (6) Provide elevations at top of wall and elevations of all existing contours. (Bldg.)
- (7) SEE MOTION  
The applicant has agreed with these conditions.

Page 2  
Site Plan No. 82-055  
Alexandria Toyota Storage Lot

Post bond for public improvements before release of site plan. (T&ES)  
Record dedication for sidewalk easement before release of site plan. (T&ES)  
Show bench mark and give description on USC&GS datum. (T&ES)  
Show devices for saving the 18" elm. (Parks)  
Pay final filing fee of \$40 before release of site plan. (SPC)

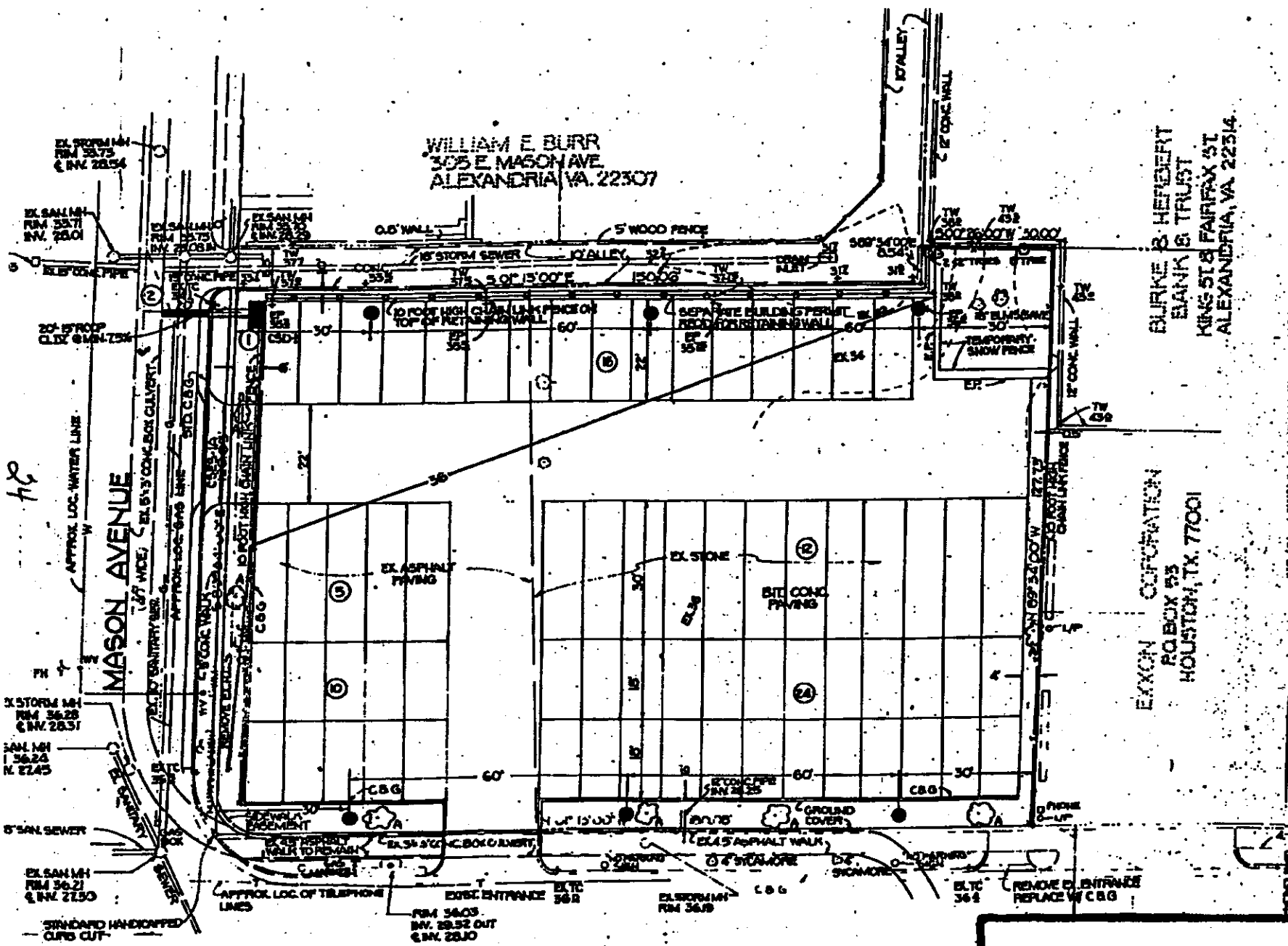
Planning Commission Meeting of December 6, 1982

On motion of Mr. Cockrell, seconded by Mr. Hurd, the Planning Commission approved this site plan, subject to the Site Plan Coordinating Committee recommendations, adding condition number seven (7) that all junked vehicles be removed from the property, subject further to all applicable codes and ordinances. The vote was 7-0.

WILLIAM E. BURR  
305 E. MASON AVE.  
ALEXANDRIA, VA. 22307

BURKE B. HEBBERT  
BLANK S. TRUST  
KING ST & FAIRFAX ST  
ALEXANDRIA, VA. 22314

EXXON CORPORATION  
PO BOX 53  
HOUSTON, TX. 77001



MOUNT VERNON AVENUE  
(60' WIDE)

SITE PLAN #82-055

Planning Commission approved 12/6/82.  
Site Plan Released 8/24/83.



*City of Alexandria, Virginia*

DEPARTMENT OF PLANNING AND ZONING

301 King Street, Room 2100

Alexandria, Virginia 22314

(703) 838-4866

FAX (703) 838-6398

-Certified



August 31, 1998

Mr. Jack Taylor  
Alexandria Toyota, Inc.  
1707 Mount Vernon Avenue  
Alexandria, Virginia 22301

Re: Parking lot at 1605-1611 Mount Vernon Avenue

This is an official mailing to advise you that the parking lot at 1605-1611, at the southeast corner of Mount Vernon Avenue and Mason Street, is a nonconforming use under the City's zoning ordinance. Approved originally under site plan #82-055 on December 6, 1982, it was never made part of the special use permit for the adjacent dealership or repair business which was approved under a series of special use permits by City Council. Being separate from the dealership, the parking lot is considered motor vehicle parking and storage, which requires a special use permit in the CL zone. Because it lacks a special a special use permit, it is nonconforming.

Pursuant to section 12-214 of the zoning ordinance, adopted May 16, 1998, each nonconforming use must receive approval of a special sue permit from City Council within seven years, by July 1, 2005. If a special use permit is not obtained by July 1, 2005, the use must cease operations.

There is no need to wait until 2005, however, to apply for the special use permit. You may file an application with the Department of Planning at the above address now. Planning staff analyzes the application and sends a report to the Planning Commission which holds a public hearing and makes a recommendation to City Council. Council conducts a second public hearing and makes a decision regarding whether the use should be permitted to continue and, if so, whether conditions should be imposed on its operation. The whole process takes approximately six weeks.

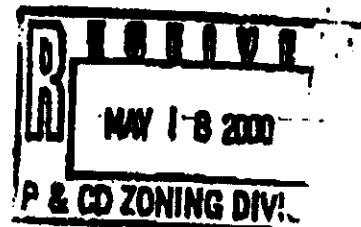
If you have any questions about this matter, please do not hesitate to contact me.

Very truly yours,

  
Barbara Ross  
Deputy Director

cc: Sheldon Lynn

## M E M O R A N D U M



TO: PHILIP SUNDERLAND  
CITY MANAGER

FROM: IGNACIO B. PESSOA  
ACTING CITY ATTORNEY *ZBP*

DATE: MAY 18, 2000

SUBJECT: JACK TAYLOR TOYOTA DEALERSHIP  
ON MOUNT VERNON AVENUE

In response to a recent letter from the Del Ray Citizens Association, you have asked me to review a memorandum we prepared in February 1997, outlining the zoning status of the Jack Taylor Toyota dealership properties on Mount Vernon Avenue.

As you will note from the attached memorandum, three of the properties: 1704, 1707 and 1801-1803 Mount Vernon Avenue, are noncomplying uses, and, under the zoning ordinance, the dealership uses, either by Jack Taylor or another entity, are allowed to continue indefinitely. These uses, however, can be expanded or intensified only by special use permit approval.

One property, 1605-1611 Mount Vernon Avenue, is characterized not as an automobile dealership, but as an automobile storage lot, and is a nonconforming use. Since the February 1997 memorandum was issued, the law applicable to nonconforming uses has been amended. Such uses must now cease operation within seven years from notice from the director of planning and zoning directing the property owner and operator to terminate the use.<sup>1</sup> The abatement period may be extended by special use permit. In addition, unless otherwise authorized by the extension special use permit: (1) no alteration to a building which directly prolongs the life of the nonconforming use is permitted, (2) trade fixtures may not be replaced or upgraded, although ordinary repair and maintenance to such fixtures are permitted, and (3) building components, such as HVAC equipment electrical service etc., may be replaced or upgraded. Zoning Ordinance § 12-214.

## Attachments

<sup>1</sup> I understand from the Department of Planning and zoning that the existing use for 1605-1611 Mount Vernon Avenue, as an automobile storage lot, must terminate by July 1, 2005.

SENT BY:

8-2-0 10:09AM :

703-548-5448-

# 4/ 4

cc: The Honorable Mayor and  
Members of City Council

Michele Evans  
Assistant City Manager

Sheldon Lynn, Director  
Department of Planning and Zoning

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27



#21 SUP 2000-0123 -  
#22 SUP 2000-0110

**ALEXANDRIA SQUARE CONDOMINIUM ASSOCIATION**

November 3, 2000

Mr. William Hurd, Chairman, Planning Commission  
Department of Planning and Zoning  
301 King Street  
City Hall Room 2100  
Alexandria, VA 22314

Dear Mr. Hurd and Members of the Planning Commission:

On behalf of the Alexandria Square Condominium Association, thank you for the opportunity to comment on two applications for special use permits for automobile dealerships in the 1600 and 1700 blocks of Mt. Vernon Avenue. We will be unable to attend the public hearing because our regularly schedule monthly Association meeting meets at the same time as the Commission.

Alexandria Square Condominium Association is an 80-unit condominium on East Duncan and Dewitt Avenues. Our property begins about halfway down East Duncan Avenue from Mt. Vernon Avenue. When our Association was established nine years ago, our immediate neighborhood looked very different. There were many houses - both single and multi-family - in disrepair. On one side of our border we adjoined an aging YMCA and a ball field that had seen better days. We had trouble with nuisance and other, more serious activities in the alleys behind our property. Over the years, there has been some real improvement. And in the last two years, our property values have remained steady, unlike other condominiums in the city.

Still, our immediate neighborhood has not enjoyed the renaissance that other streets in Del Ray have. The presence of an automobile dealership is a depressant to its revitalization. The gateway to Duncan Avenue is an automobile dealership - a crowded parking lot with row upon unrelieved row of chrome and metal on one side, and a garage ribboned in garish, neon orange on the other. Its presence has brought parking pressures: because of the lack of available parking, employees and customers have had no choice but to park on our residential streets. Parking is already at a premium on Duncan Avenue because it is only allowed on one side of the street. Many residents park their cars in their yards, further detracting from the neighborhood's appeal. In the short time Alexandria Toyota has been gone, our communities' vehicular and pedestrian access to Mt. Vernon Avenue has greatly improved, providing an immediate improvement to the quality of life.

It was our hope that when the automobile dealership relocated to Route One, businesses that provide goods and services to the neighborhood would move on. This same vision was articulated in the City's master plan.

An automobile dealership is incompatible with the neighborhood. Its scale is inappropriate. An automobile dealership is an impediment to the revitalization of the neighborhood, and inconsistent with the City's goals for the neighborhood. We urge you to deny the special use permits.

Sincerely,

  
Nicholas Agresti, President  
308B East Duncan Avenue

  
Sharon L. Blades, Vice President  
217B East Duncan Avenue

  
Patricia A.E. Rodgers, Secretary-Treasurer  
217A East Duncan Avenue

#22 SUP 2000-0110

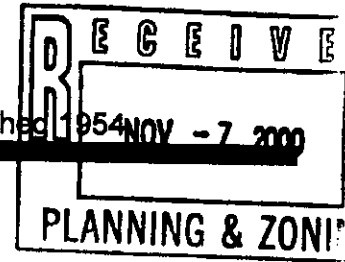
# The Del Ray Citizens Association

P.O. Box 2233

Alexandria, Virginia 22301

eEstablished

1954 NOV - 7 2000



**To:** Honorable Members of City Council  
Members of Alexandria Planning Commission  
Barbara Ross, Acting Director, Department of Planning and Zoning

**From:** Bill Hendrickson, President  
Stephanie Sechrist, Co-Chair, Land Use Committee  
Amy Slack, Co-Chair, Land Use Committee

**Date:** November 5, 2000

**Subject:** SUP# 2000-0110; **Alexandria Toyota Inc.**, request for the continuation of a nonconforming motor vehicle parking and storage lot at 1605-1611 Mount Vernon Avenue.

At our Land Use and Executive Committee meetings on August 30 and September 7, we addressed the subject SUP request for the continuation of the nonconforming use by Alexandria Toyota for parking and storage of new vehicles by a proposed new business, Alexandria Hyundai.

Members of our Land Use Committee met with Mr. Jack Taylor repeatedly to negotiate a compromise on several issues.

At the DRCA membership meeting on September 11, we discussed the subject SUP. Members vigorously debated the pros and cons of Mr. Jack Taylor's automotive uses on the Avenue. Problems of safety and parking were prime topics. These related to employee and service customers parking, and the unloading of auto trailers onto residential streets. Members complained that allowing a dealership with the size and practices of Alexandria Toyota would perpetuate these problems. It was noted that automotive uses were prohibited by the Zoning Ordinance and the 1992 Master Plan, the purpose of which was to allow for redevelopment opportunities along Mount Vernon Avenue. Other concerns related to landscaping, lighting, signage, and adherence to the Mount Vernon Avenue Design Guidelines.

The membership voted to **oppose** any additional SUPs for automotive uses at 1606-1611 Mount Vernon Avenue, SUP#2000-110.

We request your support for this position and welcome your questions and comments. Please feel free to contact Amy Slack at 703-549-3412 or Stephanie Sechrist at 703-548-0536 and Bill Hendrickson at 703-549-7365 (days), 703-519-9410 (evenings).

#21 SUP 2000-0123  
#22 SUP 2000-0110 ✓

**City of Alexandria Website Contact Us -EMail for Barbara Ross  
(barbara.ross@ci.alexandria.va.us)**

**Time: [Tue Nov 07, 2000 21:25:33] IP Address: [216.164.134.89]**

**First Name:** Paul  
**Last Name:** Linehan  
**Street Address:** 401 E. Monroe Ave  
**City:** Alexandria  
**State:** VA  
**Zip:** 22301-1624  
**Email Address:** pml2@erois.com  
City of Alexandria Planning Commission  
November 7, 2000

Special use permit applications #2000-0123 and  
2000-0110  
Alexandria Hyundai / Alexandria Toyota

Honorable Chairman and Members of the  
Alexandria City Planning Commission:

I oppose the special use application for the  
continuation of an automotive use on Mt Vernon  
Avenue for the following reasons:

· The Master Plan. Alexandria City planners have  
already addressed the issue of no automotive  
uses on Mt. Vernon Avenue, as promulgated in  
the City's Master Plan for the Avenue. I have a  
newborn son and would really like to see the  
vision of the City realized within his lifetime - no  
exceptions or grandfathering.

**Comments:** · Objective Decision. Although the applicant is a  
well-known benefactor in Alexandria, the City  
must objectively review this application solely on  
the merits of its use and compliance with the  
City's regulations. Moreover, as it is the present  
owner's stated intention to vacate the premises,  
the City should not even consider him as the  
primary applicant. We cannot risk dealing with an  
unknown entity.

· Concessions = No Credibility. The City will be  
unable to effectively enforce any of its ordinances  
or zoning regulations if it is willing to re-evaluate  
its previous decisions and mandates. To do so,  
would only invite the reassessment of numerous  
issues for every business in dispute with the City.

· Acorn or Oak Tree? Some would argue that the  
current automotive use is better than any void that  
may be created by the dealership vacating the  
location. This pessimistic attitude belies the  
potential of this site. In 1995, a grass roots group

opposed a proposed pizza delivery business at the corners of Mt Vernon and Monroe Avenues. In response to the opposition, the owner threatened to leave the building vacant. However within two years, he eventually remodeled the building and found two appropriate tenants who have been quite successful in leading a true revitalization of the area.

As you formulate your decision, please listen to the people of this area and the sage advice of the planning staff who recognize the potential of this area of Alexandria, and believe in the future vision so rightly endorsed by the City's Master Plan.

Respectfully yours,

Paul Linehan  
401 E. Monroe Ave.

#21 SUP 2000-0123 P.01/02  
#22 SUP 2000-0110 ✓  
11/6/2000

City of Alexandria Planning Commission

References:

1. SPECIAL USE PERMIT #2000-0123  
1707 MT VERNON Ave ALEXANDRIA HYUNDAI

2. SPECIAL USE PERMIT #2000-0110  
1605-1611 MT VERNON AV  
ALEXANDRIA TOYOTA

Dear Members of the Alexandria City Planning Commission:

I am writing in opposition to the non-conforming use of the car dealership and auto repair facility on the property at 1707 and 1605 - 1611 Mount Vernon Avenue. I have lived one block from these properties for the past 59 years and can tell you first hand that our neighborhood has benefited very little from the dealership. The City was right to deny future automotive uses on Mount Vernon in its Master Plan and Zoning Ordinance. I would hope that the City fulfills its commitment and intentions to its citizens by refusing any further automotive uses at this site. Many of my neighbors have been quite disappointed that any potential approval of this site would hold this automotive use in perpetuity.

Furthermore, although I have no personal objection to a person's right to run a business, the dealership knew full well of the situation when it planned its move to U.S. Route One. Was not this the reason for the City to grant an exception to allow the dealership to move from our residential neighborhood?

I would hope and expect that the City enforce its own mandates and kindly deny the applicant in accordance with the Zoning Ordinance and Master Plan. Since the dealership has moved, there has been a remarkable transformation of the neighborhood into an improved, pedestrian friendly area that we -the citizens - have always wanted. Over the many years I have been here, our neighborhood has improved markedly; hence a continuance of the auto dealership would be a severe setback. As a long time resident, I respectfully ask that the City show its support for its citizens who have lived here all their lives.

Thank you for denying this application and protecting our neighborhood, homes, and quality of life

Sincerely yours,

*Mrs. Theresa L. Allen*  
Ms. Theresa L. Allen  
316 E. Monroe Avenue

Mr. Chairman and Planning Commission Members:

With regard to special use permit applications #2000-0123 and 0110 from an auto dealership on Mount Vernon Avenue; I would like to remind the City that this property is the gateway to Del Ray. If I remember correctly, the 1992 Master Plan states that no more automobile sales and service facilities are to be allowed on Mount Vernon Avenue.

When the Toyota dealership was granted a special exception to move from Mount Vernon Avenue to Route One, they also gave up their right to use this property as an automobile business, and the City was kind enough to support this move to assist the dealership in complying with the "non-automotive use" guideline.

Since they moved, it has been great not to have all the traffic and parked cars congesting our streets. The area is safer and easier for all to access shops along the Avenue.

I ask you to reject the special use permit for both the sales and service facilities and the parking. The time to fulfill the desires of the citizens and the City is now.

I am currently 84 years old, and have lived here for over 49 years. I would love to see the Avenue progress into its intended use and vision. Therefore, I also ask you to help us find a new conforming business for this space.

Thank You,

*Kate W. Daniels*

Kate Daniels  
320 E. Monroe Ave.,  
Alexandria, VA 22301

# Y Partners

Alexandria YMCA  
430 5th Marine Avenue  
Alexandria, VA 22304  
on 703-534-0222  
or 703-534-0700  
www.ymca.org/VA/ALX

#22 SUP 2000-0110  
submitted at 11-9-00  
P.C. mtg.

November 8, 2000

The Alexandria City Council  
The Alexandria Planning Commission  
P.O. Box 178  
Alexandria, VA 22313

Dear Members:

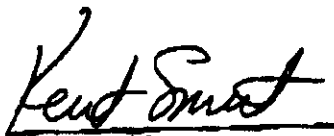
We are writing on behalf of the Alexandria YMCA regarding the use of the Jack Taylor properties on Mount Vernon Avenue in Del Ray.

YMCA representatives previously approached Mr. Taylor about the possibility of acquiring or leasing one of the properties in order to consider a program/activity center for additional Y programs.

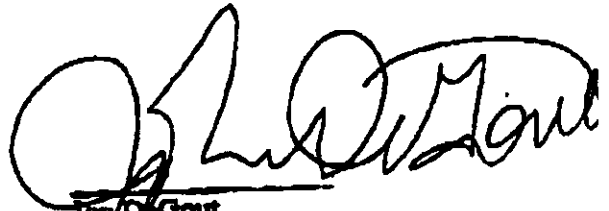
We were informed at the time that Mr. Taylor was not interested in splitting the property and that he preferred a single lessor with a single use.

If the property becomes available for alternative uses, then the YMCA would like to renew its discussion with Mr. Taylor about the possibility of securing one of the properties for such use.

Sincerely,



Keith Smith  
Chairman  
Committee of Management



Jon DeGout  
Executive Director

YMCA of Metropolitan Washington. We build strong kids, strong families, strong communities.



# SPEAKER'S FORM

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK  
BEFORE YOU SPEAK ON A DOCKET ITEM.**

DOCKET ITEM NO. 11213

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: Bud Hart

2. ADDRESS: \_\_\_\_\_

3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? \_\_\_\_\_

applicant

4. WHAT IS YOUR POSITION ON THE ITEM?

FOR:  AGAINST: \_\_\_\_\_ OTHER: \_\_\_\_\_

5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):

\_\_\_\_\_

6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL? YES \_\_\_\_\_ NO \_\_\_\_\_

This form shall be kept as a part of the Permanent Record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of 5 minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the City Clerk.

Additional time, not to exceed 15 minutes, may be obtained with the consent of the majority of the Council present, provided that notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at Public Hearing Meetings, and not at Regular Meetings. Public Hearing Meetings are usually held on the Saturday following the second Tuesday in each month; Regular Meetings are regularly held on the Second and Fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item can be waived by a majority vote of Council members present, but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at Public Hearing Meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a Public Hearing Meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

## Guidelines for the Public Discussion Period

- All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- No speaker will be allowed more than 5 minutes, and that time may be reduced by the Mayor or presiding member.
- If more than 6 speakers are signed up or if more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30-minute public discussion period.
- If speakers seeking to address Council on the same subject cannot agree on a particular order or method that they would like the speakers to be called, the speakers shall be called in the chronological order of their request forms' submission.
- Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.

11

APPLICATION for SPECIAL USE PERMIT # 2000-0110

PROPERTY LOCATION: 1605 & 1611 Mount Vernon Avenue

TAX MAP REFERENCE: 43.02-04-02 & 01 ZONE: CL

APPLICANT Name: Alexandria Toyota, Inc.

Address: 1707 Mount Vernon Ave., Alexandria, VA 22301

PROPERTY OWNER Name: Taylor Holdings, L.L.C.

Address: 1704 Mount Vernon Ave., Alexandria, VA 22301

PROPOSED USE: To continue the non-conforming use on the property for motor vehicle parking and storage.

*Continued from page 1*

**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 notices 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.

Harry P. Hart  
Print Name of Applicant or Agent

*Harry P. Hart by mcb*  
Signature

HART & CALLEY, P.C.  
Mailing Address

(703) 836-5757 (703) 548-5443  
Telephone # Fax#

307 N. Washington St., Alex. VA 22314  
City and State Zip Code

August 15, 2000  
Date

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

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

ACTION - PLANNING COMMISSION: 11/09/00 Recommend Denial 7-0

ACTION - CITY COUNCIL: 11/18/00PH -- See attached.

**01/13/01PH -- CC approved the amendment to Special Use Permit #2000-0110 to change the name of the applicant to Alexandria Hyundai LLC and John E. Taylor, Jr.**

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)

Planning Commission (continued)

Acting Planning and Zoning Director Ross indicated that would do.

City Council approved the Planning Commission recommendation, with the following amendments: Condition #7 was amended to read: "7. No vehicles, under the control of the applicant, shall be displayed, parked, or stored on a public right-of-way, including without limitation sales or repair vehicles."; Condition #9 was amended to read: "9. There shall be no parking or storing of automobiles, under the control of the applicant, on Duncan Avenue or Mason Avenue or road testing of automobiles on these streets at any time."; Condition #14 to read as was agreed to by Mr. Hart and Ms. Ross, which is: "14. The number of vehicles allowed to be parked in the parking lot shall be in accord with a plan that is submitted and approved by the appropriate city agencies."; and approved, #13, as written, with the understanding that the representation has been made that the applicant will consult with the appropriate neighborhood groups.

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

- 26. SPECIAL USE PERMIT #2000-0110  
1605-1611 MT VERNON AVENUE  
ALEXANDRIA TOYOTA

Public Hearing and Consideration of a request for a special use permit for the continuation of a nonconforming motor vehicle parking and storage lot, zoned CL/Commercial Low. Applicant: Alexandria Toyota Inc., by Harry P. Hart, attorney.

COMMISSION ACTION: Recommend Denial 7-0

City Council overturned the Planning Commission recommendation and approved the special use permit, subject to compliance with all applicable codes, ordinances and staff recommendations, with the added condition #13 to read as follows: "13. Within 10 years from the approval of this special use permit, the applicant shall file an application for extension of this permit, and the continuance of this use shall be reviewed by the Planning Commission and the City Council."

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

ORDINANCES AND RESOLUTIONS

- 27. Public Hearing, Second Reading and Final Passage of an Ordinance to amend Section 2-4-100 and Section 2-4-101 of the City Code to conform the composition and responsibility of the Alexandria Community Criminal Justice Board to recent changes in state law. (#14 11/14/00) [ROLL-CALL VOTE]

City Council finally passed the ordinance on its Second Reading and Final Passage.  
ORD. NO. 4170

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