

EXHIBIT NO. 1

DOCKET ITEM #2

**Special Use Permit #2009-0070**

**BMW of Alexandria - 499 South Pickett Street**

4  
1-23-10

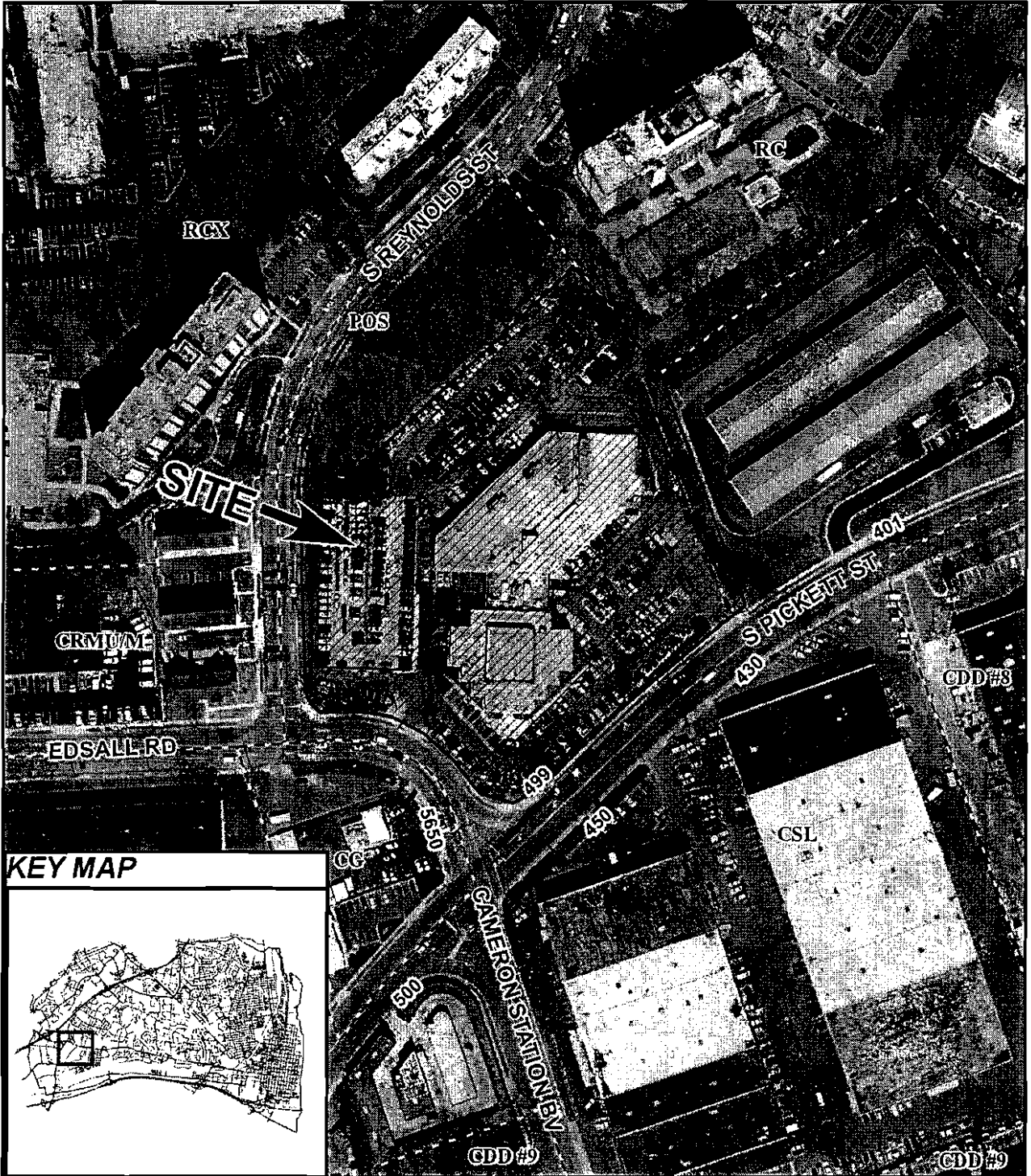
| Application   | General Data                        |                            |
|---|-------------------------------------|----------------------------|
| <b>Request:</b><br>Consideration of a request to amend the hours of operation at an existing automobile sales and service business. | <b>Planning Commission Hearing:</b> | January 5, 2010            |
|   | <b>City Council Hearing:</b>        | January 23, 2010           |
| <b>Address:</b><br>499 South Pickett Street   | <b>Zone:</b>                        | CSL/Commercial Service Low |
| <b>Applicant:</b><br>AV Automotive Munich, LLC  | <b>Small Area Plan:</b>             | Landmark/Van Dorn          |

**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

**Staff Reviewers:** Nathan Randall [nathan.randall@alexandriava.gov](mailto:nathan.randall@alexandriava.gov)

**PLANNING COMMISSION ACTION JANUARY 5, 2010:** On a motion by Mr. Dunn, seconded by Ms. Fossum, the Planning Commission voted to recommend approval of the request, retaining Condition #16, and 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 staff analysis and, upon clarification by staff, wanted to retain Condition #16 to limit the height and size of flags.



SUP #2009-0070

01/05/10



## I. DISCUSSION

### REQUEST

The applicant, AV Automotive Munich, LLC, requests special use permit amendment to extend the hours of operation for a new BWM automobile sales and service dealership located at 499 South Pickett Street.

### SITE DESCRIPTION

The subject property is two lots of record that when combined have approximately 347 feet of frontage on South Pickett Street, approximately 303 feet of frontage on South Reynolds Street, approximately 278 feet of frontage on Edsall Road, and a total lot area of approximately five acres. The site is developed with two buildings, one that houses the automobile showroom and automobile repair garage and a second which functions primarily as a parking structure.



The surrounding area is occupied by a mix of industrial, commercial, and residential uses. Immediately to the north is City-owned parkland and a residential apartment building. To the south is a restaurant and an industrial park complex. To the east is a self-storage business and west is a residential apartment building.

### BACKGROUND

On January 18, 1986, City Council granted Special Use Permit #1859 and #1859-A to Oliver T. Carr and Temple Motor Company for the operation of an automobile sales and service business. On September 16, 2000, City Council granted Special Use Permit # 2000-0093 to a new owner, Koons of Alexandria, for the expansion of the business. The ownership of the business has changed twice in the past few years, most recently on September 22, 2009, when staff administratively approved Special Use Permit #2009-0049 to change ownership of the business to AV Automotive Munich, LLC.

Alexandria Pontiac Buick GMC has been closed since April 2009 and the new BMW dealership has not yet opened for business.

PROPOSAL

The applicant seeks an amendment to Condition #3 of SUP#2009-0049 to extend the weekend hours of operation of the existing automobile sales and repair shop. The closing hour on Saturday would extend from the current 6:00pm to 9:00pm. The business is currently not permitted to operate on Sundays. The applicant proposed new Sunday hours of 12:00 noon until 6:00pm. No other changes to the operation of the business are proposed.

Current Hours: Monday-Friday: 7:00am – 9:00pm  
Saturday: 9:00am – 6:00pm  
Sunday: Closed

Proposed Hours: Monday-Friday: 7:00am – 9:00pm  
Saturday: 9:00am – 9:00pm  
Sunday: 12:00 noon – 6:00pm

Customers: Approximately 100/day

Employees: Between 90-100 weekdays, fewer on weekends

Noise: Minor noise is expected but operation will remain in compliance with SUP conditions.

Trash/Litter: Trash will be collected twice/week, used motor oil kept in approved container and emptied bi-weekly by mobile service.

PARKING

The applicant will continue to provide up to 528 spaces for vehicles as shown in its parking plan from SUP#2000-0093 which is part of the application for the current request.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CSL/Commercial service low zone. Section 4-303(B) of the zoning ordinance allows an automobile sales and service business in the CSL zone only with a special use permit.

The proposed use is consistent with the Landmark/Van Dorn Small Area Plan chapter of the Master Plan which designates the property for commercial service uses.

## II. STAFF ANALYSIS

Staff does not object to the applicant's request to extend hours of operation for the automobile sales and service business located at 499 S. Pickett Street. The subject use has existed in this location for many years and is reasonable and appropriate for the surrounding area. While the use presents some potential for neighborhood impacts, staff has carried forward the prior conditions of approval with only minor changes. These conditions should mitigate any potential impacts.

Staff finds that the additional hours of operation proposed by the applicant are reasonable. In reaching this finding, staff has compared the proposal to the three other automobile sales and service businesses in the vicinity. Landmark Honda, Mercedes-Benz of Alexandria, and Passport Nissan/Infiniti all have hours generally consistent with the applicant's proposal.

The applicant has shared with staff his intent to give property an attractive face-lift in the near future. Staff has some concern regarding the landscaping and signage on the property and believes that these items should be improved whether or not they are already part of the applicant's preliminary plans. Staff has required minimum landscaping improvements in Condition #25 and is encouraged that the applicant has agreed to work cooperatively with staff to improve on-site landscaping even further. With regard to signage, staff believes that the current three freestanding signs on the property are inappropriate with regard to size and height. As required for other automobile dealerships in the vicinity, staff has included a new Condition #38 stipulating that the existing signs should be replaced with an attractive sign package that incorporates monument-type signage.

Staff would also like to note that it has deleted certain conditions in this report that are no longer necessary or that are already covered by City Code or other applicable codes.

Subject to the conditions contained in Section III of this report, staff recommends approval of the Special Use Permit request.

## III. RECOMMENDED CONDITIONS

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 or to any corporation in which the applicant has a controlling interest only. (P&Z) (SUP #1859)
2. No repair work shall be done outside. All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (P&Z) (T&ES) (SUP#2009-0049)

3. **CONDITION AMENDED BY STAFF:** The hours of operation shall be restricted to between 7:00 a.m. and 9:00 p.m., Monday through Friday, ~~and from 9:00 a.m. to 6:00~~ 9:00 p.m. on Saturday, and from 12:00 noon to 6:00 p.m. on Sunday. (P&Z) (~~SUP #1859~~)
4. No junked, abandoned, or stripped vehicles shall be displayed, parked or stored outside. (P&Z) (SUP#2009-0049)
5. No vehicle parts, tires or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (P&Z)(T&ES) (SUP #1859)
6. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)(T&ES) (SUP #1859)
7. Condition deleted. (SUP 2000-0093)
8. No banners, flags (other than City, State and national flags), streamers, balloons or other unfixed signs or moving objects shall be used for advertising purposes or displayed on the premises outside the main building. Signs advertising the general business conducted on the premises may be displayed in accordance with Article IX, Section 9-100 of the Zoning Ordinance of the City of Alexandria. (P&Z) (SUP#2009-0049)
9. The garage doors shall be kept closed except when moving a vehicle into or out of the building so all noise is kept inside from air guns and other equipment used in repair facility. (T&ES)(P&Z) (SUP #1859)
10. **CONDITION DELETED BY STAFF (REQUIRED BY CODE):** ~~All noise, air pollution and other codes shall be completely complied with at all times. (T&ES) (SUP #1859)~~
11. Condition deleted. (SUP#2009-0049)
12. No outside public address system shall be utilized at any time. (PC) (SUP #1859)
13. All lights on the property shall be directed away from residential uses. (PC) (SUP #1859)
14. All vehicles parked on the site shall be parked in a neat and orderly fashion at all times. (PC) (SUP #1859)
15. **CONDITION DELETED BY STAFF:** ~~A security fence, having a minimum height of six feet, shall be constructed in a location to be agreed upon by the applicants and city staff. (PC) (SUP #1859)~~

16. **CONDITION RETAINED BY PLANNING COMMISSION:** City, State and national flags shall be no larger than five feet by six feet (5' x 6') for each flag, and the flag poles shall be no higher than 35 feet from ground level. (PC) (SUP #1859)
17. All lights not required for illumination by City ordinance or not required for security purposes shall be turned off from 9:30 p.m. to dawn. (PC) (SUP #1859)
18. **CONDITION DELETED BY STAFF:** ~~The repair facility shall be subject to health department approval prior to operation. (PC) (SUP #1859)~~
19. The applicant shall conduct no loading or unloading of vehicles on the public right-of-way at any time. (PC) (SUP #1859)
20. The applicant shall provide employee and customer parking as needed, and as indicated by the number of spaces (but not necessarily the location of the spaces) on its revised plan dated August 18, 2000. (SUP2000-0093)
21. **CONDITION AMENDED BY STAFF:** All loading and unloading of vehicles shall take place on-site and only during operating hours ~~no earlier than 7:00 a.m. and no later than 9:00 p.m.~~ (PC) (P&Z) (SUP #1859)
22. The applicant agrees to place appropriate traffic signage along Edsall Road to satisfaction of Transportation and Environmental Services. (PC) (SUP #1859)
23. Sales personnel shall refrain from using neighboring private property for purposes of demonstrating automobiles. (PC) (SUP #1859)
24. Condition deleted. (SUP#2000-0093)
25. **CONDITION AMENDED BY STAFF:** The applicant shall maintain the landscaping on the site in good condition and shall replace any dead or missing plantings, including trees and shrubs along its South Reynolds Street, and Edsall Road, and South Pickett Street frontages with comparable stock. Work shall be completed within 6 months of City Council approval, to the satisfaction of the Directors of RP&CA and P&Z. (P&Z) ~~(RP&CA) (SUP2000-0093)~~
26. **CONDITION CONTINUED BY STAFF:** The applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 for a security survey and robbery awareness program for all employees. This is to be completed prior to opening for business. (Police) (SUP#2009-0049)
27. **CONDITION DELETED BY STAFF:** ~~The applicant shall store vehicle keys in a safe location. (Police)(SUP2000-0093)~~

antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and shall not be discharged into the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP#2005-0046)

29. The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-746-4065. (T&ES) (SUP#2009-0049)
30. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP#2009-0049)
31. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP#2005-0046)
32. **CONDITION AMENDED BY STAFF:** The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. The applicant shall encourage its employees to use mass transit or to carpool when traveling to and from work, by posting information regarding DASH and METRO routes, the location where fare passes for transit are sold, and advertising of carpooling opportunities. (P&Z) (SUP#2005-0046)
33. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP#2005-0046)
34. The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES) (SUP#2005-0046)



35. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP#2005-0046)
36. Car wash discharges resulting from a commercial operation shall not be discharged into a storm sewer. The car washing equipment shall be operated during business hours only. (SUP#2009-0049)
37. Condition deleted. (SUP#2009-0049)
38. **CONDITION ADDED BY STAFF:** The applicant shall remove all existing freestanding signs on site and shall submit a comprehensive sign plan for new signage to the Director of Planning & Zoning for review and approval. The comprehensive sign plan shall include all signage on site, including any wall-mounted or freestanding signs. Any freestanding sign(s) shall be monument-type signs that are ground-mounted. (P&Z)

STAFF: Barbara Ross, Deputy Director, Department of Planning and Zoning;  
Nathan Randall, Urban Planner.

---

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.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 The applicant shall require its employees who drive to use off-street parking and provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES) (SUP2009-00049)
- R-2 Car wash discharges resulting from a commercial operation shall not be discharged into a storm sewer. The car washing equipment shall be operated during business hours only. (T&ES) (SUP2009-00049)
- R-3 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. (T&ES) (SUP2009-00049)
- R-4 The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065. (T&ES) (SUP2009-00049)
- R-5 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (SUP2009-00049)
- R-6 All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (T&ES) (SUP2009-00049)
- R-7 The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Enforcement. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES) (SUP2009-00049)
- R-8 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2009-00049)
- R-9 All loading and unloading of vehicles shall take place no earlier than 7:00am and no later than 9:00pm. (T&ES) (SUP2009-00049)

- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 519-3486, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form.

- C-2 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. (T&ES)

Code Enforcement:

- F-1 No Comment

Health Department:

- F-1 No Comment

Parks and Recreation:

- R-1 The applicant shall maintain the landscaping on site in good condition and shall replace any dead or missing plantings, including trees and shrubs along its South Reynolds Street, Edsall Road, and South Pickett Street frontages with comparable stock. Work shall be completed within 6 months of City Council approval, to the satisfaction of the Directors of RP&CA and P&Z. (RP&CA)

- C-1 Property owner shall control weeds along public sidewalks, curb lines and within tree wells which are within 12 feet of the owners front property line. (City Ord. No. 2698, 6/12/82, Sec. 2; Ord. No. 2878, 11/12/83, Sec. 1)

Police Department:

- R-1 Condition #26 of SUP 2009-0049 directed the applicant to call the Alexandria Police Department and have a security assessment of the business completed. As of November 16, 2009, the Police Department has no records of the assessment being conducted. Therefore, the applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security assessment of the business.

- F-1 The Police Department has no objections to the amended hours of operation for the automotive business.

# REVISED



## APPLICATION

## SPECIAL USE PERMIT

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

PROPERTY LOCATION: 499 South Pickett Street

TAX MAP REFERENCE: 050-03-01-06 58-01-02 ZONE: CSL

**APPLICANT:**

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

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

PROPOSED USE: Automotive Dealership - Sales & Service Facility

**THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

|  |                    |                                |                      |
|--|--------------------|--------------------------------|----------------------|
| AV Automotive Munich, LLC                        |                    |                                |                      |
| by: <u>Jerry H. Griffin, Esq. VICE PRESIDENT</u> |                    | <u>[Signature]</u>             |                      |
| Print Name of Applicant or Agent                 | <u>SECRETARY</u>   | Signature                      | Date <u>10-21-09</u> |
| <u>1100 S. Glebe Road</u>                        | <u>VSB # 29369</u> | <u>703-553-4300</u>            | <u>703-553-8435</u>  |
| Mailing/Street Address                           |                    | Telephone #                    | Fax #                |
| <u>Arlington, VA 22204</u>                       |                    | <u>legal@rosenthalauto.com</u> |                      |
| City and State                                   | Zip Code           | Email address                  |                      |

|                                    |              |
|------------------------------------|--------------|
| <b>ACTION-PLANNING COMMISSION:</b> | <b>DATE:</b> |
| <b>ACTION-CITY COUNCIL:</b>        | <b>DATE:</b> |

SUP # 2009-0070

**PROPERTY OWNER'S AUTHORIZATION**

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

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

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached.

Requesting a waiver. See attached written request.

2. The applicant is the (check one):

Owner

Contract Purchaser

Lessee or

Other: \_\_\_\_\_ of the subject property.

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

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

**PROPERTY OWNER'S AUTHORIZATION**

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

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Please Print

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

Required floor plan and plot/site plan attached. (attached as exhibit "A")

Requesting a waiver. See attached written request.

2. The applicant is the (check one):

Owner

Contract Purchaser

Lessee or

Other: \_\_\_\_\_ of the subject property.

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

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

(\*percentages are approximate)

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?  
Applicant's related entities (Landmark Honda and Audi of Alexandria) currently have business licenses. Applicant will obtain a  
 **Yes.** Provide proof of current City business license license at such time as operations begin.  
 **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

**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. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

SUP #2009-0049 was approved and granted to applicant on September 23, 2009.

Applicant is seeking to modify/amend condition #3 to extend hours of operation  
from current 9:00am to 6:00pm on Saturdays to 9:00am to 9:00pm on Saturdays,  
and permit operating hours on Sundays from 12:00pm to 6:00pm. No other changes  
to hours of operation, or changes to any other condition of SUP #2009-0049  
are proposed. Applicant attaches hereto as exhibit "B" a copy of SUP#2009-0049.

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

**USE CHARACTERISTICS**

- 4. The proposed special use permit request is for (check one):
  - a new use requiring a special use permit,
  - an expansion or change to an existing use without a special use permit,
  - an expansion or change to an existing use with a special use permit,
  - other. Please describe: \_\_\_\_\_

5. Please describe the capacity of the proposed use:

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

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

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

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

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

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

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

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

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



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

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

9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

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

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

1 dumpster full per week

C. How often will trash be collected?

twice a week.

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

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

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

Yes.                       No.

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

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

Yes.       No.

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

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

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

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

**ALCOHOL SALES**

13.

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

Yes       No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

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

**PARKING AND ACCESS REQUIREMENTS**

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

Planning and Zoning Staff Only

Required number of spaces for use per Zoning Ordinance Section 8-200A \_\_\_\_\_

Does the application meet the requirement?  
 Yes  No

- B. Where is required parking located? (check one)
- on-site  
 off-site
- If the required parking will be located off-site, where will it be located?  
 N/A

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

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.
- Parking reduction requested; see attached supplemental form

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

- A. How many loading spaces are available for the use? \_\_\_\_\_

Planning and Zoning Staff Only

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

Does the application meet the requirement?  
 Yes  No

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

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

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

Approximately once per week

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Existing access is adequate

**SITE CHARACTERISTICS**

17. Will the proposed uses be located in an existing building?  Yes  No

Do you propose to construct an addition to the building?  Yes  No

How large will the addition be? \_\_\_\_\_ square feet.

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

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

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

a stand alone building

a house located in a residential zone

a warehouse

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

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

other. Please describe: two stand alone buildings

End of Application



# APPLICATION - SUPPLEMENTAL

## AUTOMOBILE-ORIENTED USES

**Supplemental information to be completed by applicants requesting special use permit approval of an automobile-oriented use (e.g., automobile repair garage, car wash, auto or trailer sales).**

1. What type of automobile oriented use do you propose?

- automobile or motor vehicle parking or storage lot.
- automobile or trailer rental or sales.
- automobile service station.
- automobile repair, including car wash.
- other: \_\_\_\_\_

2. What types of repairs do you propose to perform?

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

\_\_\_\_\_

\_\_\_\_\_

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

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

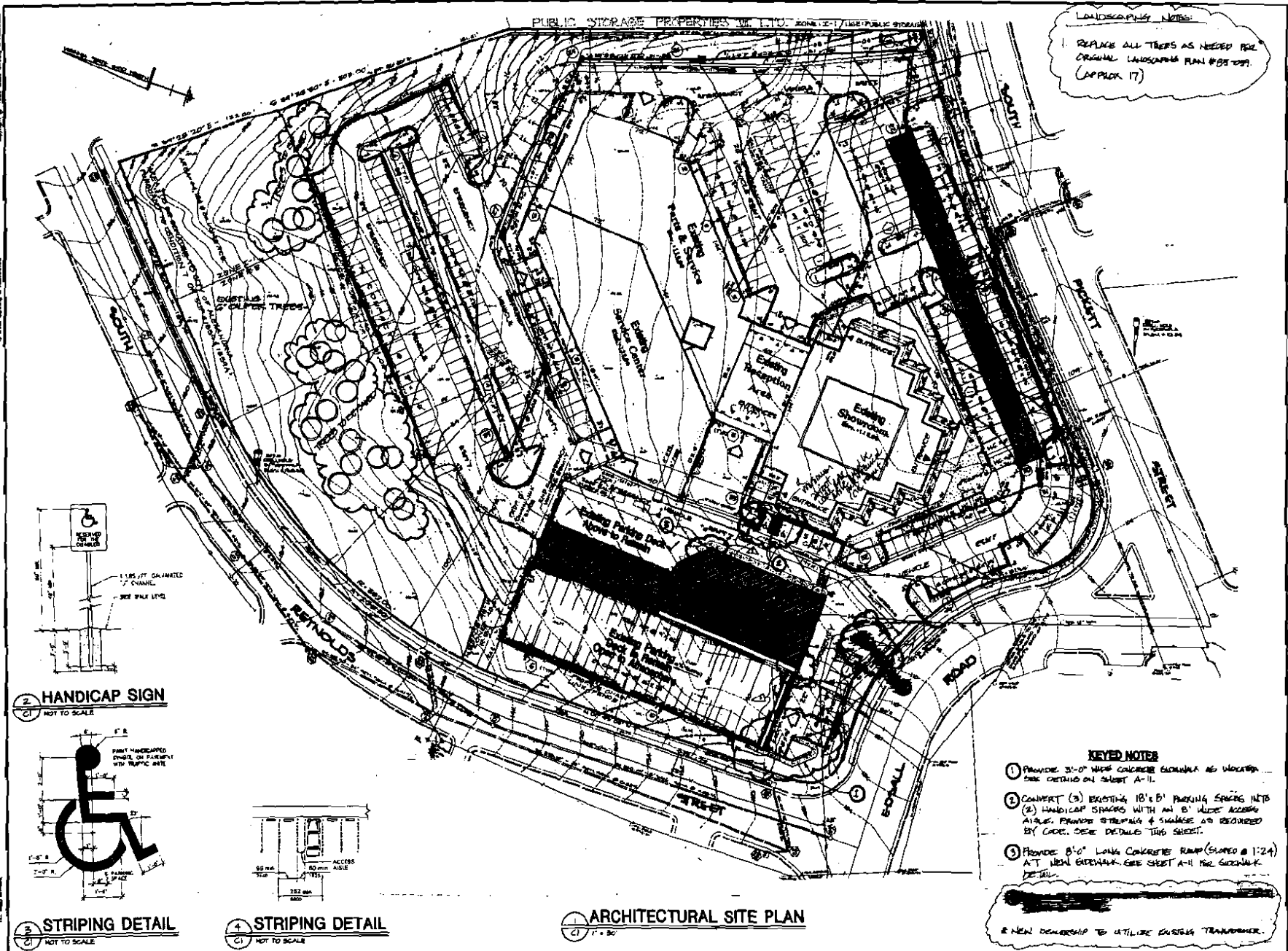
5. Will a loudspeaker or intercom system be used outside of the building? \_\_\_\_\_ Yes  No

**Please note: All repair work must occur within an enclosed building.**

LANDSCAPING NOTES:

1. REPLACE ALL TREES AS NEEDED PER ORIGINAL LANDSCAPING PLAN #05-1091. (APPENDIX 17)

ALL TREE REMOVALS, INCLUDING THE REMOVAL OF TRUNKS, SHALL BE ACCORDING TO THE CITY OF ALEXANDRIA'S TREE REMOVAL PERMITS. THE PERMITS FOR TREE REMOVAL SHALL BE OBTAINED BY THE PROPERTY OWNER PRIOR TO THE START OF CONSTRUCTION. THE PERMITS SHALL BE MAINTAINED ON THE PROJECT THROUGHOUT CONSTRUCTION. ALL TREE REMOVALS SHALL BE ACCORDING TO THE CITY OF ALEXANDRIA'S TREE REMOVAL PERMITS. THE PERMITS FOR TREE REMOVAL SHALL BE OBTAINED BY THE PROPERTY OWNER PRIOR TO THE START OF CONSTRUCTION. THE PERMITS SHALL BE MAINTAINED ON THE PROJECT THROUGHOUT CONSTRUCTION.



**CIA**  
CROSS DUNNING & ASSOCIATES  
ARCHITECTS AND PLANNERS

1415 W. HIGHLAND DRIVE, SUITE 400, CHARLETTESVILLE, VIRGINIA 22911  
(540) 528-0700 FAX (540) 528-0706



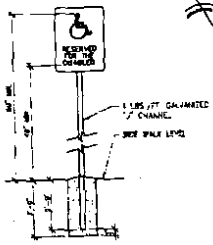
ARCHITECTURAL SITE PLAN  
PROPOSED KOONS MITSUBISHI  
ALEXANDRIA, VIRGINIA

Date: 7-17-00  
Revisions:  
A 11-28-00

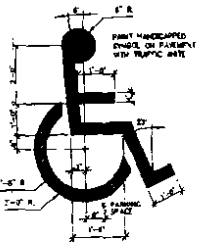
Scale: 1"=20'  
Sheet No.: 01

- KEYED NOTES:**
1. PROVIDE 3'-0" WIDE CONCRETE SIDEWALK AS LOCATED. SEE DETAILS ON SHEET A-11.
  2. CONVERT (3) EXISTING 18'x8' PARKING SPACES INTO (2) HANDICAP SPACES WITH AN 8' WIDE ACCESS AISLE. PROVIDE STRIPING & SIGNAGE AS REQUIRED BY CODE. SEE DETAILS THIS SHEET.
  3. PROVIDE 8'-0" LONG CONCRETE RAMP (SLOPED @ 1:24) AT NEW ENTRANCE. SEE SHEET A-4 FOR SIDEWALK DETAILS.

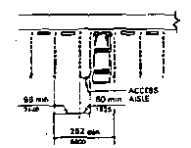
• NEW OWNERSHIP TO UTILIZE EXISTING TRANSFORMER.



2 HANDICAP SIGN  
C1 NOT TO SCALE



3 STRIPING DETAIL  
C1 NOT TO SCALE



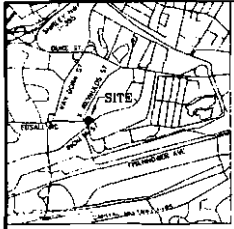
4 STRIPING DETAIL  
C1 NOT TO SCALE

1 ARCHITECTURAL SITE PLAN  
C1 1"=20'

22

TM 58.00-01-03  
CITY OF ALEXANDRIA  
(DB 1257, PG 1970)  
ZONE: PCS

TM 58.00-01-04  
BANKER-VIRGINIA, ASSOC. LP  
(DB 1257, PG 3003)  
ZONE: PC



**VICINITY MAP**

**METES & BOUNDS DESCRIPTION**

BEGINNING AT A POINT BEING THE POINT OF TANGENCY OF THE RETURN FROM THE NORTHERLY RIGHT-OF-WAY OF EDSALL ROAD (70' WIDE) TO THE EASTERLY RIGHT-OF-WAY OF SOUTH REYNOLDS STREET (80' WIDE);

THENCE FOLLOWING THE EASTERLY RIGHT-OF-WAY OF SOUTH REYNOLDS STREET, NORTH 01°50'00" WEST, 308.89 FEET TO A POINT OF CURVATURE;

THENCE FOLLOWING THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS IS 380.00 FEET AND WHOSE CHORD BEARING AND CHORD ARE NORTH 02°24'52" EAST, 384.88 FEET RESPECTIVELY FOR AN ARC DISTANCE OF 164.54 FEET TO A POINT;

THENCE DEPARTING FROM THE EASTERLY RIGHT-OF-WAY OF SOUTH REYNOLDS STREET AND FOLLOWING THE SOUTHERLY LINE OF LOT 600, BEING THE LAND OF THE CITY OF ALEXANDRIA, NORTH 85°00'46" EAST, 46.50 FEET TO A POINT;

THENCE NORTH 89°40'00" EAST, 388.78 FEET TO A POINT LYING ON THE SOUTHERN LINE OF BANKER VIRGINIA ASSOCIATES LTD. PARTNERSHIP, SOUTH STREET EAST, 181.70 FEET TO A POINT BEING THE SOUTHWEST CORNER OF PUBLIC STORAGE PROPERTIES VII;

THENCE FOLLOWING THE SOUTHERLY LINE OF PUBLIC STORAGE PROPERTIES VII, SOUTH 20°30'00" EAST, 304.88 FEET TO A POINT LYING ON THE NORTHERLY RIGHT-OF-WAY OF SOUTH PICKETT STREET (70' WIDE);

THENCE FOLLOWING THE NORTHERLY LINE OF SOUTH PICKETT STREET WITH THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS IS 138.00 FEET AND WHOSE CHORD BEARING AND CHORD ARE SOUTH 81°02'48" WEST, 872.53 FEET RESPECTIVELY FOR AN ARC DISTANCE OF 215.84 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 89°00'00" WEST, 148.00 FEET TO A POINT OF CURVATURE OF THE RETURN TO THE NORTHERLY RIGHT-OF-WAY OF EDSALL ROAD (70' WIDE);

THENCE FOLLOWING SAID RETURN WITH THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS IS 30.00 FEET AND WHOSE CHORD BEARING AND CHORD ARE NORTH 80°58'00" WEST, 78.25 FEET RESPECTIVELY FOR AN ARC DISTANCE OF 31.44 FEET TO A POINT OF REVERSE CURVATURE LYING ON THE NORTHERLY RIGHT-OF-WAY OF EDSALL ROAD (70' WIDE);

THENCE FOLLOWING THE NORTHERLY RIGHT-OF-WAY OF EDSALL ROAD WITH THE ARC OF A CURVE TO THE LEFT WHOSE RADIUS IS 187.94 FEET AND WHOSE CHORD BEARING AND CHORD ARE NORTH 80°27'53" WEST, 177.82 FEET RESPECTIVELY FOR AN ARC DISTANCE OF 187.44 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 87°18'00" WEST, 81.32 FEET TO A POINT OF CURVATURE BEING THE RETURN TO THE EASTERLY RIGHT-OF-WAY OF SOUTH REYNOLDS STREET;

THENCE FOLLOWING THE RETURN WITH THE ARC OF A CURVE TO THE RIGHT WHOSE RADIUS IS 20.00 FEET AND WHOSE CHORD BEARING AND CHORD ARE NORTH 87°18'00" WEST, 38.84 FEET FOR AN ARC DISTANCE OF 38.84 FEET TO A POINT OF TANGENCY, SAID POINT BEING THE POINT OF BEGINNING.

CONTAINING 201,533 SQUARE FEET OR 4.6087 ACRES.

**SURVEYOR'S CERTIFICATE**

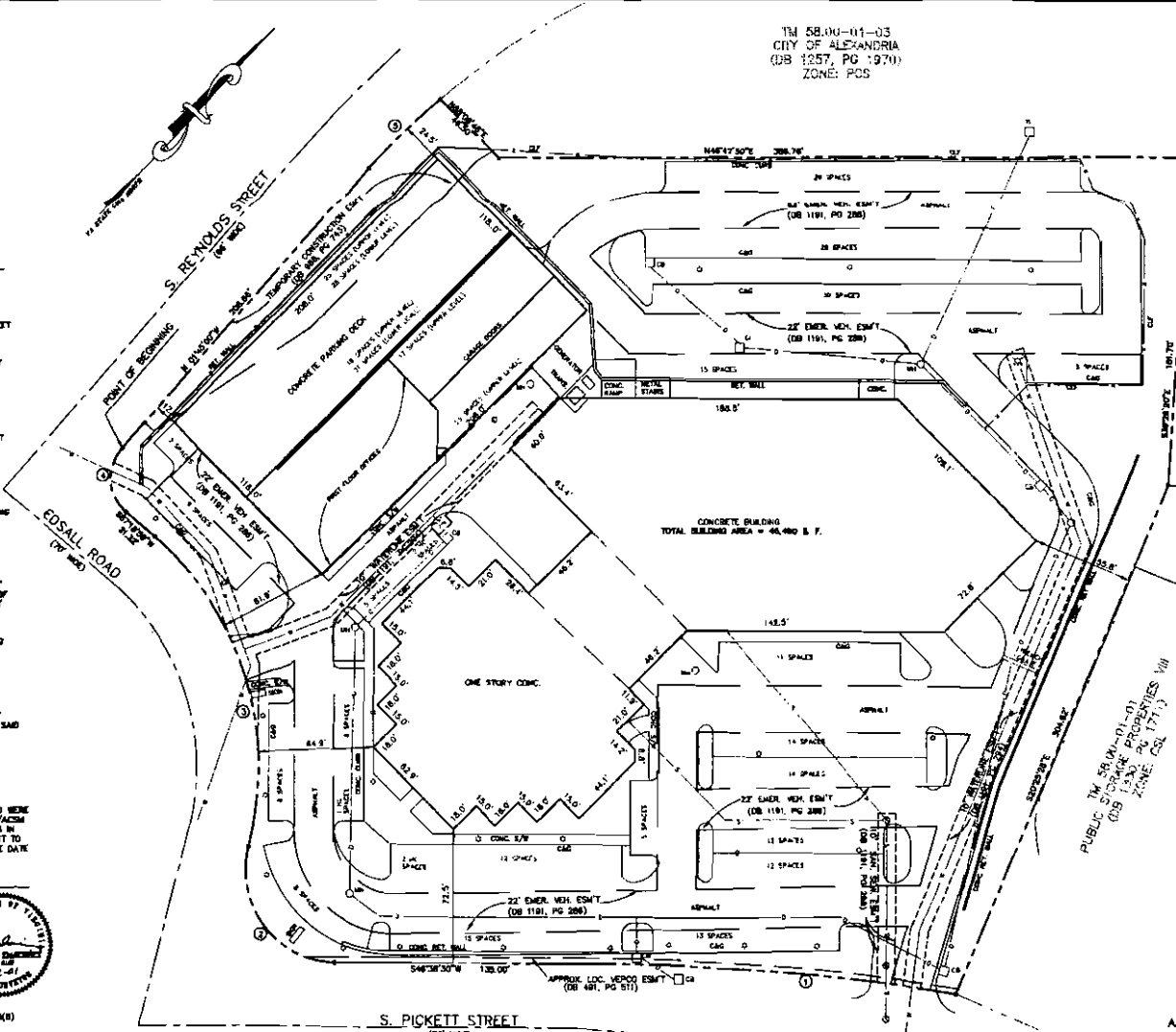
TO WHOM OF ALEXANDRIA, VIRGINIA BANK, INC. AND ROVERSON TITLE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE (1) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NPS IN 1987, AND INCLUDES ITEMS 2-4, 8-11 & 13 OF TABLE A THEREIN; AND (2) PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATE) OF AN URBAN SURVEY.

*Donald A. Zdenewicz* 12, 2001  
DATE



- NOTES**
- TITLE REPORT PUBLISHED BY ROVERSON TITLE COMPANY, COMMITMENT NO. 2010/784(8) EFFECTIVE DATE AUGUST 18, 2001.
  - THE PROPERTY DELINEATED HEREON IS SHOWN ON THE CITY OF ALEXANDRIA TAX ASSESSMENT MAP AS PARCELS 58.00-01-03 AND IS ZONED CS.
  - THE PROPERTY DELINEATED HEREON IS LOCATED IN FLOOD ZONE "1" (OUTSIDE THE 500 YEAR FLOOD PLAIN) AS SHOWN ON THE FLOOD INSURANCE RATE MAP OF ALEXANDRIA AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMAUNITY PLAN NO. 61010 D000 D, DATED MAY 15, 1989.
  - SEWER OPTION RECORDED IN DEED BOOK 473, AT PAGE 35 DOES NOT AFFECT THE SUBJECT PROPERTY.
  - THE DEED RECORDED IN DEED BOOK 473, AT PAGE 41 SHOWS THE LAND DEDICATED FOR SOUTH PICKETT STREET.
  - STORM SEWER EASEMENT RECORDED IN DEED BOOK 700, AT PAGE 14 DOES NOT AFFECT THE SUBJECT PROPERTY.
  - DECLARATION OF USE RESTRICTION AND RIGHT OF FIRST REFUSAL RECORDED IN DEED BOOK 1061 AT PAGE 1302 AFFECTS THE SUBJECT PROPERTY.



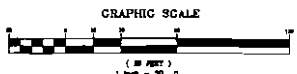
- LEGEND**
- DB DEED BOOK
  - PG PAGE
  - CONC CONCRETE
  - C&G CURB & GUTTER
  - CMV CURB
  - S/W SIDEWALK
  - RET RETAINING
  - EMT EMENT
  - STW STORM
  - EMER EMERGENCY
  - VEHIC VEHICULAR
  - APPR APPROXIMATE
  - LOC LOCATION
  - APPR APPROXIMATE
  - MANH MANHOLE
  - CATCH CATCH BASIN
  - GRATE GRATE
  - CSM CEMENT
  - SAW SAW MARK
  - SEWER SEWER
  - SEWER SEWER
  - WATER WATERLINE
  - STORM STORM SEWER
  - LIGHT LIGHT POLE

**PARKING TABULATION**

| PARKING                    | REGULAR    | HANDICAP | TOTAL      |
|----------------------------|------------|----------|------------|
| SURFACE                    | 256        | 5        | 263        |
| PARKING DECK (UPPER LEVEL) | 86         | 0        | 86         |
| PARKING DECK (LOWER LEVEL) | 48         | 0        | 48         |
| <b>TOTAL</b>               | <b>390</b> | <b>5</b> | <b>395</b> |

**CURVE TABLE**

| CURVE | RADIUS  | LENGTH | TANGENT | CHORD  | BEARING     | DELTA      |
|-------|---------|--------|---------|--------|-------------|------------|
| 1     | 1583.00 | 212.84 | 108.83  | 273.83 | S119°42'W   | 88°48'17"  |
| 2     | 89.00   | 81.42  | 84.80   | 78.25  | N80°58'00"W | 104°48'44" |
| 3     | 187.94  | 187.44 | 104.50  | 177.82 | N80°27'53"W | 84°06'14"  |
| 4     | 30.00   | 30.60  | 34.81   | 35.84  | N47°13'00"W | 80°58'00"  |
| 5     | 382.00  | 35.55  | 27.91   | 35.84  | N02°24'52"E | 09°18'43"  |



ALTA/ACSM LAND TITLE SURVEY  
LOT 600  
(DEED BOOK 1247, PAGE 1088)  
BEING THE LAND OF  
KOONS OF ALEXANDRIA, LLC  
(DEED BOOK 1818, PAGE 1053)  
CITY OF ALEXANDRIA, VIRGINIA  
SCALE: 1"=30' DATE: SEPTEMBER 11, 2001

**BOWMAN CONSULTING GROUP**

1000 EAST MAIN STREET  
ALEXANDRIA, VA 22304  
TEL: 703.836.1100  
WWW.BOWMANCONSULTING.COM

DATE: 09/11/01  
SHEET: 01A

REVISED



**APPLICATION**  
**SPECIAL USE PERMIT**

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

**PROPERTY LOCATION:** 499 South Pickett Street

**TAX MAP REFERENCE:** ~~050-03-01-06~~ 58-01-02 **ZONE:** CSL

**APPLICANT:**  
Name: AV Automotive Munich LLC d/b/a BMW of **ALEXANDRIA**

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

**PROPOSED USE:** Automotive Dealership - Sales & Service Facility

**THE UNDERSIGNED**, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

**THE UNDERSIGNED**, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

**THE UNDERSIGNED**, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

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

|   |                      |
|---|----------------------|
| <i>Recommended Approval w/ Amendments 7-0</i>             |                      |
| ACTION-PLANNING COMMISSION:                               | DATE: <i>11/5/10</i> |
| ACTION-CITY COUNCIL: <i>cc approved PC recommendation</i> | DATE: <i>1/23/10</i> |
|   | <i>7-0</i>           |