

Docket Item #4
SPECIAL USE PERMIT #2003-0080

Planning Commission Meeting
October 7, 2003

ISSUE: Consideration of a request for a special use permit for a change of ownership and an extension of umbrella special use permit #2829.

APPLICANT: Exxon Mobil Corporation
by William C. Thomas

LOCATION: 4536-4598 Eisenhower Avenue

ZONE: OCM/Office Commercial Medium

STAFF RECOMMENDATION:

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

1. The special use permit shall be granted to the applicant only or any business entity in which the applicant has a controlling interest. (P&Z) (SUP#2829)
2. The following uses are permitted on the subject property:
(P&Z) (SUP#2829)
 - Light automobile repair
 - Carpenter shop and repair services
 - Wholesale business
 - Bakery
 - Warehouse and storage
 - Building materials storage and sales
 - Machine shop
 - Pet supplies, grooming and training, with
no overnight accommodations
 - Printing and publishing facilities
 - Sheet metal shop
 - Convenience store
 - General automobile repair
 - Catering operation
 - Private school
 - Research and testing
 - Social service use
3. No single tenant may occupy more than 25 percent of the total floor area of the subject building space, or 12,750 square feet, for one of the above uses. (P&Z) (SUP#2829)
4. This approval is valid as long as the existing buildings remain unchanged. A "change" of the existing buildings sufficient to invalidate this approval is one that requires a site plan under section 11-403 of the zoning ordinance. (P&Z) (SUP#2829)

5. **CONDITION AMENDED BY STAFF:** Any motor vehicle repair operation shall comply with the following conditions: (P&Z) (~~SUP#2829~~)
- A. All vehicles stored on the property shall be parked in a neat and orderly fashion at all times.
 - B. All repair work shall be done inside the building and none shall be done outside.
 - C. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure.
 - D. No vehicles shall be displayed, parked, or stored on a public right-of-way.
 - E. The area around the garage shall be kept free of debris and maintained in an orderly and clean condition.
 - F. No vehicles shall be loaded or unloaded on the public right-of-way.
 - G. No debris or vehicle parts shall be discarded on the public right-of-way.
 - H. All loudspeakers shall be prohibited from the exterior of the buildings and no amplified mechanical sound shall be audible at the property line. ~~No loudspeakers and intercoms shall be permitted on the exterior of the building.~~ (T&ES)
 - I. ~~No amplified or mechanical sound shall be audible at the property line.~~
 - I. 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)
 - J. The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166. (T&ES)

- K. No material shall be disposed of by venting into the atmosphere. (T&ES)
- L. No paint or coatings shall be applied outside of a paint spray booth. (T&ES)

- 6. **CONDITION AMENDED BY STAFF:** This special use permit shall be reviewed ~~ten~~ fifteen years from the date of approval by City Council or in ~~September, 2004~~ October, 2018. (P&Z) (~~SUP#2829~~)

- 7. **CONDITION ADDED BY STAFF:** 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)

- 8. **CONDITION ADDED BY STAFF:** Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers. (T&ES)

- 9. **CONDITION ADDED BY STAFF:** The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police)

- 10. **CONDITION ADDED BY STAFF:** Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of those containers. (T&ES)

- 11. **CONDITION ADDED BY STAFF:** The applicant shall continue to maintain the landscaping, parking lot, and buildings in good condition and to the satisfaction of the Director of Planning and Zoning. (P&Z)

12. **CONDITION ADDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

Staff Note: No use shall be permitted to occupy the subject site unless it can demonstrate compliance with the parking requirements of Article VIII of the zoning ordinance.

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, Exxon Mobil, requests special use permit approval for a change of ownership and extension of the umbrella special use permit located at 4536-4598 Eisenhower Avenue.
2. The subject property is one lot of record with an estimated 762 feet of frontage along Eisenhower Avenue, 225 feet of frontage along Clermont Avenue and a lot area of approximately 127,986 square feet. The site is occupied by two one-story concrete masonry buildings with a total of 51,000 square feet. The buildings are subdivided into 30 units and occupied by a variety of light industrial, small office, automobile repair and warehouse uses. The property abuts the Metro line and R F & P Railroad line directly to the south. Ingress and egress is available from Clermont Avenue or Eisenhower Avenue. The site contains 68 parking spaces.

The surrounding area is a mix of warehouse, office, and light industrial uses.

3. On September 17, 1994, City Council granted Special Use Permit #2829 to allow a variety of future noncomplying and special uses as a group. Condition #6 of the SUP stated that the permit was to be reviewed ten years from the date of approval. The applicant requests to change the ownership of the property, and to amend Condition #6 to extend the review requirement for an additional 15 years from the date of this approval. There are no other changes requested.
4. In June 1992, the subject property was rezoned from I-2/Industrial to OCM-100/Office Commercial Medium (100). A significant amount of space in the center was then and has since been occupied by preexisting noncomplying uses. The uses approved in SUP#2829 include existing noncomplying uses, those uses permitted under the previous I/Industrial zoning, and special uses allowable under the OCM zone. The intent was to allow those uses to occupy the building, without separate special use permit approval required each time a use changed.
5. On April 1, 2003, the Planning Commission deferred a request for a development special use permit, with a site plan, for construction of a gas station, convenience store with restaurant and car wash at the subject location. Staff recommended denial of the request because of the proposal's inconsistency with the intent of the Master Plan, loss of office zoned land, and the likelihood that the use would attract other strip commercial development inconsistent with the redevelopment envisioned for the area.
6. Zoning/Master Plan: The subject property is zoned OCM-100/Office Commercial Medium, and is located in the Landmark/Van Dorn Small Area Plan.

STAFF ANALYSIS:

Staff does not object to the proposed change of ownership and extension of umbrella SUP at 4536-4598 Eisenhower Avenue. The Master Plan specifically envisions interim uses, such as warehouse/office, commercial and light industrial uses, until there is a market for the type and amount of higher end commercial uses envisioned for the area. Although there was a recent application to redevelop a portion of the site into a gas and service station, the proposal was inconsistent with the redevelopment envisioned by the Master Plan. In addition, staff is not aware of any other specific development plans for the immediate area in the near future. Given the lack of development activity and the fact that there are no residential uses in the immediate area, the uses identified in the SUP continue to be appropriate for the area. Staff is not aware of any complaints about the existing uses at the property. Considering these factors, staff finds that the 15 year extension of the umbrella use permit on the property is appropriate.

Because of the prominent location of the development, staff recommends that the landscaping, parking lot, and buildings continue to be maintained in good condition. Staff also recommends a one year review to ensure that the applicant complies with all of the conditions of the permit.

Staff did not include the recommendation from the Police Department for a minimum of 2.0 foot candles for lighting. Although the existing on-site lighting is less than 2.0, a number of street lights have been installed since the development was built along the perimeter of the property, adding to the overall lighting in the area. Therefore, staff finds the existing lighting level at this location to be adequate.

Staff recommends approval of the special use permit.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 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.
- R-2 All loudspeakers shall be prohibited from the exterior of the buildings and no amplified sound shall be audible at the property line.
- 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.
- 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 Division of Environmental Quality at 703-519-3400 ext. 166.
- R-5 That no material be disposed of by venting into the atmosphere.
- R-6 No paint or coatings shall be applied outside of a paint spray booth.
- R-7 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys, or storm sewers.
- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

F-1 No comments.

Health Department:

F-1 No comments.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Crime Prevention Unit of Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 The lighting for the parking lot is to be a minimum of 2.0 foot candles minimum maintained.
- F-1 The applicant is not applying for an A.B.C. permit. The Police Department concurs with this.