

Docket Item #12
SPECIAL USE PERMIT #2004-0040

Planning Commission Meeting
June 1, 2004

ISSUE: Consideration of a request for a special use permit to operate an automobile body repair establishment.

APPLICANT: Isaac Youngho Kim

LOCATION: 3209 Colvin Street

ZONE: I/Industrial

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the recommended permit conditions in Section III of this report.

I. DISCUSSION

REQUEST

The applicant, Isaac Youngho Kim, requests special use permit approval for the operation of a auto body repair and paint business (general auto repair) located at 3209 Colvin Street.

SITE DESCRIPTION

The subject property is one lot of record with 125 feet of frontage on Colvin Street, 145 feet of depth and a total lot area of 18,125 square feet. The site is developed with a 11,500 square feet, one story warehouse building. The building is currently occupied by artist and craftsmen studios and storage and offices for an amusement park business. The applicant proposes to occupy about 70% of the east side of the building. Seven artists studios are proposed to remain on the west side of the building.

Colvin Street is occupied by a mix of industrial uses including a landscaping company, a marble and granite business, parking lots, auto repair businesses, other industrial uses, and some office uses. Uses immediately surrounding the subject property include a pet boarding facility across the street to the south, an office use to the west, a multi-tenant industrial use building to the east, and retail stores to the north along Duke Street.

PROPOSAL DESCRIPTION

The applicant proposes to operate an automobile body and paint repair shop called “Lee’s Auto Body and Paint.” The applicant has operated an auto body and paint repair shop at 2634 Huntington Avenue in Fairfax County for the last 15 years. Due to the Woodrow Wilson Bridge reconstruction of the Huntington/Telegraph Roads area, the applicant must relocate his business. If the special use permit is approved, the applicant proposes to purchase the entire building. The specific aspects of the proposed business are as follows:

Hours: The applicant proposes to operate from 7:30 a.m. to 6:30 p.m. Monday through Friday, 8:00 a.m. to 3:00 p.m. Saturday, and to be closed on Sunday.

of Vehicles: Fifteen cars each week is the workload routinely supported at the current Lee’s Auto Body and Paint shop on Huntington Avenue, and the applicant proposes the same level of business at the subject location.

Employees: Six full-time employees and two owner operators will be on the premises during operating hours.

Noise: Grinding and sanding is necessary to make auto body repairs. Painting is performed in an enclosed paint booth.

Odors: The paint booth has a self-contained filtering and disposal system which collects the smells, paint dust, and residual paint.

Trash: The applicant anticipates trash to include cardboard packaging, paint containers, and salvageable and recyclable auto metal and plastic. One-half ton of metal scrap and one-quarter ton of plastic auto parts will be generated monthly. Metal scrap will be collected monthly, plastic scrap is collected twice monthly. Regular trash is collected weekly by local providers. A dumpster will be located at the front of the building to store trash.

HazMat and
Organic

Compounds: Paint for approximately 60 cars is used monthly and stored on site. Waste materials will be removed monthly. There will be separate rooms for the compressor, paint storage, paint mixing, and paint booth. Used materials will be removed monthly.

PARKING

Pursuant to Section 8-200(A)(17) of the zoning ordinance, auto body shop and artists studios occupying 11,500 square feet are required to provide 29 parking spaces. According to Section 8-200(C) of the zoning ordinance, industrial uses may provide off-site parking within 500 feet of the proposed use.

The applicant proposes to accommodate 11 spaces inside the auto business and 14 spaces at the front of the property (eight are existing tandem spaces), and to lease 10 spaces on the adjacent parking lot at 3205 Colvin Street, for a total of 35 spaces provided.

ZONING

The subject property is located in the I/Industrial zone. Section 4-1203(H) of the Zoning Ordinance allows general automobile repair in the Industrial zone only with a special use permit.

MASTER PLAN

The proposed use is consistent with the Taylor Run Duke Street Small Area Plan chapter of the Master Plan which designates the property for industrial use.

II. STAFF ANALYSIS

Staff does not object to the proposed body shop business. The property is zoned industrial, is developed with many long established industrial uses, and is one of the few remaining locations in the City that can accommodate a use such as automobile repair with minimal potential for conflict with neighboring uses.

Staff analyzed the level of concentration of auto repair uses along Colvin Street to see whether the area was already saturated with this type of use (see attached land use map). If there were a high number of existing auto repair uses along Colvin Street, staff would be reluctant to approve the subject repair use. The domination of a single use in an industrial area would monopolize industrial space needed by other industrial uses, including artist studios, landscaping businesses, catering operations, and others that are important to the city, that also need to be accommodated in the city's limited industrial areas. The study indicated that there are only three existing repair businesses on the street and that there is a wide variety of other industrial uses, alleviating staff's concern about concentration of use.

Staff did find that there are many parking lots along Colvin Street. Although impacts from the body shop differ from parking lots and are not in the same use group, the visual impact from the street will be similar. Therefore, staff discussed with the applicant the need for landscaping to help screen some of the parking and soften the appearance of the property. The applicant has agreed to include landscaping in its project.

In regard to parking, staff recommends that the applicant maintain a lease agreement for at least 10 spaces at the parking lot on the adjacent property, as proposed by the applicant, in order to assure sufficient capacity for the use. In addition, staff recommends that the applicant implement a parking management plan so that the tandem spaces are optimally used without conflict among tenants for the interior spaces. Staff recommends a one year review to assess any potential parking problems at the site, and can recommend additional spaces at that time if warranted.

Finally, staff is concerned about the unfortunate consequence of two artist studios being displaced if the auto body shop occupies the property, and the potential to lose more in the future. However, staff recognizes that their loss could occur with any new owner of the property. Therefore, staff supports the applicant's proposal to maintain seven studios, but has included no requirement of their preservation.

Staff included the standard conditions for auto repair uses.

With these conditions, staff recommends approval of the special use permit.

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 only or to any corporation in which the applicant has a controlling interest. (P&Z)
2. General auto repair is permitted on the site. (P&Z)
3. No repair work shall be done outside. (P&Z)
4. The applicant shall maintain 25 parking spaces on the property. The applicant shall maintain a lease agreement with the adjacent property owner at 3205 Colvin Street for use of at least 10 parking spaces. (P&Z)
5. The applicant shall implement a parking management plan for the tandem spaces to ensure that the interior spaces are utilized without conflict with the other tenants of the building. (P&Z)
6. The applicant shall install and maintain landscaping at both 3205 and 3209 Colvin Street, pursuant to a landscape plan to include trees and evergreen screening along the parking areas to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Activities. (P&Z)
7. Trees shall not be planted under or near light poles. (Police)
8. All trees shall be limbed up a minimum of six feet as they mature to allow for natural surveillance. (Police)
9. No shrubs higher than three feet shall be planted within six feet of walkways. (Police)
10. No junked, abandoned, or stripped vehicles shall be parked or stored outside. (P&Z)
11. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z)
12. 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)

13. An enclosure shall be installed to screen the dumpster and shall be maintained in good condition to the satisfaction of the Director of Planning and Zoning. (P&Z)
14. The hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m., daily. (P&Z)
15. Loading and unloading of vehicles shall be limited to between 9:00 a.m. and 5:00 p.m., daily. (P&Z)
16. The property shall be maintained in a neat and orderly condition at all times. (P&Z)
17. 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)
18. 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)
19. 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)
20. The proposed spray booth shall be designed and built to the satisfaction of the Director of Code Enforcement. No materials shall be disposed of by venting to the atmosphere and no paints or coatings shall be applied outside of the approved paint booth. (T&ES)
21. 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)
22. Lighting on the site shall be to the satisfaction of the Director of T&ES in consultation with the Chief of Police, which will likely result in lower lighting levels than recommended by the Police. (P&Z)
23. The applicant shall conduct employee training session on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)

24. Car wash discharges resulting from a commercial operations shall not be indiscriminately discharged into a storm sewer system. For any on-site car washing, the applicant shall comply with one of the following four alternatives available to the applicant:
- A) Car washes be done at an off site commercial car wash facility.
 - B) Wash water may be discharged to sanitary sewers after seeking appropriate approval from Alexandria Sanitation Authority.
 - C) Applicant may choose to seek coverage under a general VPDES (Virginia Pollution Discharge Elimination System) permit issued by Virginia Department of Environmental Quality to discharge wash water from car washes into surface waters/storm sewer and comply with the conditions specified there in.
 - D) Commercial car wash installations shall be equipped with water recycling system approved by the building official. (T&ES)
25. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community 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 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: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, 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 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-2 The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Division of Environmental Quality at 703-519-3400 ext. 166.
- R-3 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-4 The proposed spray booth shall be designed and built to the satisfaction of the Director of Code Enforcement. No materials shall be disposed of by venting to the atmosphere and no paints or coatings shall be applied outside of the approved paint booth.
- R-5 No repair work shall be done outside.
- R-6 All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line.
- R-7 It is not clear from the SUP application if applicant proposes to have car washing operations on site for the sales or services car. Car wash discharges resulting from a commercial operations shall not be indiscriminately discharged into a storm sewer system. If applicant proposes on-site car washing, the applicant shall comply with one of the following four alternatives available to the applicant:
 - A) Car washes be done at an off site commercial car wash facility.
 - B) Wash water may be discharged to sanitary sewers after seeking appropriate approval from Alexandria Sanitation Authority.
 - C) Applicant may choose to seek coverage under a general VPDES (Virginia Pollution Discharge Elimination System) permit issued by Virginia

Department of Environmental Quality to discharge wash water from car washes into surface waters/storm sewer and comply with the conditions specified there in.

- D) Commercial car wash installations shall be equipped with water recycling system approved by the building official.
- 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:

- C-1 The current use is classified as S-Storage; the proposed use is M-Merchantile. Change of use, in whole or in part, will require a certificate of use and occupancy (USBC 119.4) and compliance with USBC 119.2. including but not limited to: limitations of exit travel distance, emergency and exit lighting, a manual fire alarm system, and accessibility for persons with disabilities.
- C-2 This structure contains mixed use groups [M, Mercantile; B, Business; S-2, Low-Hazard Storage] and is subject to the mixed use and occupancy requirements of USBC .
- C-3 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-4 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application. An inventory and MSDS sheets for hazardous materials are required.
- C-5 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.

- C-6 The required mechanical ventilation rate for air is 1.5 cfm per square foot of the floor area. In areas where motor vehicles operate for a period of time exceeding 10 seconds, the ventilation return air must be exhausted. An exhaust system must be provided to connect directly to the motor vehicle exhaust.
- C-7 Electrical wiring methods and other electrical requirements must comply with National Electrical Code for commercial repair garages of automobiles.

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 the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 Trees are not to be planted under or near light poles.
- R-4 All trees to be limbed up a minimum of 6 feet as they mature to allow for natural surveillance.
- R-5 No shrubs higher than 3 feet to be planted within 6 feet of walkways.

The following recommendation related to site lighting has not been included as a condition; rather, staff has recommended that lighting be to the satisfaction of the Director of T&ES in consultation with the Chief of Police, which will likely result in lower lighting levels than recommended by the Police.

- R-6 The lighting in the parking lot is to be a minimum of 2.0 footcandles minimum maintained.

REPORT ATTACHMENTS AVAILABLE IN THE PLANNING AND ZONING OFFICE