

Docket Item #30  
SPECIAL USE PERMIT #2004-0036

Planning Commission Meeting  
June 1, 2004

**ISSUE:** Consideration of a request for a special use permit review and to change the hours of operation of an automobile dealership.

**APPLICANT:** Alexandria Volkswagen  
by Robert Test

**LOCATION:** 107 West Glebe Road and 101 Leadbeater Street

**ZONE:** CSL/Commercial Service Low

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**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, Alexandria Volkswagen, by Robert J. Test, attorney, is before the Planning Commission to request special use permit approval to extend the hours of operation, and for a review of an existing automobile sales and repair business located at 107 West Glebe Road with off-site parking at 101 Leadbeater Street.

### SITE DESCRIPTION

The dealership property used by the applicant has 297 feet of frontage on West Glebe Road, 253 feet of depth and a total lot area of 1.7 acres. The site is developed with a one story building and parking areas.

The property used for off-site parking by the applicant is the northern portion of the Love of Christ Church property at 101 Leadbeater Street. The lot has 206 feet of frontage on Leadbeater Street, 230 feet of frontage of Helen Street, 156 feet of frontage on West Glebe Road, and a total lot area of 41,756 square feet. The front entrance to the church is on Leadbeater Street; however, there is also an existing curb cut on Helen Street that permits access to the parking lot. The parking lot contains 67 spaces.

### REVIEW AND VIOLATIONS

On November 16, 2002, the applicant's SUP was amended to allow it to store vehicles associated with the dealership on the church parking lot at 101 Leadbeater Street, with a one year review condition. In November of 2003, staff contacted the applicant to remind it of the upcoming review, and conditions of the special use permit with which it agreed to comply. On March 2, 2004, staff inspected the subject properties for compliance with the conditions of the permit and found three violations:

- Condition #1 requiring that no vehicles associated with the dealership be parked on the right-of-way. Staff observed at least one vehicle parked on Glebe Road that was identified by the applicant as a customer service loan vehicle.
- Condition #3 requiring the office to close by 8:00 p.m. and the repair shop to close by 7:00 p.m. Staff observed that the leasing office was open from 9:00 a.m. to 9:00 p.m. Monday through Friday and that the repair shop was open until 7:30 p.m. on Wednesday.
- Condition #21 requiring landscaping be installed at the church parking lot pursuant to a plan approved by staff. At the time of the inspection, staff had never received a plan, and there was no landscaping installed around the church parking lot.

Staff issued a ticket and allowed a short time for compliance. The applicant responded with an application to change the hours of operation, but did not address the specific requirements of the landscaping to the satisfaction of staff. Therefore, staff docketed the case for review.

#### ZONING

The existing property utilized by the applicant is located in the CG/Commercial General zone. Section 4-403(D) of the Zoning Ordinance allows an automobile sales business in the CG zone only with a special use permit. The property located at 101 Leadbeater Street is zoned CSL/Commercial Service Low. Both an automobile sales business and a motor vehicle parking and storage lot for more than 20 vehicles are allowed in the zone with a special use permit.

#### MASTER PLAN

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for commercial use.

## **II. STAFF ANALYSIS**

Although staff believes that the approval allowing VW to use the church lot has worked relatively well over the past year, staff is concerned about the violations at the site, particularly in regard to the landscaping which was neglected for an entire year. The applicant has now taken steps to correct the violations, and staff is willing to continue to work with it on compliance. Staff's analysis on each violation is as follows:

#### *Hours:*

Staff finds that the requested 9:00 p.m. weekday closing hour for the sales and leasing office is reasonable, and more consistent with other dealerships in the City, including the Hyundai dealership at 1707 Mount Vernon Avenue that is also immediately adjacent to residential uses. In regard to the 7:30 p.m. closing hour for the repair shop, the extra half hour is requested to accommodate customer vehicle pick up and does not include extending the actual hours that repair will be conducted. Staff has clarified the condition regarding the hours to reflect this change. The applicant has already been operating during these hours, and staff has not received any complaints regarding noise or other activity during the extended hour.

#### *Cars on right-of-way:*

In regard to the vehicles parked on the street, staff has not observed dealership vehicles parked on the street since the March inspection. The copy of the memo sent to employees reminding them of this condition appears to have been a successful way of ensuring that vehicles do not park on the street. Therefore, staff recommends that a similar memo be posted in a common employee area, or be distributed to employees on a regular basis, to ensure that this does not occur in the future.

*Landscaping:*

In regard to the landscaping, a plan was submitted on April 9, 2004, however, it was not prepared by a landscape architect, did not identify the species and size of proposed plantings, and was not to scale. Staff visited the site on April 14, and found that landscaping had already been installed despite the fact that staff had yet to approve a landscape plan. Furthermore, the landscaping is not an evergreen hedge as required, does not satisfy staff's requirement to screen the lot, and there are still weeds in and around the fencing that must be removed. The applicant has not submitted a revised landscaping plan, however, he assures staff that a plan is in the process of being produced. Staff has included a condition that an acceptable plan be submitted to staff, and that the landscaping be installed by July 1, 2004.

Staff also recommends a review in six months to ensure that the hours do not become a problem in the neighborhood, that acceptable landscaping is installed, and that the applicant is compliant with all the conditions of the special use permit.

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. **CONDITION AMENDED BY STAFF:** No vehicles shall be loaded, unloaded, parked or stored on public right-of-way. This prohibition includes employee, dealership and customer vehicles, whether tagged or not, under the control of the dealership. The applicant shall distribute a memo to all employees on a regular basis, or shall post information in a common employee area, reminding them of this requirement. (P&Z)
2. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
3. **CONDITION AMENDED BY STAFF:** The hours of operation of the sales and leasing business shall be limited from 9:00 a.m. to ~~8:00 p.m.~~ 9:00 p.m. Monday through Friday, 9:00 a.m. to 6:00 p.m. on Saturdays, and noon to 5:00 p.m. on Sundays. The hours of the automobile repair use shall be limited from 7:00 a.m. to 7:00 p.m. Monday through Friday, and from 8:00 a.m. to 4:00 p.m. on Saturdays. Customers may pick up vehicles from the repair shop until 7:30 p.m. Monday through Friday. (P&Z)

4. The applicant may park vehicles on the parking lot located behind the Love of Christ Church at 101 Leadbeater Street, provided that when church activities are scheduled to occur, the applicant shall reduce the number of vehicles parked on the lot to meet the church's demand for off-street parking, and provided further that no vehicles shall park in the lot on Sundays. Employees will be required to park on the lot located at 101 Leadbeater Street except when in conflict with the church activities. (City Council)
5. No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z)
6. Condition deleted. (SUP 2002-0077)
7. No repair work shall be done outside. (P&Z)
8. No sales, repair or other dealership business shall be conducted on the church lot premises. (P&Z)
9. Loading and unloading of vehicles shall occur on-site during the hours of operation. (P&Z)
10. All vehicles on the lot shall be stored in an orderly manner. (P&Z)
11. No banners, streamers, flags, or similar advertising devices shall be displayed on the premises, but 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, Virginia. (P&Z)
12. No vehicle parts, tires, or other materials shall be stored or permitted to accumulate outside, except in a dumpster or other suitable trash receptacle or enclosure. (P&Z)
13. No amplified sound shall be audible at the property line. (P&Z)
14. **CONDITION AMENDED BY STAFF:** All waste products, including but not limited to organic compounds (solvents), motor oils, and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and shall not be discharged into the sanitary or storm sewers or be discharged onto the ground. (T&ES)

15. **CONDITION AMENDED BY STAFF:** 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)
16. A minimum of two foot candles of lighting shall be maintained in the parking lot. (Police)
17. All lighting shall be directed downward and shall be screened at the sides to avoid glare on the street and on adjacent residential properties and public rights-of-way to the satisfaction of the Director of Planning and Zoning. (P&Z)
18. The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (Police)
19. No material shall be disposed of by venting into the atmosphere. (T&ES)
20. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
21. **CONDITION AMENDED BY STAFF:** The applicant shall remove the weeds from the fencing and land surrounding the church parking lot, and shall provide, install and maintain landscaping on the site, pursuant to a landscape plan to include evergreen screening surrounding the parking lot to the satisfaction of the Directors of Planning and Zoning and Recreation, Parks and Cultural Activities. The applicant shall submit an acceptable plan to staff, and the landscaping shall be installed by July 1, 2004. The landscaping shall be maintained in perpetuity. (P&Z)
22. The applicant shall conduct employee training sessions on an ongoing basis, and shall discuss all special use permit provisions and requirements as part of that training. (P&Z)

23. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit ~~one year~~ six months 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; (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)
24. The applicant shall establish a community liaison to work with nearby neighbors on issues related to the operation of the business. (City Council)
25. **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)
26. **CONDITION ADDED BY STAFF:** 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 therein.
  - D) Commercial car wash installations shall be equipped with water recycling system approved by the building official. (T&ES)

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

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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.

#### 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 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.
- R-5 All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning.
- 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:

- F-1 No comments.

Health Department:

- F-1 No comments.

Police Department:

- F-1 No objection to the extended hours.
- F-2 Since January 1, 2003 to March 26, 2004 there have been 7 calls for people service. Non-accountable offenses 4, assaults 1, larcenies 2.