

Docket Item #14
SPECIAL USE PERMIT #2006-0001

Planning Commission Meeting
February 7, 2006

ISSUE: Consideration of a request for a special use permit for the continuation of a noncomplying light automobile repair, washing and detailing facility.

APPLICANT: Yates Auto Care
by Jeffrey Yates

LOCATION: 1215-1217 First Street

ZONE: CRMU-H/Commercial Residential Mixed Use High

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

SITE GRAPHIC
AVAILABLE IN THE PLANNING AND ZONING OFFICE

I. DISCUSSION

REQUEST

The applicant, Yates Auto Care, requests special use permit approval to allow a noncomplying light automobile repair, washing and detailing facility to continue operating at 1215-1217 First Street.

SITE DESCRIPTION

The subject property is a portion of one lot of record with 176 feet of frontage on North Fayette Street, 247 feet of frontage on First Street, and 176 feet of frontage on North Payne Street. The lot is developed with a warehouse building containing several units. The applicant owns the two northernmost units of the warehouse building.



To the north of the subject site is a large asphalt parking lot. Across Fayette Street are a public storage facility, Yates Car Wash and the McDonald's restaurant, all of which front on North Henry Street. Across North Payne Street to the west of the subject property are the Alexandria Water Company water tower and the Old Crow Building. To the south of the subject property are two residential sites, together known as Braddock Center, consisting of the Potomac Club apartments at North Fayette and Braddock Place and a second apartment building at the corner of First and North Fayette Streets.

BACKGROUND

On January 21, 1995, City Council granted Special Use Permit 94-0357 allowing a noncomplying manufacturing use to change to a general automobile repair garage in the CRMU-H zone. Alexandria Auto Repair operated at the site for three years but was frequently cited by city staff for zoning and code violations. On March 14, 1998, Council granted Special Use Permit #97-0195 to different general automobile repair operators. Again there were numerous violations and, on November 13, 1999, City Council revoked Special Use Permit #99-0032 based on the applicant's violations.

On December 16, 2000, City Council approved SUP#2000-0136 to Jeffrey Yates, a new applicant, to allow a light automobile repair and car washing/detailing operation, in conjunction with Yates Car Wash located across Fayette Street. The approval included a condition that the SUP expire five years from the date of approval. This request is to allow the operation to continue.

Staff is not aware of violations or complaints on the existing operation.

PROPOSAL

The applicant proposes to continue operating the automobile repair, washing and detailing facility. The operation is largely an extension of the applicant’s car wash operation located across the street at 1018 N. Henry Street (SUP#2000-0102). The subject property is used as a location where vehicles from the car wash are taken for drying and finishing, which is conducted mostly outside in the 11 parking spaces in front of the building facing Fayette Street. Inside the building, the applicant conducts detailing, and very limited light automobile repair, such as changing vehicle lights. There are currently no lifts in the building for repair, but the applicant may install them in the future.

According to the applicant, the number of vehicles served on the site each day includes the following, according to the type of service:

<u>Type of Service</u>	<u># of Vehicles Each Day</u>
Drying	60
Detailing	7
Light Repair	3
Washing	4

The business was approved to operate from 7:00 a.m. to 9:00 p.m. Monday through Saturday and 8:00 a.m. to 6:00 p.m. on Sunday. No changes are proposed to the business.

PARKING

Pursuant to Section 8-200(A)(17) of the zoning ordinance, a minimum of 15 parking spaces are required for a 5,850 square foot automobile repair garage. A total of 26 parking spaces are provided, 14 parking spaces inside the building and 12 spaces behind the building to the west.

ROUTE 1 REROUTING ON FAYETTE STREET

The most recent plans for traffic circulation for the Route 1 bridge project indicate that southbound traffic accessing Slater’s Lane will be routed down North Henry Street, then right on Fayette Street, left on First Street, and left on to northbound traffic back to Slater’s Lane. The traffic route will pass between the applicant’s car wash on North Henry Street and the subject property on First Street. The rerouting project is anticipated to begin in March and last approximately 30 months. The applicant has indicated that this new traffic pattern will not disrupt his business.

ZONING/MASTER PLAN DESIGNATION

The subject property is zoned CRMU-H/Commercial residential mixed use-high; general automotive repair is not allowed in the CRMU-H zone. The proposed automobile repair garage and car wash are noncomplying uses.

The use is not consistent with the Braddock Road Metro Station small area plan chapter of the Master Plan, which designates the property for high density mixed use development.

II. STAFF ANALYSIS

This case poses a very difficult land use question. The subject property is located in the Braddock Road Metro planning area, where an update of the plan is currently in process. The vision of the area as discussed through the planning process is as a collection of urban neighborhoods, with walkable streets, accessible transit, and clusters of retail uses. The proposed use is not consistent with these planning efforts. The City has only a small amount of land available for development near a metro station, and an automobile repair, washing and detailing facility is not the most efficient use of this land.

The vision for the Braddock Road Metro Area Plan is already being realized through the development activity in the area. In the past several years, there has been much development south of this property across First Street, including the two apartment complexes known as Meridian at Braddock Place, and Braddock Place Condominiums. More recently, the properties immediately to the north and south of the subject property are being considered for redevelopment, with the southern property in the preliminary plan phase for a mid-rise residential, mixed-use development. Staff is also reviewing the initial concept plans for the redevelopment of Tony’s Garage at 1112 First Street, for a mid-rise residential building with ground floor retail. Use of the subject property as an automobile detailing facility is inconsistent with the goals of the Braddock Road area plan, the current zoning, and with current development proposals at various stages in the immediate area. Staff has met with the applicant who has indicated repeatedly that he is interested in maintaining his business, and is not interested in redeveloping the property.

On the other hand, much the development proposals in the area are in the early stages of the development application process, meaning that there will be at least a few years before construction is underway and/or completed. In addition, the immediately surrounding properties are currently occupied mostly by industrial users, including the applicant’s car wash on North Henry Street, a long term storage facility, an automobile rental operation, a cleaning company, and a moving business. Additionally, the applicant’s car wash located across the street has a SUP



with no expiration, and the applicant intends to continue operating that business. The National Car Rental facility located at 1200 North Fayette Street also has a SUP with a review not required until 2010.

While staff strongly supports the goals of the Braddock Road Metro Area Plan, the subject detailing business does not conflict with what is currently located around it, and staff has not received complaints regarding the existing business. Staff does not object to the continued operation of this local business as an interim use. Given the status of existing and potential applications in the immediate vicinity, staff finds that five years is reasonable.

With this condition, staff recommends reapproval 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 business or entity in which the applicant has a controlling interest. The applicant for this special use permit request is Jeffrey Yates. (P&Z) (SUP#2000-0136)
2. The hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. Monday through Saturday and 8:00 a.m. to 6:00 p.m. on Sundays. (P&Z) (SUP#2000-0136)
3. No more than four vehicles shall be parked in the area to the east of the building at 1217 First Street. (P&Z) (SUP#2000-0136)
4. The applicant shall provide and designate three parking spaces inside the building for use by customers and employees. (P&Z) (SUP#2000-0136)
5. The parking lot to the west to be used by the applicant shall be clearly striped, all employee and customer vehicles shall be parked within the striped area at all times, and no parking shall be allowed in areas needed to accommodate towing vehicles, all to the satisfaction of the Director of Planning and Zoning after consultation with adjacent property owners. (PC) (SUP#2000-0136)
6. Condition deleted. (City Council) (SUP#2000-0136)

7. All repair work, detailing and hand car washing shall be done inside the building. Cars from 1018 North Henry Street may be brought to the parking spaces on the east side of the building at 1215 and 1217 First Street for drying or finishing. (City Council) (SUP#2000-0136)
8. 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) (SUP#2000-0136)
9. The dumpster shall be screened with a solid wood fence and shall be maintained in good condition. (P&Z) (SUP#2000-0136)
10. No customer, employee or business associated vehicles shall be displayed, parked, or stored on a public right-of-way, including on any part of what is commonly considered North Fayette Street.. (P&Z) (SUP#2000-0136)
11. The area around the building shall be kept free of debris and maintained in an orderly and clean condition. (P&Z) (SUP#2000-0136)
12. No vehicles shall be loaded or unloaded on the public right-of-way, including on any part of what is commonly considered North Fayette Street. (PC) (SUP#2000-0136)
13. No debris or vehicle parts shall be discarded on the public right-of-way, including on any part of what is commonly considered North Fayette Street. (PC) (SUP#2000-0136)
14. The applicant shall not park junked, abandoned, or untagged vehicles on the property. A vehicle will not be considered to be “abandoned” or “untagged” if it is properly registered with an appropriate state authority. (P&Z) (SUP#2000-0136)
15. No banners, streamers, flags, A-frame signs, 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 Section 9-100 of the Zoning Ordinance of the City of Alexandria, Virginia. (P&Z) (SUP#2000-0136)
16. No amplified sound shall be audible at the property line. (P&Z) (SUP#2000-0136)
17. Prior to occupying the premises, the applicant shall contact the Crime Prevention Unit of the Alexandria Police Department for a security survey and robbery awareness program for employees. (Police) (SUP#2000-0136)

18. **CONDITION AMENDED BY STAFF:** All waste products including, but not limited to, organic compounds (solvents), motor oils, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and shall not to be discharged into the sanitary or storm sewers or be discharged onto the ground. (T&ES) (~~SUP#2000-0136~~)
19. **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) (~~SUP#2000-0136~~)
20. **CONDITION AMENDED BY STAFF** All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. No speakers are permitted outside of the building. (T&ES) (~~SUP#2000-0136~~)
21. **CONDITION AMENDED 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. No odors are permitted to emanate from the property. No materials are to be disposed of by venting into the atmosphere. No paint or coatings shall be applied outside a paint spray booth. (T&ES) (~~SUP#2000-0136~~)
22. **CONDITION REINSTATED BY STAFF:** The special use permit shall expire five years from the date of approval by City Council. (~~P&Z~~)(~~City Council~~) (~~SUP#2000-0136~~)
23. **CONDITION DELETED BY STAFF (completed):**~~The applicant shall remove the structure from the roof of the building that previously was used for a roof sign.~~ (~~P&Z~~) (~~SUP#2000-0136~~)
24. **CONDITION AMENDED 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 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. (~~City Council~~) (~~SUP#2000-0136~~) (~~P&Z~~)

25. Repair work shall be limited to light automobile repair. (City Council) (SUP#2000-0136)
26. **CONDITION ADDED BY STAFF:** 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)
27. **CONDITION ADDED BY STAFF:** It is not clear from the SUP application the methodology used for car washing. 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 to 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)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Richard Josephson, 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.

Condition above is amendment to previous condition from SUP#2000-00136.

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. (T&ES)

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.

Condition above is amendment to previous condition from SUP#2000-00136.

The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. (T&ES)

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.

Condition above is amendment to replace previous condition from SUP#2000-00136 (or modify).

No odors, smoke and are permitted to emanate from the property. No materials are to be disposed of by venting into the atmosphere. No paint or coatings shall be applied outside a paint spray booth. (T&ES)

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 the methodology used for car washing. 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 to 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.
- F-1 The applicant is advised that traffic may rerouted along portions of N. Fayette Street during construction of the new Monroe Street bridge. Rerouted traffic shall have right-of way over any current or future operational requirements between the two sites under the applicant's control.
- 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 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 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-4 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-5 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-6 Electrical wiring methods and other electrical requirements must comply with ICC Electric Code for commercial repair garages of automobiles.
- C-7 Separators are required for repair garages, gasoline stations with grease racks, grease pits, or work racks, and/or where automobiles are serviced, greased, repaired, washed or where gasoline is dispensed.

Health Department:

- F-1 No Comment

Police Department:

- F-1 After reviewing the criminal history for both the N. Henry Street and the First Street addresses for the last 3 years, the Police Department has no objections to the continuation of the SUP.

SUP#2006-0001
1215-1217 First Street

**REPORT ATTACHMENTS
AVAILABLE IN THE PLANNING AND ZONING OFFICE**