

Docket Item #8
SPECIAL USE PERMIT #2006-0089

Planning Commission Meeting
November 9, 2006

ISSUE: Consideration of a request for a special use permit to extend the operation of a general automobile repair business.

APPLICANT: Prime Auto Care
by Vanna So

LOCATION: 311 North Henry Street

ZONE: CL/Commercial Low

STAFF RECOMMENDATION: Staff recommends **approval** 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, Vanna So, requests special use permit approval for an extension of the operation of a general automobile repair business known as Prime Auto Care located at 311 North Henry Street.

SITE DESCRIPTION

The subject property consists of five lots of record with 104.5 feet of frontage on North Henry Street, 116 feet of depth and a total lot area of 12,122 square feet. The site is developed with a 3,912 square foot garage with two stories. Access to the property is from North Henry Street. A public alley borders the site on the south. A six-foot high wood fence is situated along the eastern boundary of the site.



The surrounding land uses include residential to the east and west and a mix of commercial and residential to the north and south along North Henry Street.

BACKGROUND

An automotive rental business was first approved at the subject site in 1985. The business changed to general automobile repair in 1990 (SUP #1778-B). At that time a condition limiting the special use permit to a five year term was included. In 1992, the subject property was rezoned and the existing general automobile repair became a noncomplying use. City Council approved an extension of five years for the business in 1994 (SUP #1778-G). Approval was granted in 1996 for the addition of an automobile rental business and another five year extension, which ended December 1, 2001 (SUP #96-0155). City Council approved another extension of five years, which ends December 1, 2006 (SUP2001-0107). The applicant is in compliance with all existing conditions and has worked with staff in the past regarding site improvements. The applicant no longer offers automobile rental services.

PROPOSAL

The building includes an office and three service bays which can accommodate up to five vehicles at one time. Automobile repair work includes tune-ups, transmission repair, minor repairs and maintenance. The applicant has described the operations of the business as follows:

Hours:	Monday- Friday 7:30am- 7:00pm Saturday: 9:00am- 5:00pm Sunday: Closed
Number of customers/day:	7 to 15
Noise:	The noise levels anticipated will be low and the compressor, which is the loudest tool used, is boxed in for further noise reduction.
Trash/Litter:	A three cubic yard trash bin is located on the property and it will be filled possibly once per week. The trash in the trash bin is collected once per week.
Hazardous Materials:	All brands of antifreeze and motor oil will be stored for recycling and picked up monthly by a contractor. Approximate quantities are 30 gallons of anti-freeze and 100 gallons of oil per month.

PARKING

According to Section 8-200(A)(17) of the Zoning Ordinance, a general auto repair use requires one parking space for every 400 square feet. A general auto repair use with 3,912 square feet will be required to provide 10 off-street parking spaces. There are 20 parking spaces on the property for customers and employees.

ZONING/MASTER PLAN DESIGNATION

The subject property is located in the CL (Commercial Low) zone, and was rezoned from I-1 (Industrial) to CL on June 24, 1992. As automobile repair uses are not allowed in the CL zone, the business is a noncomplying use.

The existing use is not consistent with the Braddock Road Small Area Plan chapter of the Master Plan which designates the property CL (Commercial Low).

II. STAFF ANALYSIS

Staff does not object to allowing the applicant, Prime Auto Care, to continue operating as a general automobile repair garage for an additional five years at 311 North Henry Street.

First, the subject site was rezoned in 1992 in anticipation of redevelopment that has not yet occurred. Ordinarily staff does not encourage the continued operation of a non-complying use. The Braddock Road Metro Small Area Plan calls for the redevelopment of the Henry Street corridor with non-

industrial uses, but staff does not yet see the critical mass of market demand necessary to justify asking Prime Auto Care, an active and healthy business, to vacate its premises. Interest in redeveloping North Henry Street is building, and is perhaps most visible in the 700 and 800 blocks of North Henry Street. Various applicants have also expressed interest in future office and commercial projects at other sites near the Braddock Metro station. However, redevelopment activity has not yet reached a point in the immediate vicinity of the property where vacating the existing automobile related use at 311 North Henry Street would greatly advance the redevelopment in the Braddock Road Metro Area, north of this block.

Second, staff finds that the business has an orderly appearance, utilizes a small-scale building architecturally compatible with the surrounding community, and has not generated any complaints from the neighborhood. In fact, staff has received many letters from members of the community that indicate support of the continued Prime Auto Care operation at 311 North Henry Street. Consequently, staff has included a condition that will extend the Special Use Permit for an additional five years.

Staff recommends approval for the Special Use Permit request, subject to staff recommended conditions.

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. (SUP#1778-G)(P&Z)
2. Repair work done on the premises shall be restricted to inside the building. (SUP#1778-G)
3. The hours of operation of the garage shall be limited to 7:30AM to 7:00PM Monday thru Friday, and 9:00AM to 5:00PM Saturday, as requested by the applicant. (SUP#2001-0107)(P&Z)(PC)
4. 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 shall not be discharged into the sanitary or storm sewers, or be discharged onto the ground. (SUP#2001-0107)(T&ES)

5. 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 on 703-519-3400, extension 166. (SUP#2001-0107)(T&ES)
6. No junked, abandoned, or striped vehicles shall be parked or stored inside. (SUP#1778-G) (T&ES)
7. No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. (SUP#1778-G)(T&ES)
8. No vehicles shall be displayed, parked, or stored on a public right-of-way. (SUP#1778-G)(T&ES)
9. No amplified sound or mechanical equipment noise shall be audible at the property line. All loudspeakers shall be prohibited from the exterior of the building. (T&ES)(SUP#1778-G)
10. The parking lot shall be chained off when the business is closed. (SUP#1778-G)(P&Z)
11. Vehicle access shall be only form North Henry Street. (SUP#1778-G)(P&Z)
12. **CONDITION DELETED BY STAFF:** ~~The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey and robbery awareness program for employees. (SUP#96-0155)(Police)~~
13. **CONDITION AMENDED BY STAFF:** The applicant shall maintain landscaping and screening of the parking area. ~~to include installing~~ which shall include a 3.00 foot tall open picket fence with evergreen shrubbery at the southwest corner of the site. ~~as generally shown on the staff plan and to the satisfaction of the Director of Planning and Zoning.~~ (SUP2001-0107)(P&Z)
14. **CONDITION AMENDED BY STAFF:** The Special Use Permit shall expire in five years, on ~~December 1, 2006~~ December 1, 2011. (P&Z)
15. **CONDITION AMENDED BY STAFF:** The applicant shall ~~replace~~ maintain the existing six foot wooden fence that surrounds the majority of the lot with a new fence similar in material, height, and placement. (P&Z)

16. 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. (SUP2001-0107)(PC)
17. All vehicles on the lot shall be stored in a neat and orderly manner. (SUP2001-0107) (P&Z)
18. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (SUP2001-0107)(P&Z)
19. ~~**CONDITION DELETED BY STAFF:**The applicant shall contact the Crime Prevention Unit of the Alexandria Police Department regarding a security survey and robbery awareness program for employees. (Police)~~
20. **CONDITION AMENDED BY STAFF:**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, (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)
21. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to work to park off-street. (P&Z)
22. **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)

23. **CONDITION ADDED BY STAFF:** The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)

STAFF: Richard Josephson, Acting Director; Department of Planning and Zoning
James Hunt, 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 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)
- R-2 The applicant shall provide storage space for solid waste and recyclable materials containers as outlined in the City's "*Solid Waste and Recyclable Materials Storage Space Guidelines*", or to the satisfaction of the Director of Transportation & Environmental Services. The City's storage space guidelines and required Recycling Implementation Plan forms are available at: www.alexandriava.gov or contact the City's Solid Waste Division at 703-519-3486 ext.132. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control Code, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials. (Sec. 5-1-99)

Code Enforcement:

- F-1 No comment.

Health Department:

- F-1 No comment.

Police Department:

- F-1 The Police Department has no objections to the extension of the Special Use Permit for Prime Auto Care Inc.

SUP #2006-0089
311 North Henry Street

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