

DOCKET ITEM #3 Special Use Permit #2016 - 0042 3120 Colvin Street - A&B Auto Finance Co.

CONSENT AGENDA ITEM

If no one asks to speak about this case prior to the hearing, it will be approved without discussion as part of the Consent Agenda.

Application	General Data	
Public hearing and consideration of	Planning Commission	September 8, 2016
a request to operate an automobile	Hearing:	
sales business and for a temporary	City Council	September 17, 2016
trailer.	Hearing:	
Address:	Zone:	(I)Industrial
3120 Colvin Street		
Applicant:	Small Area Plan:	Taylor Run/Duke Street
Bruce (Behkooz) Raiszadeh		

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

Staff Reviewers: Ann Horowitz, ann.horowitz@alexandriava.gov



I. DISCUSSION

The applicant, Bruce (Behkooz) Raiszadeh, requests Special Use Permit approval to operate an automobile sales business and for a temporary trailer, which would be used as a sales office, at 3120 Colvin Street.

SITE DESCRIPTION

The subject site is one lot of record and has 156 feet of frontage on Colvin Street, 97 feet of depth, and a total lot area of approximately 14,807 square feet. It is developed as a surface parking lot, surrounded by a chain link fence with screening. A building does not exist on the site. Automobile repair businesses are located to the north and to the east, the DASH Bus facility is located to the south, and a roofing company operates to the west.



Figure 1: View of site

BACKGROUND

City Council approved SUP #2047 in November 1987 for an automobile impound lot for up to 66 vehicles and a temporary office trailer. The same uses were approved by City Council through SUP #2047C in July 1994. The lot was subsequently used for automobile storage for up to 20 vehicles for several years until City Council approved SUP #2014-0112 in January 2015 for an automobile sales business at 3120 and 3131 Colvin Street. Vehicle inventory was displayed at the subject site and the office was at 3131 Colvin Street, within 500 feet of the sales lot.

In May 2015, the property owner submitted Concept I plans as DSUP #2015-0011 to the Planning & Zoning Development division for the construction of a two-story building designed for automobile, office, and warehouse uses. Staff provided plan comments to the property owner in June 2015.

A code inspection revealed tall grass and weeds at the subject site in June and July 2016. The property owner abated the condition on both occasions.

The applicant had operated an automobile sales business at 1318 King Street since 1991. In 2005, the property was rezoned from CD to KR which resulted in the automobile sales business becoming a nonconforming use. Staff informed the applicant on November 21, 2006 of the nonconforming status and this required him to relocate his business within seven years or file for Special Use Permit approval for an extension by November 2013. At the applicant's request, City Council approved an extension for business operations to continue at 1318 King Street through SUP #2013-0084 until October 2014; a second approval was granted for an extension until August 21, 2016 through SUP #2014-0115. The applicant complied with the City Council directive, closing his automobile sales business at the King Street site on August 21, 2016.

PROPOSAL

The applicant proposes to operate an automobile sales business at 3120 Colvin Street. He also requests permission to install a 360 square foot temporary trailer on the lot to use as a sales office. The hours of operation would be between 10 a.m. and 6 p.m., Monday through Saturday. The applicant would display no more than 24 automobiles for sale at any one time. Up to two employees would work at the business, accommodating approximately 12 customers a week through scheduled appointments and website inquiries. Employees would drive the automobile inventory to the site.

PARKING

Section 8-200(A)(20)(a) of the Zoning Ordinance requires that offices in industrial buildings at this location provide 1.1 spaces for every 400 square feet. With 360 square feet of office space, the applicant must provide two parking spaces, in addition to the 24 spaces required for the automobile inventory. The applicant exceeds the parking requirement with approximately parking for 50 vehicles on the lot.

ZONING/MASTER PLAN DESIGNATION

The property at 3120 Colvin Street is located in the I/Industrial zone. According to Section 7-1101(C) of the Zoning Ordinance, temporary trailers used for non-residential purposes, such as offices, require Special Use Permit approval. Automobile sales establishments are permitted with administrative SUP approval in the Industrial zone, pursuant to Section 4-1202.1(A) of the Zoning Ordinance. Given that the applicant requires Planning Commission and City Council review for the temporary office trailer, an integral part of the business operation, the automobile sales use review is also included in this report.

The proposed use is consistent with the Taylor Run chapter of the Alexandria Master Plan, which designates the property for commercial and industrial uses.

II. STAFF ANALYSIS

Staff supports the applicant's proposal to operate an automobile sales business at 3120 Colvin Street and to install a trailer on a temporary basis for use as a sales office. Impacts on surrounding uses are not expected as the business is a relatively small operation, several automobile-related uses operate in the immediate area, and residential properties are located at a distance. The limited number of customers would not noticeably increase traffic and noise impacts are not anticipated.

Further, staff believes that the installation of a temporary trailer at the site would provide the applicant with an affordable office option that enables him to begin operation at 3120 Colvin Street in a timely manner. Temporary trailers for offices have been a standard feature of previous automobile-oriented businesses at this location and have not resulted in concerns or complaints. The applicant has informed staff that he may possibly operate in a future building to be constructed on the lot and would no longer require an office trailer. Nonetheless, a two-year

expiration on the use of the trailer with a possibility of a one-time extension through a Special Use Permit approval is mandated in Condition 3.

Although the applicant has requested a closing hour of 6 p.m., staff has extended this to 8 p.m. to provide him with the flexibility to accommodate customers into the early evening.

Staff has included additional conditions that are standard to automobile sales uses to ensure site maintenance and aesthetic appearance. The applicant must continually remove weeds and tall grass (Condition 5) and maintain the surrounding fence in good condition (Condition 6). Only vehicles in good condition may be stored on the lot as required in Condition 8 and monitoring for litter must take place at least three times a day as stated in Condition 15.

Subject to the condition language found in Section III of this report, staff recommends approval of the Special Use Permit request.

III. RECOMMENDED CONDITIONS

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

- 1. This special use permit shall be granted to the applicant only or to a corporation in which the applicant has a controlling interest. (P&Z)
- 2. The hours of operation shall be limited to between 10 a.m. and 8 p.m., Monday through Saturday. (P&Z)
- 3. The temporary trailer shall be permitted at the site for a two-year term which expires on September 16, 2018. The applicant may request one extension through a Special Use Permit application filed with the Department of Planning and Zoning prior to March 1, 2016.
- 4. A maximum of 24 vehicles on display for sale associated with A&B Auto Finance Co. shall be parked at the site, in accordance with the plan submitted by the applicant. (P&Z)
- 5. The parking lot at 3120 Colvin Street shall be maintained in good condition and kept free of weeds and tall grass. (P&Z)
- 6. The existing fence at the 3120 Colvin Street site shall be maintained to prevent unsightly conditions such as holes, sags, or bent areas from appearing along Colvin Street. (P&Z)
- 7. No vehicles shall be parked or stored in any portion of the public right-of-way. (P&Z)
- 8. No junked, abandoned, visibly damaged, or stripped vehicles shall be displayed, parked, or stored outside. (P&Z)
- 9. The applicant shall require its employees who drive to use off-street parking. (T&ES)

- 10. The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact the Local Motion at (localmotion@alexandriava.gov)for information on establishing an employee transportation benefits program. (T&ES)
- 11. No repair work shall be done outdoor on the subject property. (T&ES)
- 12. Car wash is not permitted on this property. (T&ES)
- 13. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- 14. All loudspeakers shall be prohibited from the exterior of the trailer, and no amplified sounds shall be audible at the property line. (T&ES)
- 15. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- 16. 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. (P&Z)

STAFF:Alex Dambach, Division Chief, Land Use Regulatory Services,
Department of Planning and Zoning;
Ann Horowitz, Urban Planner.

<u>Staff Note:</u> 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 require its employees who drive to use off-street parking. (T&ES)

- R-2 The applicant shall encourage its employees to use public transportation to travel to and from work. Within 60 days of SUP approval, the business shall contact the Local Motion at (localmotion@alexandriava.gov)for information on establishing an employee transportation benefits program. (T&ES)
- R-3 No repair work shall be done outdoor on the subject property. (T&ES)
- R-4 Car wash is not permitted on this property. (T&ES)
- R-5 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES)
- R-6 All loudspeakers shall be prohibited from the exterior of the trailer, and no amplified sounds shall be audible at the property line. (T&ES)
- R-7 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 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. (T&ES)

Code Enforcement:

C-1 A building permit is required for site trailer.

<u>Fire</u> No comments or concerns.

<u>Health:</u> No comments. Parks and Recreation: No comments received.

<u>Police Department:</u> No comments received.



SPECIAL USE PERMIT

APPLICATION

SPECIAL USE PERMIT # 2016-0042

PROPERTY LOCATION: 3120 ColVin	ST, ALEXANDRIA, VA 22314
TAX MAP REFERENCE: 061.0401 06 APPLICANT: Name: BRUCE RAISZADELA	ZONE:
Address: 1318 KING ST. ALE	XANDRIA, VA 22314
PROPOSED USE: AUTOmobile S	ale / Temporaliy Trailor

ETHE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

EXTHE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

EXTHE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

EXTHE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

BRUGE (BEHKOCZ) RAISZANEH	Bl Pale 4/25/16
Print Name of Applicant or Agent	Signature Date
1318 KING ST Mailing/Street Address	703-869-665
ALEX, VA 22314 City and State Zip Code	<u>paris zadehbruce Oyahoa. Com</u> Email address
ACTION-PLANNING COMMISSION:	DATE:
ACTION-CITY COUNCIL:	DATE:

SUP # 2016-0042

PROPERTY OWNER'S AUTHORIZATION	
As the property owner of <u>3120</u> Colvin st (Property Address) grant the applicant authorization to apply for the <u>Actom</u>	abile Sche use as
described in this application.	
	- 0
Name: KHAMH MGUYEN	Phone 571-294-2386
Please Print	
Address: 3025 Colvin Street, pled, VA	Email: Khanh, nguyen73@ yahoo.com.
Signature:	Date: 5/20/2016

1. Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

[] Required floor plan and plot/site plan attached.

[] Requesting a waiver. See attached written request.

- **2.** The applicant is the (check one):
 - [] Owner
 - [] Contract Purchaser
 - X Lessee or
 - [] Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent.

BENROOZ RAISZ	ADEH 100%. INTErest (Appl. c)
	N 1007. interest Conner)
/	

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address /	Percent of Ownership
BEHROOZ RAISZADELY	12056 Symmer Meadow LN. ResTon. VA20194	100 %.
2.		
3.		

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 3120 ColVin st. Adv. VA 22314 (address) (address), unless the entity is a corporation or partnership, in which case identify each owner of more than ten percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. BEHERDE RABEADEN	12056 Jummer massel	100%
2.	3025 GIVINST ZETAL	100 %-
3.		

3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by Section 11-350 of the Zoning Ordinance, existing at the time of this application, or within the12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).

For a list of current council, commission and board members, as well as the definition of business and financial relationship, click here.

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
BENKOO2 RANZANZH	NONE	
2. KHANH NGYEN	Name	
3.		

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

5/24/16 BEHROCL RAISZAMEIO Date Printed Name

Signature

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

X Yes. Provide proof of current City business license

[] No. The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

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SUP #	2016-0042

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

[] Yes. Provide proof of current City business license

[] No. The agent shall obtain a business license prior to filing application, if required by the City Code.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

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USE CHARACTERISTICS

- 4. The proposed special use permit request is for (check one):
 - 1 a new use requiring a special use permit,
 - [] an expansion or change to an existing use without a special use permit,
 - [] an expansion or change to an existing use with a special use permit,
 - [] other. Please describe:
- 5. Please describe the capacity of the proposed use:
 - A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift). <u>12 Per Week between bours of 10 kmm cn9 G PM</u>
 - B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

one employere will be on site during the hours of operation

6. Please describe the proposed hours and days of operation of the proposed use:

Day: MON-SAt	Hours: 10 Am - 6 pm
Sunday	closed
	······································

- 7. Please describe any potential noise emanating from the proposed use.
 - A. Describe the noise levels anticipated from all mechanical equipment and patrons.

noise level will be minium. sound associate WITE steving of Cans

B. How will the noise be controlled?

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8. Describe any potential odors emanating from the proposed use and plans to control them:

There will not any odor associated diw_ The Car Jealenship

9. Please provide information regarding trash and litter generated by the use.

A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

ice Use Papens

- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)
- C. How often will trash be collected?

Weekly

D. How will you prevent littering on the property, streets and nearby properties?

including (The rash 4 and place in The bag lec

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[] Yes. [] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

[] Yes. 🔀 No.

If yes, provide the name, monthly quantity, and specific disposal method below:

12. What methods are proposed to ensure the safety of nearby residents, employees and patrons?

Intense Traing for the WC went march Portans with DMU e.c. Countes C.

ALCOHOL SALES

13.

A. Will the proposed use include the sale of beer, wine, or mixed drinks?

[] Yes 📉 No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:

50 對

Compact spaces

Standard spaces

Handicapped accessible spaces.

____ Other.

Planning and Zoning Staff Only Required number of spaces for use per Zoning Ordinance Section 8-200A_____ Does the application meet the requirement?

[]Yes []No

B. Where is required parking located? (check one)
 Mon-site
 [] off-site

If the required parking will be located off-site, where will it be located?

PLEASE NOTE: Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide offsite parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

[] Parking reduction requested; see attached supplemental form

15. Please provide information regarding loading and unloading facilities for the use:

CARS	A. How many loading spaces are available for the use? O Car driven in to the Location by Employee
	Planning and Zoning Staff Only
	Required number of loading spaces for use per Zoning Ordinance Section 8-200
	Does the application meet the requirement?
	[]Yes []No

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B. Where are off-street loading facilities located? <u>WONE</u>

C. During what hours of the day do you expect loading/unloading operations to occur?

Car will be Driven to IFT site by IFT indivitual or employees

D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

we do not anticipate Loading or unloading we drive the car in or out of property

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?



SITE CHARACTERISTICS

- 17. Will the proposed uses be located in an existing building? [] Yes [] No
 - Do you propose to construct an addition to the building? [] Yes M No \circ Temperality affree Trailer will be moved G the site How large will the addition be? $\frac{1}{10 \times 36} = 360 \times 86f$
- 18. What will the total area occupied by the proposed use be?

 $\langle Lot | H 807 \rangle$ sq. ft. (existing) + _____ sq. ft. (addition if any) = _____sq. ft. (total)

19. The proposed use is located in: (check one)

🔀 a stand alone building

- [] a house located in a residential zone
- [] a warehouse
- [] a shopping center. Please provide name of the center:
- [] an office building. Please provide name of the building: _____
- Wother. Please describe: Dorking Lot

End of Application



APPLICATION - SUPPLEMENTAL

AUTOMOBILE-ORIENTED USES

Supplemental information to be completed by applicants requesting special use permit approval of an automobile-oriented use (e.g., automobile repair garage, car wash, auto or trailer sales).

- 1. What type of automobile oriented use do you propose?
 - [] automobile or motor vehicle parking or storage lot.
 - A automobile or trailer rental or sales.
 - [] automobile service station.
 - [] automobile repair, including car wash.
 - [] other: _____
- 2. What types of repairs do you propose to perform?

NONE

3. How many of each of the following will be provided?

 NIA
 hydraulic lifts or racks

 NIA
 service pits

 NIA
 service bays

4. How many vehicles will be parked on-site at any one time. Please provide information on the type (i.e., for sale, customers, employees, or repairs)?

24 Vehicle Dresented for Sale for complatees

5. Will a loudspeaker or intercom system be used outside of the building? _____ Yes _____No

Please note: All repair work must occur within an enclosed building.

application SUP auto uses.pdf 3/1/06 Prz\Applications, Forms, Checklists\Planning Commission





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