

DATE: September 8, 2022

TO: Tony LaColla, Division Chief,
Land Use and Regulatory Services, Department of Planning and Zoning

FROM: Mavis Stanfield, Urban Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2022-00067
Administrative Review for Change of Ownership
Site Use: Automobile Service Station
Applicant: Sarem LLC
Location: 5200 Duke Street
Zone: CG

Request

Special Use Permit #2022-00067 is a request to change ownership of an existing service station from S and N Fifty Fifty Inc. to Sarem LLC. No changes to the service station are proposed and the applicant would continue operating 24 hours a day with four employees. A convenience store use also continues at the site as a by-right use, however, SUP approval is no longer required as of text amendments approved in 2020.

Background

Numerous SUPs have been approved at this location in the past. A Shell service station was first established at this site in 1964 (SUP#0572). City Council approved several modifications to the station through SUP#1457 in 1982 and SUP#1457A in 1994. City Council permitted SUP#96-0084 in 1996 for additional parking and the use of a temporary trailer. On October 15, 2014, staff approved a change in ownership (SUP#2014-0093); and again, on August 10, 2017.

It is noted that a three-year review inspection performed on May 4, 2022 revealed violations of conditions 2, 4, 6 and 15 and a Warning Notice was issued at that time. A follow-up inspection conducted on May 24, 2022 indicated that all violations had been abated. A further zoning inspection for this SUP request was conducted on August 23, 2022 and established that no zoning violations currently exist on the property.

Community Outreach

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. Staff did not receive any comments to cause docketing of the change of ownership request.

Staff Action

Staff supports the change of ownership request and finds the continued operation of an automobile

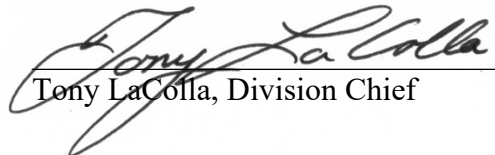
service station at this location to be a positive amenity to the community. However, a fire prevention permit will be required with the change in ownership. Staff has carried forward the previous conditions, with an amendment to Condition 18 to update contact and website information.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:

Date: September 8, 2022

Action: Approved



Tony LaColla, Division Chief

- Attachments: 1) Special Use Permit Conditions
2) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2022-00067

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

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) (SUP #2014-0093)
2. No repair work shall be done outside on the subject property. All repairs of motor vehicles at the site shall be conducted inside a building or structure. (P&Z) (SUP #2014-0093)
3. No more than 13 vehicles shall be parked or stored outside at any time. (P&Z) (SUP #2014-0093)
4. No junked, abandoned, or stripped vehicles shall be displayed, parked or stored outside. (P&Z) (SUP #2014-0093)
5. No vehicles shall be displayed, parked or stored in any portion of a public right-of-way. (P&Z) (SUP #2014-0093)
6. 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&CD)(SUP 1457A)
7. ~~**CONDITION DELETED BY STAFF:** 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&CD)(T&ES)(SUP 1457A)~~
8. Condition deleted. (P&Z) (SUP #2014-0093)
9. The business may operate 24 hours a day, seven days a week. (P&CD) (SUP 1457A)
10. Condition deleted by staff. (SUP #2014-0093)
11. 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. (P&Z) (SUP #2014-0093)
12. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sound shall be audible at the property line. (P&Z) (SUP #2014-0093)
13. Condition deleted. (SUP #2014-0093)

13. Condition deleted. (SUP #2014-0093)
14. The applicant shall post the hours of operation for the service station at the entrance of the building. (P&Z) (SUP #2014-0093)
15. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be allowed to accumulate on site outside of these containers. (P&Z) (SUP #2014-0093)
16. 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. (P&Z) (SUP #2014-0093)
17. **CONDITION AMENDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management Practices manual for automotive related industries. Contact T&ES ~~engineering division on 703-746-406~~ stormwater management division on 703-746-6499 to obtain a copy of the manual or at http://www.alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf ~~df.~~ <https://media.alexandriava.gov/docs-archives/tes/info/automotive=bmp=manual.pdf> (P&Z) (~~SUP #2014-0093~~)
18. Condition deleted. (SUP #2017-0054)
19. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP #2014-0093)
20. The applicant shall control cooking 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 & Environmental Services. (P&Z) (SUP #2014-0093)
21. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (P&Z) (SUP #2014-0093)
22. No food, beverages, or other material shall be stored outside. (P&Z) (SUP #2014-0093)
23. **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 a 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) (~~SUP#2017-0054~~)

24. Shrubbery located along the South Pickett Street and Duke Street frontages shall not exceed three and one-half feet in height nor shall encroach onto the public right of way. (P&Z) (SUP#2017-0054)
25. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact GoAlex at goalex@alexandriava.gov for information on establishing an employee benefits program. (P&Z) (SUP#2017-0054)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2022-00067. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile service station- use at 5200 Duke Street.



Applicant - Signature

09/08/2022

Date

Meskelu Gebreselase

Applicant – Printed

09/08/2022

Date