



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of May 7, 2005

#### REVISED REPORT

**DATE:** ~~April 28~~ May 5, 2005

**SUBJECT:** U-2529-86-1 Use Permit Review of a transitional parking lot located at 2040 N. Kenmore Street. (Cherrydale Motors) (RPC #06-033-009)

**Applicant:**

Alice Fay Pollard, Owner

**REVISION EXPLANATION:** The Cherrydale Civic Association has requested a shorter review period for the use permit in order to monitor the future development of this site closely. The recommendation has been revised to add additional administrative reviews in one and two years.

**C.M. RECOMMENDATION:**

Renew, subject to all previous conditions, with an administrative review in six (6) months (November 2005), an annual administrative review (May 2006 and May 2007), and a County Board review in three (3) years (May 2008).

**ISSUES:** None.

**SUMMARY:** This use permit for a transitional parking lot in the Cherrydale neighborhood was approved in 1986 with periodic review. The parking lot has operated in compliance with the approved use permit conditions and no complaints have been reported to staff. The owner of this parking lot operated the property along with the Cherrydale Motors for 19 years with no incidents. The property was recently leased to a new tenant. Therefore, it is recommended that the use permit be renewed, with an administrative review in six (6) months (November 2005), an annual administrative review (May 2006 and May 2007), and a County Board review in three (3) years (May 2008), in order to monitor the new operation's impact on the community and the development at this site closely.

**BACKGROUND:** This use permit was originally approved in 1986 for a transitional parking lot on a 9,600 square foot "R-6" property behind the Cherrydale Motors, a motor vehicle dealership fronting on Lee Highway. A use permit amendment request to expand the transitional lot by 1,000 square feet was approved in May 2000.

**DISCUSSION:** This use permit has been in effect since 1986 and at one point the review period for the use reached 5-year intervals. In May 2000, the applicant received County Board approval

County Manager: \_\_\_\_\_

Staff: Wei H. Smith, DCPHD, Planning Division

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to expand the lot by an additional 1,000 square feet. At that time, the review interval was reduced to one (1) year to monitor the changes and ensure compatibility with the Cherrydale neighborhood. It was last renewed in 2002 for three years without any complaints reported to County staff. The owner of this parking lot and the Cherrydale Motors has recently leased the two lots to the Koons Toyota, who will operate a similar business as a motor vehicle dealership in the original Cherrydale Motors building, and use the transitional parking for overflowing staff and customer parking for the dealership in front of it.

**Since the Last Review (May 18, 2002)**

Use Permit Conditions: The use continues to be in compliance with all use permit conditions.

Community Code Enforcement: Staff has visited the site and has found it to be in good condition.

Police Department: The police department reports no violations at this site and concurs with the renewal of this use permit.

Fire Marshal's Office: The site's operation complies with all fire safety codes and hazardous material regulations. No complaints have been reported.

Civic Associations: The Cherrydale Civic Association was notified of this use permit review. The association suggested a shorter renewal period of this use permit because they are concerned a new user of this parking lot might bring problems to the community.

**CONCLUSION:** The owner of the parking lot has notified staff that there is no change of ownership or change of use. However, the subject site along with the "C-2" property in front of it has been leased to a new tenant, the Koons Toyota, who will conduct a similar business and use the transitional parking lot in the approved fashion. The new tenant has filed for a new Certificate of Occupancy and has agreed to the use permit conditions for the transitional parking lot. It is recommended that the use permit be renewed, with an administrative review in six (6) months (November 2005), **an annual administrative review (May 2006 and May 2007)**, and a County Board review in three (3) years (May 2008), in order to monitor the new operation's impact on the community and the development at this site closely.

PREVIOUS COUNTY BOARD ACTIONS:

- October 18, 1986                      Approved a use permit (U-2529-86-1) to operate a transitional parking area, subject to conditions, and with a review in one year (October 1987).
- October 17, 1987                      Continued use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, and with a review in one year (October 1988).
- October 1, 1988                       Continued use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, and with a review in two years (October 1990).
- October 6, 1990                       Continued use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, and with a review in five years (October 1995).
- October 14, 1995                      Continued use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, and with a review in two years (October 1997).
- October 4, 1997                       Continued use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, and with a review in two years (October 1999).
- October 2, 1999                       Continued use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, and with a review in five years (October 2004).
- April 8, 2000                         Deferred a use permit amendment request (U-2529-86-1) for a transitional parking area to the May 20, 2000 County Board hearing.
- May 23, 2000                         Approved a use permit amendment request to expand the rear parking area by 1,000 additional square feet, subject to amended Condition #2, new Condition #6, all previous conditions, and with a review in one (1) year (May 2001).
- May 19, 2001                         Renewed use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, for two (2) years, and with a County Board Review in one year (May 2002).
- May 18, 2002                         Renewed use permit (U-2529-86-1) to operate a transitional parking area, subject to all previous conditions, for three

(3) years, and with a County Board Review in three (3) years (May 2005).

Approved Use Permit Conditions U-2529-86-1 (approved in 1986, and amended in 2000):

1. The ground surface of the parking area shall be paved with a durable, dust-free and hard material, such as bituminous hot mix or Portland cement concrete or some comparable material subject to the approval of the Zoning Administrator. Such paving shall be maintained for safe and convenient use at all times.
2. A landscaping plan shall be submitted to the County Manager or his designee prior to issuance of a building permit denoting a mixture of deciduous and evergreen trees to replace all trees removed from the minimum 25 foot buffered area along North Kenmore Street. The surface for parking shall be limited to 4,650 square feet and occupancy of the parking area at any one time shall not exceed 30 vehicles.
3. No automobile sales shall occur on the site nor shall junk cars or disassembled automobile parts be allowed on the lot.
4. No repairs of automobiles shall occur on the site.
5. Responsibility for upkeep of the lot, trimming of trees, and general maintenance of the lot remain with the proprietor of the property.
6. The applicant agrees to preserve during construction all trees identified in the approved transitional parking lot's landscape screening plan.