



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of May 17, 2005**

SUPPLEMENTAL REPORT

DATE: May 12, 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

C.M. RECOMMENDATION:

Renew, subject to all previous conditions, with an administrative review in six (6) months (November 2005), ~~annual administrative reviews (May 2006 and May 2007), and a~~ County Board review in ~~three (3) years (May 2008)~~ one (1) year (May 2006).

DISCUSSION: This use permit for a transitional parking lot on a residential property is on schedule for a three-year review. At the May 7th County Board Meeting, three citizens pulled the use permit from the consent agenda because they did not agree with the recommendation to renew the use permit, with an administrative review in six months, annual administrative reviews, and a County Board review in three years. The recommendation has been revised to a six (6) month administrative review (November 2005) with a County Board review in one (1) year (May 2006). Staff is recommending a shorter administrative review period because the property owner of the transitional parking lot is considering selling it along with the adjacent residence to the south and the commercially zoned Cherrydale Motors site located to the north on Lee Highway. The six month administrative review will facilitate close monitoring of the site and the ongoing property sale.

The community has expressed concern that the long-term status of the use permit (19 years) might mislead potential purchasers of the properties to assume that the two residentially zoned lots could be rezoned from residential to commercial. Any rezoning or special exception request on this site will have to be filed and go through a public notification and hearing process with the Planning Commission and the County Board. The use permit could be brought back for review by the County Board at the same hearing date.

A new purchaser of the property, who wants to use the transitional parking for additional parking for a business, would be required to abide by the conditions of the use permit or request a use permit amendment that would also require a public hearing. Presently the lot can only be used for staff and customer overflow parking for the commercial business immediately adjacent to it, and cannot be used to store cars or park cars from any other site. The new owner would be

County Manager: _____

Staff: Wei H. Smith, DCPHD, Planning Division

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required to comply with the approved use permit conditions and the use could be put on a shorter review period to ensure compliance.

Another concern of the community is that a use permit cannot be terminated through an administrative review. Only the County Board has the authority to discontinue a use permit. If staff finds at the administrative review that the subject property has been sold to a new owner, who does not intend to use the property as a transitional parking lot, staff can bring it to the next County Board meeting and recommend that the County Board discontinue the use permit.