

*City of Alexandria, Virginia*  
*Department of Planning & Zoning*

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**SPECIAL USE PERMIT CERTIFICATE**

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit	#2024-00040
Approved by Planning and Zoning:	July 18, 2024
Permission is hereby granted to:	Habib Ahmed
to use the premises located at:	2838 Duke Street
for the following purpose:	see attached report

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

July 18, 2024

*Karl Moritz* (by T. LaColla)

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Date

Karl Moritz, Director  
Department of Planning and Zoning

DATE: July 18, 2024

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

FROM: Patrick Silva, Urban Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2024-00040  
Administrative Review for Change of Ownership  
Site Use: Automobile Service Station  
Applicant: Habib Ahmed  
Location: 2838 Duke Street  
Zone: CG/Commercial General

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### **Request**

Special Use Permit #2024-00040 is a request to change the ownership of an automobile service station at 2838 Duke Street from R&N Corporation to Habib Ahmed. The applicant plans to begin operating the business under the trade name Coastal Duke Street. No additional changes to the operation of the business are planned.

### **Background**

An automobile service station has been operating at the subject site since 1968 when City Council first approved SUP737 to allow the applicant, Klein Brothers LLC, to operate the business. In 1992, the business was taken over by Essam Danfore. In June 1992, City Council approved SUP2027-A to allow the automobile service station to expand, however, the applicant never commenced construction and the Special Use Permit approval expired. In January 1996, City Council approved SUP1995-00118 to allow the applicant to add additional pump islands and a fuel canopy. Several City Council reviews for repeated SUP condition violations occurred between April 1997 and June 2003 (Special Use Permits 1997-00017, 1997-00178, 1998-00130, 1999-00065, 2001-00114, 2003-00024) and approved the continuation of the business each time. Most recently, in June 2004, City Council approved SUP #2004-00034 to permit am SUP change of ownership from Essam Danfore to R&N Corporation.

In the past five years, two notice of violations have been issued to R&N Corporation regarding observed Special Use Permit condition violations. In both instances, the applicant rectified the issues in short order to the satisfaction of City staff.

### **Parking**

Pursuant to Section 8-200(A)(12) of the Zoning Ordinance, an automobile service station with eight gasoline pumps requires eight off-street parking spaces. The applicant satisfies this parking requirement with the 16 off-street parking spaces provided on-site.

**Community Outreach**

Public notice was provided through the City's eNews, via the City's website, and by posting a placard at the site. The subject site does not lie within the boundaries of any Civic Association, so none were provided a courtesy notice of the request. Staff has received no public comments regarding the request.

**Staff Action**

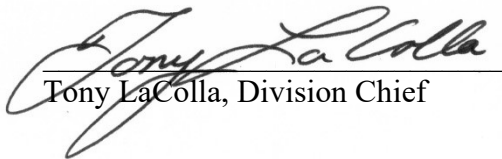
Staff does not object to the request for a change of ownership for the automobile service station. The vast majority took place under a single previous owner and any Special Use Permit condition violations over the past five years have been swiftly addressed.

However, a number of Special Use Permit conditions have been amended to bring the approval into compliance with present-day standard Special Use Permit conditions of approval for automobile service stations. This includes amendments to Conditions #3, #5, #6, #22, and #26, the addition of new Conditions #33, #34, #35, and #36, as well as the deletion of Conditions #7 and 30 which are no longer applicable.

Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: July 18, 2024  
Action: Approved



Tony LaColla, Division Chief

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

**CONDITIONS OF SPECIAL USE PERMIT #2024-00040**

The new owner 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. Condition deleted. (PC)
2. Condition deleted. (PC)
3. **CONDITION AMENDED BY STAFF:** All vehicles on the lot shall be stored in a neat and orderly manner. No abandoned, stripped, or junked vehicles shall be displayed, parked, or stored outside. ~~kept on the premises. (Planning and Regional Affairs) (SUP #737)~~
4. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP 95-0118)
5. **CONDITION AMENDED BY STAFF:** Repair work done on the premises shall be limited to light automobile repair, ~~which is defined as "Minor service work to automobiles or light trucks including tune-up, lubrication, alignment, fuel system, brakes, mufflers, and replacement of small items but not to include general auto repair services."~~ (P&Z)
6. **CONDITION AMENDED BY STAFF:** No repair work shall be done outside. All repairs of motor vehicles shall be conducted inside a building or structure. (P&Z) ~~(SUP 95-0118)~~
7. **CONDITION SATISFIED AND DELETED BY STAFF:** ~~The applicant shall provide a parking plan for the lot to the satisfaction of the Director of Planning and Zoning and shall stripe the parking spaces according to the approved plan prior to the issuance of a building permit for the canopy. (P&Z) (SUP 95-0118)~~
8. A minimum of a 22 foot wide drive aisle shall be provided around the building, for access to the service bays. (P&Z) (SUP 95-0118)
9. Vehicles shall be parked in a neat and orderly manner, generally in the designated striped parking spaces. (P&Z) (SUP 95-0118)
10. No vehicles shall be displayed, parked, or stored on a public right-of-way. (P&Z) (SUP 95-0118)
11. 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&Z) (SUP 95-0118)

12. The hours of operation shall be limited to between 6:00 A.M. and 10:00 P.M., daily (P&Z) (SUP 95-0118)
13. 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 not be discharged to the sanitary or storm sewers, or be discharged onto the ground. (T&ES) (SUP 2001-0114)
14. Condition deleted. (PC) (SUP#2003-0024)
15. Condition deleted. (PC) (SUP#2003-0024)
16. Condition deleted. (PC) (SUP#2003-0024)
17. Condition deleted. (PC)
18. The applicant shall maintain the two street trees and shrubbery along the property line fronting Duke Street to the satisfaction of the Director of Planning and Zoning. (P&Z)
19. The applicant shall maintain plants in good condition. (P&Z)(SUP 95-0118)
20. All loudspeakers shall be prohibited from the exterior of the building. No amplified sound shall be heard at the property line. (P&Z) (T&ES) (SUP#2003-0024)
21. Condition deleted. (CC) (SUP 97-0178)
22. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the special use permit one year after it has been operational ~~for one year, and then again every three years for compliance with all conditions and may~~ 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) or 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 to offset land use impacts not addressed in the city code.~~ (P&Z) (SUP2004-00034)
23. The applicant shall maintain the planting bed on the western side of the property in a neat and orderly condition in perpetuity. (PC) (P&Z)
24. 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&Z) (SUP 2001-0114)

25. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (P&Z) (SUP 2001-0114)
26. **CONDITION AMENDED BY STAFF:** The applicant shall comply with the City of Alexandria Best Management Practices Manual for Automotive Related Industries found here:  
[https://www.alexandriava.gov/uploadedFiles/tes/info/Automotive\\_BMP\\_manual.pdf](https://www.alexandriava.gov/uploadedFiles/tes/info/Automotive_BMP_manual.pdf)Cont. ~~A copy can be obtained by contacting the Division of Environmental Quality on 703/519-3400, extension 166.~~ (T&ES) (SUP 2001-0114)
27. No material shall be disposed of by venting into the atmosphere. (T&ES) (SUP 2001-0114)
28. 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) (SUP 2001-0114)
29. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation process, to discuss all special use permit provisions and requirements. (P&Z) (SUP#2003-0024)
30. **CONDITION DELETED BY STAFF:** ~~Convenience retail items sold shall be limited to cigarettes, sodas, prepackaged snack foods, chips, cookies, gum, magazines and similar items. (P&Z) (SUP#2003-0024)~~
31. 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)
32. Car wash discharges resulting from a commercial operations shall not be indiscriminately discharged into a storm sewer system. For any on-site car washing, the applicant shall comply with one of the following four alternatives available to the applicant:
  - A) Car washes be done at an off site commercial car wash facility.
  - B) Wash water may be discharged to sanitary sewers after seeking appropriate approval from Alexandria Sanitation Authority.
  - C) Applicant may choose to seek coverage under a general VPDES (Virginia Pollution Discharge Elimination System) permit issued by Virginia Department of Environmental Quality to discharge wash water from car washes into surface waters/storm sewer and comply with the conditions specified therein.

- D) Commercial car wash installations shall be equipped with water recycling system approved by the building official. (T&ES)
33. **CONDITION ADDED BY STAFF:** The applicant shall provide information about alternative forms of transportation to access the location of the use, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. (P&Z)
34. **CONDITION ADDED BY STAFF:** The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
35. **CONDITION ADDED BY STAFF:** Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash and debris shall be allowed to accumulate outside of those containers. Outdoor trash receptacles shall be screened to the satisfaction of the director. (P&Z)
36. **CONDITION ADDED BY STAFF:** Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least twice during the day and at the close of the business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation (P&Z)

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2024-00040. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the automobile service station at 2838 Duke Street.

\_\_\_\_\_  
Applicant - Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant – Printed

\_\_\_\_\_  
Date