



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of November 13, 2007**

DATE: October 30, 2007

SUBJECT: U-3064-03-1 USE PERMIT REVIEW for automobile window tinting, sale of automobile accessories located at 4615 Columbia Pike. (Sonic Tint) (RPC #23-037-004)

Applicant:
Sonic Tint

By:
Kevin Juarez
Sonic Sound L.L.C.
4160 South Four Mile Run Drive, Suite 200
Arlington, Virginia 22206

C.M. RECOMMENDATION:

Renew, subject to all previous use permit conditions, with an administrative review in six (6) months (May 2008) and a review by the County Board in one (1) year (November 2008).

ISSUES: None.

SUMMARY: This is a use permit review for an automobile tinting store located within the Columbia Pike Special Revitalization District. The site has a small area of landscaping adjacent to the curb which historically has been difficult for the applicant to maintain, but is currently in compliance with the use permit conditions. Therefore, staff recommends the use permit be renewed, subject to all previous use permit conditions, with an administrative review in six (6) months (May 2008) and a review by the County Board in one (1) year (November 2008).

BACKGROUND: The use permit was approved in September 2003. When the business was reviewed in September 2004, it was found to be in non-compliance with the use permit conditions and County codes, including landscaping, trash and debris, and additional hours of operation. The applicant worked with staff to bring the site into compliance. A shorter review period of one (1) year (November 2005) was recommended in order to closely monitor the landscaping maintenance. Although initially found to be in need of landscaping maintenance in November 2005, the landscaped area in the front of the site was brought into compliance with the use permit conditions. At that time, staff recommended the use permit be renewed with an administrative review in six (6) months (May 2006) and a review by the County Board in one (1)

County Manager: _____

Staff: Colleen J. Connor, DCPHD, Planning Division

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year (November 2006). Again, the site was found to be in need of landscaping maintenance in November 2006, but the landscaped area in the front of the site was brought into compliance. The use permit was renewed with an administrative review in six (6) months (May 2007) and a review by the County Board in one (1) year (November 2007).

DISCUSSION: During inspection for the current review, the landscaped area was found to be in need of maintenance. Upon notification, the applicant cleared the area of weeds and has now cleaned up the landscaped area.

Additionally, the applicant requested a revision to the approved landscape plan because of the limited size of the landscape area. An application to change the landscape plan was administratively approved on October 22, 2007. The administrative change allows the applicant to reduce the number of Liriopes required by the approved landscape plan. Because of the small size of the planting area (14' by 6'), the applicant requested to install twenty (20) Liriopes for ground cover instead of the fifty (50) Liriopes originally required on the approved landscape plan. This small landscaped area also includes juniper for low shrubs, which cover more of the area than anticipated in the original landscape plan. This amendment to the landscaping plan will help achieve long-term compliance by the applicant with the use permit conditions.

Since the Last Review (November, 2006)

Use Permit Conditions: The use is in compliance with the use permit conditions.

Community Code Enforcement: Community Code Enforcement has inspected the site and found the landscaped area in need of maintenance. Upon notification, the applicant resolved the issue by removing weeds from the area.

Fire Marshal's Office: The Fire Marshall's Office reports no issues with this use permit.

Police Department: The Police Department reports no issues with this use permit.

Civic Associations: The Barcroft School and Civic League and the Douglas Park Civic Association have been notified of the use permit review. To date, no comments have been received.

CONCLUSION: Although initially found to be in need of maintenance, the landscaped area in the front of the site has been weeded and is now in compliance with the use permit conditions. Furthermore, the landscape plan has been amended in an effort to address maintenance issues. Therefore, staff recommends the use permit be renewed, subject to all previous use permit conditions, with an administrative review in six (6) months (May 2008) and a review by the County Board in one (1) year (November 2008).

PREVIOUS COUNTY BOARD ACTIONS:

- September 13, 2003 Approved use permit (U-3064-03-1) for a automobile window tinting and sale of auto accessories store located at 4615 Columbia Pike, subject to the conditions in the staff report, with an administrative review in six (6) months (March 2004) and a County Board review in one (1) year (September 2004).
- September 18, 2004 Deferred use permit (U-3064-03-1) for a automobile window tinting and sale of auto accessories store located at 4615 Columbia Pike, to bring operation into compliance with conditions on maintenance and hours of operation.
- November 16, 2004 Renewed use permit (U-3064-03-1) for a automobile window tinting and sale of auto accessories store located at 4615 Columbia Pike, subject to the conditions in the staff report, with a County Board review in one (1) year (November 2005).
- November 15, 2005 Renewed use permit (U-3064-03-1) for a automobile window tinting and sale of auto accessories store, subject to all previous use permit conditions and amended Condition #4, with an administrative review in six (6) months (May 2006) and a review by the County Board in one (1) year (November 2006).
- November 14, 2006 Renewed use permit (U-3064-03-1) for a automobile window tinting and sale of auto accessories store, subject to all previous use permit conditions, with an administrative review in six (6) months (May 2007) and a review by the County Board in one (1) year (November 2007).

Approved Conditions:

1. The applicant agrees to conduct the window tinting and car accessory sales entirely within the building.
2. The applicant agrees to limit the hours of operation to 10:30 a.m. to 6:00 p.m., Monday to Sunday, seven days a week.
3. The applicant agrees that all requirements of County and State ordinances, the Environmental Health Bureau, the Fire Marshal and the Police Department shall be met.
4. The applicant agrees to install and maintain the landscaping as shown in the landscaping plan dated August 20, 2003 and approved by the County Board on September 13, 2003. The applicant agrees to amend and to obtain approval of the amended landscape plan by the County by December 31, 2005, to substitute a more suitable species for the Hakonechola and to provide a higher barrier around the landscaped area. The installation of the landscaping and barrier shall occur by April 30, 2006. The applicant agrees to follow the County standards for "Landscape Maintenance Management Program," "Planting Notes," "Planting Specifications," and "Planting Details for Shrubs."
5. The applicant agrees to clean out the weeds in the front parking lot and the backyard and maintain the area in the future.
6. The applicant agrees to obtain the appropriate Arlington County sign permits before putting up any signs on site.