



ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item
Meeting of March 15, 2008**

DATE: March 5, 2008

SUBJECT: U-2957-99-1 USE PERMIT REVIEW for tire shop; on premises known as 3237 Wilson Boulevard. (Guaranteed Used Tires) (RPC #15-089-010)

Applicant:

Speir, Inc., t/a Guaranteed Used Tires

BY:

William B. Lawson, Jr., Attorney
Barnes, Lawson, & Frank
6045 Wilson Boulevard, Suite 100
Arlington, Virginia 22205

C.M. RECOMMENDATION:

Renew, subject to all previous conditions and no further scheduled County Board review.

ISSUES: This is a review of a use permit for a tire store and no issues have been identified.

SUMMARY: The use permit for Guarantee Used Tires was originally approved in March 1999. Since the last review in March 2003, the use has operated in compliance with the use permit conditions and there have been no complaints regarding this use. Therefore, staff recommends renewal of the use permit, subject to all previous conditions, with no further scheduled County Board Review.

BACKGROUND: The use permit for the operation of a tire shop was originally approved in March 1999 by the County Board. The use was continued for three (3) years in its review on March 11, 2000, and again on March 5, 2003, with a review in five (5) years (March 2008).

DISCUSSION: Since the last review, the subject use has been operated in compliance with the use permit conditions. There has been no expansion of or change in the approved use. The Community Code Enforcement staff inspected the tire shop and found that all conditions of the use permit are in compliance. The Code Enforcement Office did not receive any complaints or concerns relating to this use permit during the review period.

County Manager: _____

Staff: Colleen J. Connor, CPHD, Planning Division

PLA-4914

Since the Last Review (March 5, 2003):

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

Community Code Enforcement, Police Department, and Fire Marshal's Office: The Code Enforcement Office, Fire Marshal's Office, and the Police Department have not expressed any issues regarding the current use.

Civic Association: The parcel is located within the Ballston-Virginia Square Civic Association, and adjacent to the Clarendon-Courthouse Civic Association, and these associations were notified about the use permit review. The Clarendon Alliance, the Ballston-Partnership, and the Ballston-Virginia Square NCAC were also notified of the review. The civic associations have not responded with any comments on the subject use.

CONCLUSION: The applicant has been working in compliance with all State and County codes since the use was approved by the County Board in 1999. There have been no complaints or concerns reported to the staff during the review period. Therefore, staff recommends that the use permit be renewed, subject to all previous conditions, and no further scheduled County Board review.

PREVIOUS COUNTY BOARD ACTIONS:

October 17, 1987	Approved a use permit (U-2564-87-1) for the operation of a public garage, subject to a review in one (1) year.
October 1, 1988	Continued use permit (U-2564-87-1) with an additional Condition #10, subject to a review in six (6) months.
April 8, 1989	Deferred use permit (U-2564-87-1) for one (1) month, to the May 13, 1989 County Board meeting.
May 13, 1989	Continued use permit (U-2564-87-1) subject to previous conditions and with a review in one (1) year.
May 19, 1990	Continued use permit (U-2564-87-1) with an additional Condition #11, subject to a review in three (3) months.
August 11, 1990	Continued use permit (U-2564-87-1), subject to all previous conditions and a review in six (6) months.
February 12, 1991	Continued use permit (U-2564-87-1) subject to all previous conditions and a review in one (1) year.
February 8, 1992	Continued use permit (U-2564-87-1), subject to all previous conditions, and with a review in three (3) years.
February 4, 1995	Continued use permit (U-2564-87-1), subject to all previous conditions, and with a review in five (5) years.
March 13, 1999	Approved use permit (U-2957-99-1) for the operation of a tire shop, subject to the conditions of the staff report, and with a review in one (1) year.
March 11, 2000	Approved use permit (U-2957-99-1) for the operation of a tire shop, subject to the conditions of the staff report, and with a review in three (3) years.
March 5, 2003	Renewed the use permit subject to all previously approved conditions, with a review by the County Board in five (5) years (March 2008).

Approved Conditions:

1. The developer agrees to limit the use to the changing and sale of tires. All repair services shall occur within the service bay area. No vehicle parts or repair tools shall be stored or displayed outside of the building.
2. Vehicles whose tires are being changed shall not be stored, parked or tested on adjacent residential streets, alleys or unimproved lots. Overnight storage of vehicles shall be prohibited.
3. Hours of operation for the garage shall be limited to 10: a.m. to 6:30 p.m., Mondays through Fridays, and 10: a.m. to 4:00 p.m. on Saturdays.
4. All trash receptacles located outside of the building shall be screened from public view. The location and materials of the enclosures shall be approved by the County Manager or his designee.
5. All parking and vehicular maneuvering areas shall be paved. Areas of broken pavement shall be repaired.
6. All vehicles being repaired or awaiting repair shall be stored on-site in a manner consistent with the parking plan submitted with this application and parking spaces shall be clearly delineated.
7. Vehicle repairs shall occur in one (1) service bay at any one time, as illustrated in the site plan submitted with this application.
8. A floor plan and parking plan for the entire building, which shall identify other uses in the building and required parking for those uses, shall be submitted and approved by the County Manager or his designee prior to permits.