

## **Garden City Inspection Status Report**

March 27, 2006

Assigned Inspector: Charles Wilson

Team Leader: Dana Wilson

Staff from the Office of Community Code Enforcement performs daily inspections of the Garden City Shopping Center. The following is a summary of activity since the January Full Code Inspection, at which approximately 200 violations were identified:

### Palladium Restaurant

- The Palladium Restaurant is in full compliance with all conditions of the approved Use Permit.
- The Palladium Restaurant owners have complied with all building code violations within the required compliance period.
- Staff has been conducting periodic weekend inspections of the Palladium Restaurant operations during the evening. No violations of the Arlington County Noise Ordinance have been found.

### Status of Full Code Compliance at the Shopping Center

- Following the Full Code inspection, all properties in the Garden City Shopping Center (5117-5185 Lee Highway) were placed on the Blight List for possible blight designation if compliance was not achieved.
- All imminently dangerous or life-threatening emergency conditions were corrected during the initial compliance period.
- Health Inspectors achieved compliance on all critical violations at food establishments at the Garden City Shopping Center. Following the Full Code Inspection, one food establishment was closed for a number of violations including no heat and unsanitary conditions. Based on compliance efforts by the businesses, Health Inspectors have returned all food establishments at the Shopping Center to the routine inspections and reviews schedule.
- More than ninety percent (90%) of all Building Code violations identified during the Full Code have been corrected. The remaining building code violations (tuck pointing of walls and brick work and asphaltting of parking areas) were granted an extension of compliance upon the formal request of the owners. None were structural in nature and we expect compliance to be achieved by the end of the extension.
- 5145-47 Lee Highway (Johnny Lange's), formerly identified as open to trespass was secured against trespass. A request for an interior inspection of 5145-47 Lee Highway (Johnny Lange's) was granted by the owner, and they have obtained several building permits for interior alteration of the structure, electrical and mechanical systems. The permit status is active.

- The Rodent and Vector Control staff monitored and baited select exterior locations and the rear alley.
- Property Maintenance/Care of Premises code issues have been a major source of complaints at the Shopping Center. As part of daily inspection efforts, staff has spent significant effort educating business owners on code requirements. These efforts have been effective at reducing nuisance complaints resulting from exterior litter and open refuse containers. In addition, twelve civil infraction tickets have been issued to property owners or merchants for debris and litter on the exterior in violation of the Care of Premises Ordinance. Two of the twelve civil infraction tickets carried monetary fines. The Office of Community Code Enforcement used its contractors to clean the rear-exterior of the premises at one parcel where the owner refused to comply by the compliance deadline. The owner will be billed \$588.00 for payment under the County's Clean and Lien Program.
- Trash removal—particularly pick-up before 7:00 a.m.—has also been a source of community complaints. As a criminal misdemeanor offence, staff must witness the violation to cite it. In the meantime, Community Code Enforcement staff has worked with all refuse contractors performing work at Garden City to ensure that they understand the time of day restrictions. In addition, the Solid Waste Division is posting signs with the hours restrictions at the entrances to alley at the rear of the Shopping Center. Code Enforcement Staff also will work with Arlington County Police to cite the errant route driver and subsequently the refuse contractor for repeated infractions.
- Based on what staff is seeing in their daily inspections, business and property owners seem to be communicating more with each other to collectively address sub-standard conditions and avoid fines and court appearances. Some business owners have also noted some minor increase in customers during this enforcement period.

### Community Meeting

- Code Enforcement and Planning staff met with community members on February 22. Staff updated the community about the Full Code inspection, the status of compliance at that point, and reviewed redevelopment potential on the shopping center property. Staff responded to numerous questions about enforcement efforts and continues to pursue compliance on all violations. Many residents expressed interest in redevelopment of the property, although others expressed reservations about density and height so close to the neighborhood. Some neighbors indicated that they would not like to see development at the scale now under construction in Cherrydale. Residents also expressed concern about the potential loss of some businesses, others their desire for more upscale retail. The group concluded that the next step, in addition to enforcement, is to schedule a meeting between staff and the business and property owners. Susan Bell is in the process of getting this meeting scheduled in mid-April.

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