

City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 26, 2017

TO: CHAIRWOMAN AND MEMBERS OF THE
PLANNING COMMISSION

FROM: KARL MORITZ, DIRECTOR,
DEPARTMENT OF PLANNING & ZONING

SUBJECT: DOCKET ITEM #10
SUP #2016-0100, 623-625 North Columbus Street
RESPONSE TO RESIDENTS' CONCERNS

Special Use Permit #2016-0100 is a request for parking reductions and open space modifications associated with the construction of two single family dwellings at 623 and 625 N. Columbus Street. The site in question consists of two independent lots, denoted as Lots 11 and 12 in Deed Book 1573, Page 741 and depicted on a survey plat prepared by Virginia Licensed Surveyor George O'Quinn (LIC #2069) and dated September 2, 2016. The proposed project would construct a single family dwelling on each lot.

This case was deferred at the April Planning Commission hearing in order to allow the applicant and the property's former owner to address neighbor concerns related to the existing use of the property and other aspects of the project as referenced in resident letters dated March 30, 2017 and March 31, 2017. These letters raise questions about the current use of the property, the requested parking reduction, and the proposed side yard setback of one of the dwellings. Although issues related to the site's current use are not elements of the SUP proposal, it is helpful to provide the community, the Planning Commission, and the City Council with additional information as it has become available while the application for this special use permit [gets](#) evaluated on the merits of the project as proposed. Staff continues to recommend approval of the SUP requests for parking reductions and open space modifications based on the merits of the applicant's proposal

Current Use of the Property

The property is currently used as a parking lot for the Great Beginnings Daycare located at 618-622 N. Washington Street. This daycare center uses this parking lot to comply with its minimum parking requirements under the Zoning Ordinance and to provide a pick-up and drop-off area in accordance with a plan approved by the City on March 4, 2011. A daycare has operated at this site since 1996 when it was granted SUP approval, as was required at that time. The tenant space lease at 618-622 N. Washington Street includes the use of [these](#) lots at 623 and 625 N. Columbus Street, which were under common ownership at the time the lease was signed. Currently different parties own the 623-625 N. Columbus Street and the 618-622 N. Washington Street Properties. The property at 623-625 N. Washington Street was sold on August 18, 2016 from Rafat Mahmood, the owner of the 618-622 N. Washington property, to the SUP applicant, 623 & 625 N. Columbus Street Homes, LLC, owned by Louis V. Genuario,

Arthur Genuario, Peter Lunt, and Stephen Cumble. The lease for the day care center's tenant space expires on June 30, 2017. As current owner of 623-625 N. Columbus Street, the applicant **had initially** revised the day care center's lease to expire on May 17, 2017, however, it has **now** stated in its April 20, 2017 letter (attached) that it intends to extend the parking lot lease until it June 30, 2017 to coincide with the **daycare's** tenant space lease.

While this property is in use as parking lot for Great Beginnings Daycare, it was also considered as a possible night and weekend parking facility for the commercial component of the new mixed-use development under construction at 700 N. Washington Street, **as discussed** in the staff report for that project's site plan and entitlement review and approval in 2013. Condition #28 of the project's approval (DSUP #2013-0002) required that "Prior to Initial CO approval for the commercial space, the applicant shall provide 12 off-site parking spaces for future commercial use, at a location and with availability as generally described in the staff report, to the satisfaction of the Directors of T&ES and P&Z." The staff report references the lot at 623-625 N. Columbus Street, but it does not mandate that this lot be the only possible place to provide the required 12 off-street parking spaces.

The developer for the 700 N. Washington Street project, Mahmood Investment Corp. confirmed in a letter dated April 17, 2017 (attached) that a 14-space parking lot it owns at 898 N. Columbus Street would be available to satisfy the off-site evening and weekend parking requirement of DSUP #2013-0002, Condition #28. This parking lot would satisfy Zoning Ordinance requirements under Section 8-200(C)(3) pertaining to the location of parking facilities and requiring that off-site commercial parking lots be located within 500 feet of the commercial use it serves and requiring that the parking lot be located in a commercial or industrial zone. This lot is currently not used and would be provided for the 700 N. Washington Street's commercial space.

If the daycare center wishes to renew its lease at 618-622 N. Washington Street, it would need to secure alternate parking and pick-up and drop-off arrangements to comply with the Zoning Ordinance. As an option, Mahmood Investment Corp. has offered in its April 17th letter to allow the day care center use of the parking lot at 898 N. Columbus Street during its business hours on weekdays. However, because of the conditions of Section 8-200(C)(3), as referenced above, a technical parking reduction SUP would be required for the daycare to use this lot because this lot is more than 500 feet from the establishment (Figure 1). The daycare could also propose other parking options if it chooses to remain at its N. Washington Street facility.

The applicant has also mentioned in its April 20th letter that it would consider allowing the center to park in the 623-625 N. Columbus Street lot beyond its lease expiration date of June 30th. An alternative pick-up and drop-off plan would also be necessary if the daycare remains at its location. Alternatives include an on-street loading zone and the potential reuse of former parking spaces at the rear of the property that are no longer used.

Parking Reduction

Staff recommends approval for the requested parking reduction, as stated in the staff report, given the difficulties with creating parking spaces at the rear of the subject properties because of the narrow alley width, which severely limits driving movements. A one-space parking reduction for each lot is also reasonable because of the site's proximity to the Braddock Road Metro Station and its walking-distance proximity to retail, service, and employment opportunities in the area. Parking impacts would also be partially mitigated because a new curb would replace the existing parking lot driveway entrance in front of the proposed dwellings, creating two additional on-street spaces.

Side Yard Setbacks

As another issue, the owner and the lessee of 629 N. Columbus Street, the property adjacent to the proposed dwelling at 625 N. Columbus Street, have expressed concerns related to the proximity of this dwelling to their side windows. Although the RB zone does not require side yard setbacks for new dwellings, the applicant designed the proposed dwelling to provide a distance of at least six feet along the entire length of the dwelling from the adjacent building's windows (Figure 2) allowing light and air to reach the adjacent property. Six feet of distance is reasonable and similar to the amount of space often found between Old Town dwellings.

Conclusion:

Staff continues to recommend approval of this project. The information in this memo explains efforts of the prior and current owners to address the parking needs for other uses that have present-day access to the parking lot or proposed to use this site for parking in the future. The applicant has also met several times with adjacent neighbors in an effort to address their concerns. Staff believes that parking impact concerns are minimized by the location of parking for 700 N. Washington Street at 898 N. Columbus Street and by the day care center's options to also relocate parking to that site or to explore reasonable alternatives. Further, the six-foot distance between the proposed property at 625 N. Columbus Street and 629 N. Columbus Street creates a reasonable space outside the neighboring windows. Given the context-sensitive design of this proposed dwelling and the residential nature of this site's zone and surroundings, it is reasonable to grant approval for SUP #2016-0100, permitting parking reductions and open space modifications.

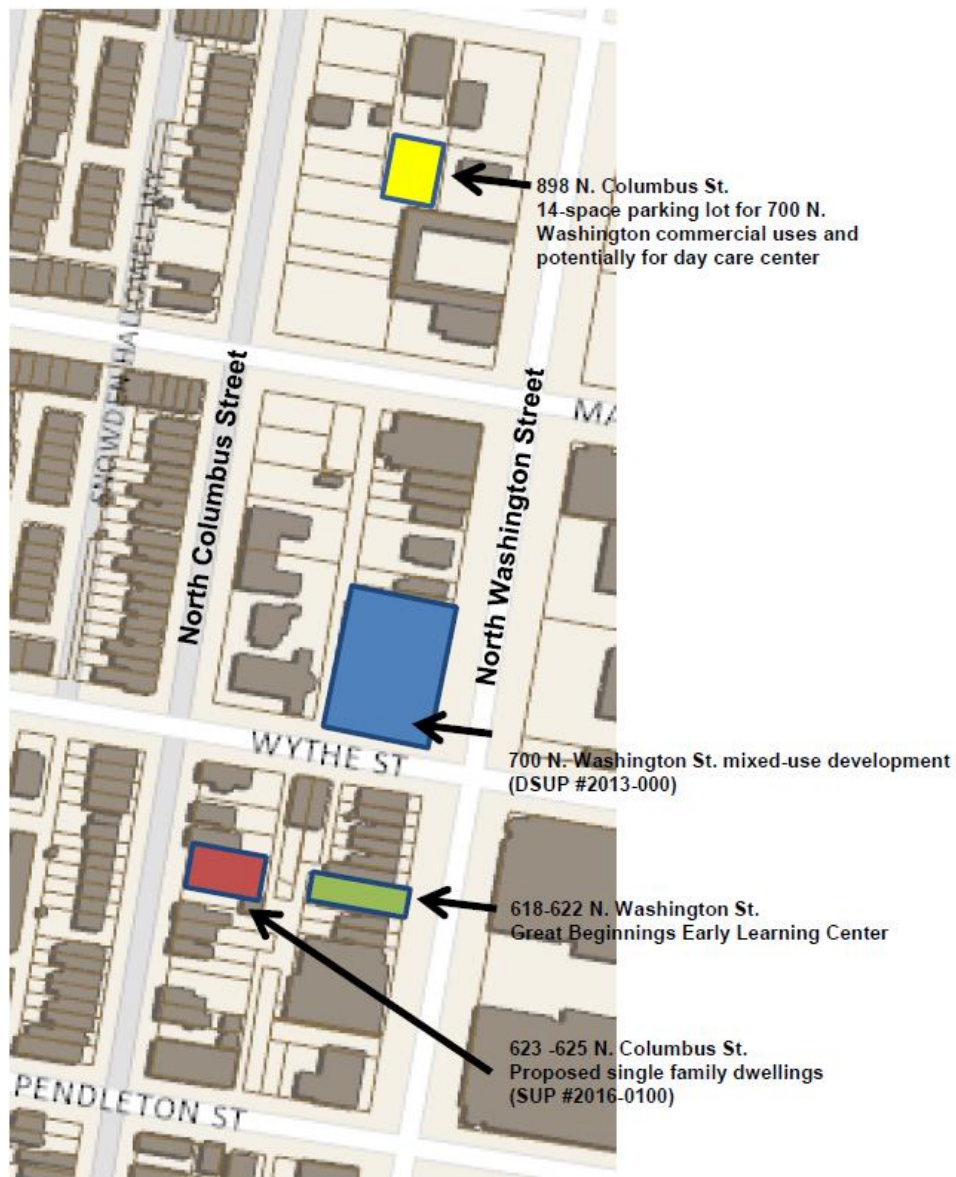


Figure 1



Figure 2:
Six feet of space exists between 625 N. Columbus Street and 629 N.
Columbus Street, as shaded in blue.



**WALSH COLUCCI
LUBELEY & WALSH PC**

M. Catharine Puskar
(703) 528-4700 Ext. 5413
cpuskar@thelandlawyers.com

April 20, 2017

Via E-Mail

Alex Dambach, Division Chief
City of Alexandria, Department
of Planning and Zoning Services
301 King Street, Suite 2100
Alexandria, Virginia 22313

Re: 623 & 625 N. Columbus Street (the "Property")

Dear Alex:

On behalf of my client, 623 & 625 North Columbus Street Homes LLC, the owner of the above-referenced Property, I am writing to follow up on our recent conversations regarding the existing parking spaces on the Property. As you are aware, the parking spaces are currently used by the Great Beginnings Early Learning Center day care facility (the "Day Care"), which leases space in the building located at 618 N. Washington Street. It is my client's understanding that the Day Care's current lease expires on June 30, 2017. My client is amenable to entering into an agreement with the Day Care to allow it to use the parking spaces on the Property through June 30, 2017. To the extent the Day Care requires additional parking beyond this date, my client is willing to have further discussions with the Day Care as its lease expiration date approaches.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions.

Sincerely,

WALSH, COLUCCI, LUBELEY & WALSH, P.C.

M. Catharine Puskar

cc: Louis Genuario

ATTORNEYS AT LAW

703 528 4700 ■ WWW.THELANDLAWYERS.COM
2200 CLARENDON BLVD. ■ SUITE 1300 ■ ARLINGTON, VA 22201-3359

LOUDOUN 703 737 3633 & WOODBRIDGE 703 680 4664

HART, GIBBS, PIERCE & KARP, P.C.

ATTORNEYS AND COUNSELLORS AT LAW

700 N. FAIRFAX STREET, SUITE 600
ALEXANDRIA, VIRGINIA 22314

TELEPHONE (703) 836-5757
FAX (703) 548-5443

April 17, 2017

Sent Via Email

Dirk Geratz, Development Division
Alex Dambach, Zoning Division
Department of Planning & Zoning
City Hall, Room 2100
Alexandria, VA 22314

RE: Report on Parking Provided for 700 N. Washington's DSUP and Flagstone Day Care

Dear Mr. Geratz and Mr. Dambach,

In response to the meeting held on April 11, 2017, you asked that our client, 700 N. Washington St., LLC, and Mahmood Investment Corp., provide the City with information regarding where parking will be provided for both the off-site parking authorized by the conditions of DSUP 2013-0002 as well as for the day care center operated by Great Beginnings Early Learning Center, located at 618-622 N. Washington Street. This letter is submitted as a written status report of both of those items.

Attached please find the parking layout for property owned by our client located at 898 N. Columbus Street, tax map no. 054.04-02-03. There are 14 existing parking spaces available on that lot, and those spaces will be made available for the day care center's use immediately upon the termination of the parking space lease with the new owner of 623 N. Columbus Street. Furthermore, when the commercial space of the development of 700 N. Washington Street is ready for occupancy, these spaces will be available on nights and weekends for the limited off-site parking required by DSUP 2013-0002.

Please feel free to give me a call if you have any questions regarding this matter.

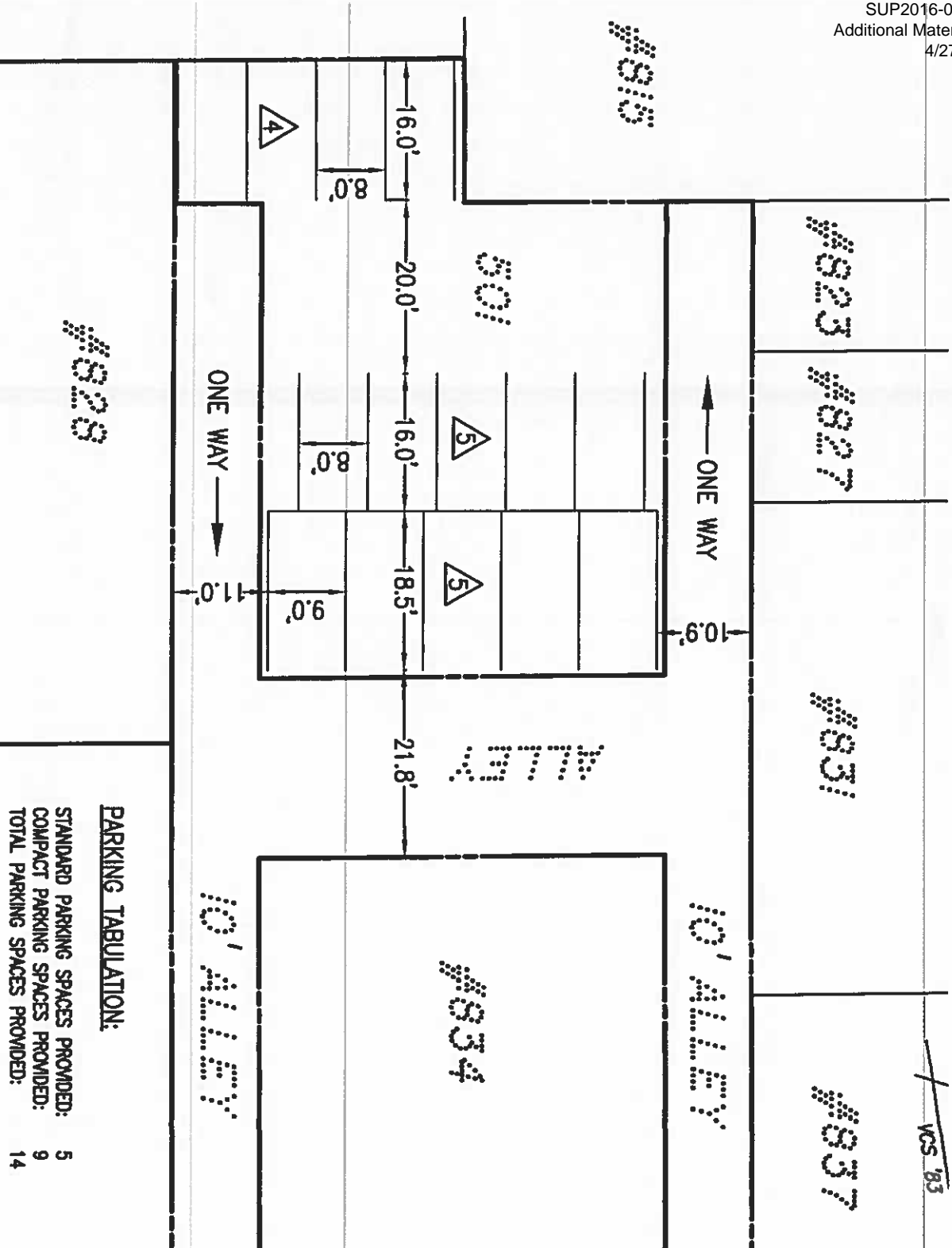
Yours truly,



Harry P. Hart
Counsel for Mahmood Investment Corp. and
700 N. Washington St. LLC

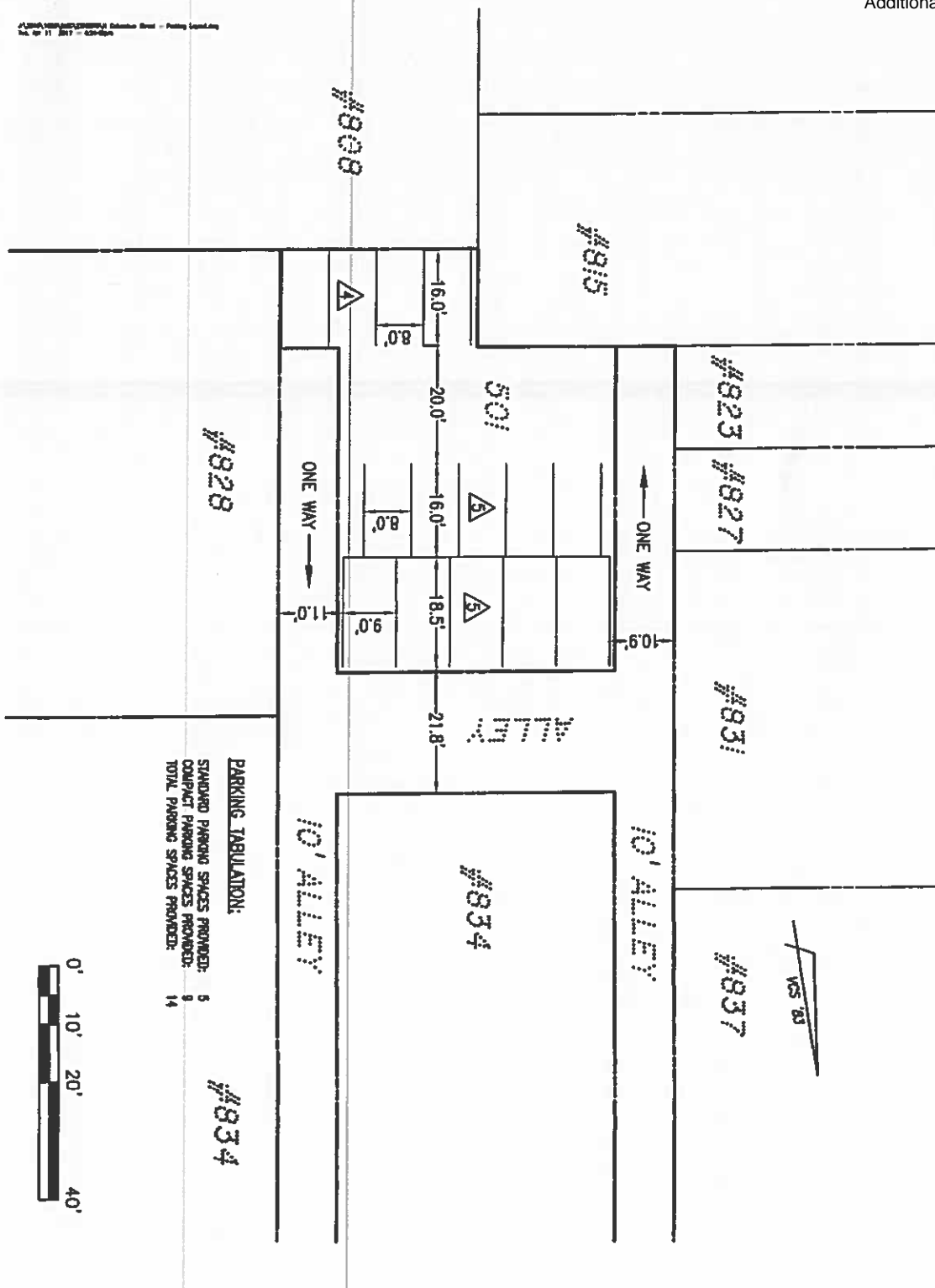
cc: Mr. Ray Mahmood

Attachment



PARKING TABULATION:

STANDARD PARKING SPACES PROVIDED:	5
COMPACT PARKING SPACES PROVIDED:	9
TOTAL PARKING SPACES PROVIDED:	14



Request to remove Special Use Permit #2016-0100 from the Consent Calendar for April 6 2017 meeting

SUP2016-0100
Additional Materials
3/27/17

Mark Plotz <mark@bikewalk.org>

Mon 3/27/2017 5:30 PM

Inbox

To: PlanComm <PlanComm@alexandriava.gov>;

Hello,

I respectfully request that item Special Use Permit #2016-0100 be removed from the Consent Calendar for the April 6 2017 meeting of the Planning Commission. I reside at 629 North Columbus which is the property that will most immediately be impacted by the proposed construction.

My concern is this: a two story building next to my house with minimal setback is going to block sunlight. The majority of our windows face south (Staff report page 3, figure 1). I reviewed the staff report and noted this relevant section:

The applicant worked closely with staff on revisions to the original application to increase open space and minimize building footprints. Additionally, the applicant tactfully re-configured the dwellings to provide appropriate clearance between the proposed dwelling at 625 North Columbus Street and the side windows on an adjacent dwelling at 629 N. Columbus Street

But I am looking at the proposal and I am left to wonder what City staff considers appropriate clearance. To me, it looks like my living room will soon resemble a cave at high noon.

Excuse the hyperbole, but I only learned of this plan on Saturday after a conversation with my neighbor, and a postcard delivered later that day with an invitation from the developer to drop by over wine to discuss the project.

Thank you for your consideration.

Mark Plotz
629 N Columbus Street
Alexandria VA 22314
703-371-0698 cell

--

Mark Plotz
Vice President
Project for Public Spaces
2599 Ontario Road NW
Washington DC 20009
202.518.0524 x224
walkbikeplaces [dot] org

SUP2016-0100
Additional Materials
4/4/17

From: Mark Plotz [mailto:mark@bikewalk.org]
Sent: Monday, April 03, 2017 11:39 AM
To: Alex Dambach
Cc: Kristen Walentisch; Ann Horowitz
Subject: Re: Regarding special use permit 2016-0100

Hi Alex,

I had a chance to meet with the developer (Louis) and Linda Wolf (realtor?) on Saturday (April 1, 2017) to walk the property and discuss my concerns about the proposed development. After that meeting I still do not support the project. My concern remains the impact that a 28 foot structure -- 4 feet away from our house -- will have on sunlight. Why are they allowed to build to the property line? I appreciate that there is offset for the rear half of the house, but what matters most to us in the front half -- that's the living space where we spent more of our time.

Mark

From: Walt Marlowe <Marlowew@aaps.org>
Sent: Tuesday, March 28, 2017 10:21 AM
To: Sara Brandt Vorel; Karl Moritz; Jeffrey Farner; Ann Horowitz; Kristen Walentisch
Cc: waltmarlowe@gmail.com; corinnemarlowe@gmail.com
Subject: RE: April 6, 2017 Planning Commission Docket - Item #3 - Special Use Permit # 2016-0100 - PLEASE RECOMMEND AGAINST THIS REQUEST!!!

Follow Up Flag: Follow up
Flag Status: Flagged

I should also add that the parking spaces at 623/625 N Columbus St are also promised as fulfillment for a special use permit to allow the operation of Great Beginnings Early Learning Center (day care center) at 618 N Washington St, Alexandria, VA 22314. Unfortunately, I don't have the official permit numbers on that one. It is an amazing parking shell game that is going on!!!

Is the city prepared to close down the day care center because of no parking also? The owner of 623/625 N Columbus St has not even informed the day care center operators that they will be losing the parking that they have relied upon for compliance with the city. He is intentionally trying to avoid any responsibility for providing ANY parking.

So the neighborhood is going to suffer from insufficient parking for 3 properties: 700 N Washington, 618 N Washington and 623/625 N Columbus. PLEASE HELP US!!!

From: Walt Marlowe
Sent: Tuesday, March 28, 2017 10:05 AM
To: 'sara.brandtvorel@alexandriava.gov' <sara.brandtvorel@alexandriava.gov>; 'karl.moritz@alexandriava.gov' <karl.moritz@alexandriava.gov>; 'jeffrey.farner@alexandriava.gov' <jeffrey.farner@alexandriava.gov>; 'ann.horowitz@alexandriava.gov' <ann.horowitz@alexandriava.gov>; 'kristen.walentisch@alexandriava.gov' <kristen.walentisch@alexandriava.gov>
Cc: 'waltmarlowe@gmail.com' <waltmarlowe@gmail.com>; corinnemarlowe@gmail.com
Subject: April 6, 2017 Planning Commission Docket - Item #3 - Special Use Permit #2016-0100 - PLEASE RECOMMEND AGAINST THIS REQUEST!!!

Dear Planning & Zoning Staff Members,

I am a very frustrated citizen who is slowly but surely losing faith that anyone in the Planning & Zoning process cares even the slightest bit about individual Alexandria citizens. It seems that the average citizen loses out to developers in every single situation.

I currently reside on the 600 block of North Columbus St. On October 19, 2013, the City Council approved development of 700 North Washington Street with the staff recommended condition that the developer provide parking within 300 feet of the location to assist in meeting the absolute MINIMUM parking requirement (Master Plan Amendment #2013-0004, Rezoning #2013-0003, DSUP#2013-0002, Encroachment # 2013-0003).

The required parking for 700 N Washington was clearly identified as being provided via an existing surface lot at 623/625 North Columbus St. (see attached presentation from the meeting). Without this parking area, the development would

not have been approved due to parking deficiencies. Without this parking the residents in the neighborhood will be severely, negatively impacted by overflow parking from 700 N Columbus St.

Now that condition on providing parking at 623/625 N Columbus (recommended by staff, approved by the City Council, and agreed to be by the developer) is being thrown out the window. The owner/developer of 700 N Washington St and 623/625 N Columbus has now conveniently forgotten about that condition on the development. He is now going ahead with plans to build two residences at 623/625 N Columbus.

He also has the nerve to ask for a reduction in the required parking requirements for the new residences!!! This has to be the height of arrogance. The request is on the April 6, 2017 Planning Commission Docket - Item #3 - Special Use Permit #2016-0100. It is imperative that this request be denied until he is able to fulfill the parking requirements for 700 N Washington to which he already agreed to with the City Council.

If this request is not denied who gets stuck holding the parking bag? The residents surrounding both properties.

And who has the responsibility to ensure that developers cannot ignore existing agreements when they move forward with requests for additional Special Use Permits? YOU DO. Please prove to the residents in the area impacted by 700 N Washington and 623/625 N Columbus that you actually care even a little bit about living up to agreements and protecting the interests of individuals in our city.

I implore you to look into this situation and deny the ability of the developer to renege on their agreements to provide MINIMAL parking with 700 N Washington St. You cannot grant Special Use Permit #2016-0100 until this matter is resolved.

Walter Marlowe
619 N Columbus St
Alexandria, VA 22314
waltmarlowe@gmail.com
703-609-1786

March 30, 2017

To the City of Alexandria Planning Commission, City Council, Mayor Silberberg

We, the undersigned residents of the 600 block of North Columbus Street, Alexandria, VA 22314, object to the request by 623 & 625 North Columbus Street Homes, LLC ("Applicant"), to modify use of the lot at 623 North Columbus Street ("the Lot") through Special Use Permit #2016-0100. The matter is presently scheduled as Consent Calendar Docket Item 3 on the Planning Commission's work session scheduled for April 6, 2017. It is also scheduled to be heard by the Alexandria City Council on April 22, 2017.

We ask the City of Alexandria to deny Applicant's request to modify use of the Lot for the following reasons:

1. The Lot was owned by Ray Mahmood until he conveyed it to Applicant on August 18, 2016.
2. The Lot has served as a parking lot since June 27, 1961, when the City Council approved SUP #451 for a 10-space parking lot to accommodate commercial offices on 618 North Washington Street. When conveyed by Mahmood to Applicant, the Lot was a parking lot and continues to be used for parent and staff parking for Great Beginnings Early Learning Center, for its day care operation at 618-622 North Washington Street Monday through Friday from 7 AM – 6:30 PM. Outside of those hours and on weekends, the parking lot is and has been available as open overflow parking for residents and visitors for decades.
3. In October 2013, Mahmood Investment Corp. and/or Ray Mahmood ("Mahmood") appealed to the city for permission to demolish its Travelodge motel to build a residential/commercial building on 700 N. Washington Street and 710 N. Washington (the "Project"). This request is memorialized in Master Plan Agreement #2103-0004, Rezoning #2013-0003, Development Special Use Permit #2013-0002, Encroachment #2013-0003, 700 & 710 N. Washington St. (the "Master Plan and DSPU"). One of five key issues specifically analyzed in this Master Plan and DSPU report was the provision of adequate parking. As noted in Part IV, Staff Analysis, Paragraph G of the Master Plan and DSPU report, Mahmood's proposal did not offer an adequate number of parking spaces as required by Zoning Ordinance 8-200(A). In fact, the proposal offered only 42 on-site spaces, or 30 fewer spaces than the 72 (43 residential + 29 retail spaces) mandated by the ordinance.
4. As part of his request for approval of the Project, Mahmood sought and was granted permission to proceed with substantially fewer parking spaces than required by the ordinance. In order to mitigate potential impacts to the neighborhood that providing only 42 parking spaces on site anticipated, Mahmood's DSUP application offered the additional 12 off-site parking spaces at 623 N. Columbus Street (the Lot). This offer was supported by the independent parking

study conducted for this project. In his DSUP #2013-0002 application, Mahmood specifically referenced the Lot as part of a solution to help meet the additional parking needs that the project was expected to generate. The application also provided that this lot would be used for valet parking once the retail restaurant opened. The Planning Commission and City Council's analysis in the Master Plan DSUP report specifically reference the Lot on page 12 of its report, as the offsite solution to mitigate potential impacts to the neighborhood.

5. The 2017 application for Special Use Permit #2016-0100 now before the Planning Commission seeks to convert the Lot from a parking area to two single-family homes.

6. Alexandria Zoning Ordinance sec. 8-100 (A)(1) provides that no land shall be used or changed in use unless the off-street parking required by this article is provided for the entire land. The Applicant's request in SUP #2016-0100 would change use of the Lot, itself an off-street parking lot, without providing an alternative, acceptable location for the 12 spaces pledged by Mahmood in DSUP #2013-0002.ⁱ

7. The application for Special Use Permit #2016-0100 now before the Planning Commission would further exacerbate the parking shortage by reducing by half (from 2 spaces to 1) the total number of parking spaces required by Section 8-200(A) of the Zoning Ordinance for each of the proposed two residences beyond the 12 spaces that would already be eliminated if the application were granted. Thus, city approval of this application would immediately create an additional parking shortfall to residents and visitors of 14 spaces.

8. Furthermore, the application for Special Use Permit #2016-0100 contains several irregularities that the city cannot ignore: 1) the application for SUP #2106-0100 fails to recognize the existing use of the Lot as off-site parking as set forth in DSUP #2013-0002; 2) the application erroneously refers to the Lot as two lots, which it designates as 623 & 625 North Columbus Street. In reality, the Lot is actually only one lot, 623, as evinced in the city's real estate assessment site and the city's [tax map](#).

9. Back in 2013, the Master Plan and DSUP was approved with certain conditions. One of these conditions, added by the Planning Commission itself as Paragraph 31, provided that the Directors of Transportation & Environmental Service and of Planning and Zoning would be compelled to review the retail parking issue upon a complaint by anyone that a violation of the permit conditions has taken place. **We as homeowners submit that the sale of the Lot and its proposed redevelopment as single-family housing constitutes a condition violation that the city is compelled to review.**

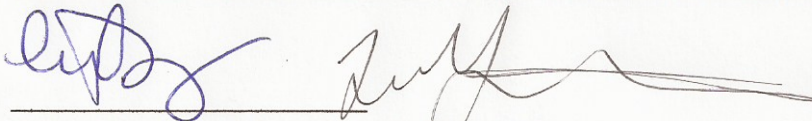
10. The City of Alexandria must deny Applicant's request for SUP #2016-0100 until it conducts a feasibility study that takes into account the present and projected critical shortage of parking along the 600 N. Columbus Street block. As reflected by

the 2013 Master Plan and DSUP, this shortage will only intensify as the retail components of the 700 N. Washington Street project become fully operational.

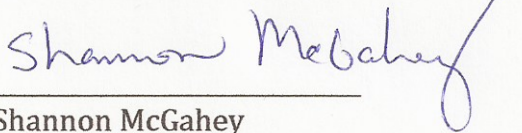
For the foregoing reasons, we homeowners and residents of the 600 N. Columbus Street block object to the Applicant's proposal to eliminate the parking lot by dividing and converting the Lot to homes. We demand that the Planning Commission and City Council honor the conditions of the 2013 Master Plan and DSUP that established the Lot as off-site parking for the 700 N. Washington Street project. We further demand that the city to put the interests of its residents ahead of new development such as the one presently being proposed by Applicant in Special Use Permit #2016-0100. We believe that our rights as long-term homeowner/taxpayers who have a genuine and vested interest in our community's quality of life, outweigh the profit-only motivations demonstrated by these developers in moving forward as if no commitments had been made to us or to the City of Alexandria.

We have experienced numerous instances where developers ignore requests by the community to work together for the betterment of the neighborhood, its homes and its residents. It is our hope that the city will not yield to developers like Mahmood and the Applicant in their efforts to place personal profit over the interests of the community. For this reason, the City of Alexandria must not grant SUP #2016-0100 without a careful and thorough feasibility study that takes into account the rights of residents and the best interests of our neighborhood.

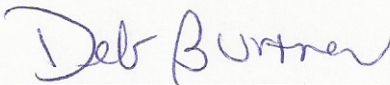
Homeowners and Residents of the 600 Block of N. Columbus Street:



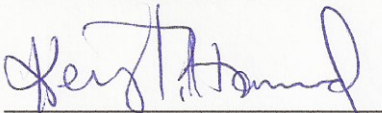
Lillian Moyano Yob and Louis Peter Yob
629 N. Columbus Street



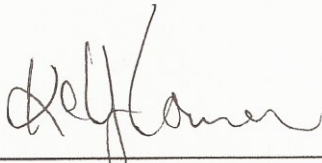
Shannon McGahey
632 N. Columbus Street



Deb Burtner
626 N. Columbus Street



Kerry Aucamp Hammond
624 N. Columbus Street



Kelly Conner
607 N. Columbus Street

SUP2016-0100
Additional Materials
4/3/17

¹ It has been brought to our attention that Mahmood has vaguely offered an alternative parking solution for Great Beginnings at the 700 N. Washington Street project. Given the specific acknowledgement in the Master Plan and DSUP that reduced parking at the project site required the solution of additional off-site parking at the Lot to begin with, this "solution" to move the capacity currently serviced by the Lot to the over-capacity site that required the off-site solution in the first place represents nothing more than a farce, and would be another attempt by this developer to promise something it has neither capacity nor true intention to deliver.

Leasing parking spaces at the Saul Center for commercial parking would also not be a genuine solution for our neighborhood. Our experience as residents of the 600 block is that visitors to the neighborhood first seek parking along our streets, which are easier to access and more visible than underground parking. Eliminating the Lot would lead to even greater scarcity of street side parking for the residents of longstanding homes along the 600 block who pay not only real property taxes, but also substantial personal property taxes on their vehicles and parking permit fees, all for the right to park along the street as near to their homes as possible.

March 31, 2017

To the City of Alexandria Planning Commission, City Council, Mayor Silberberg,

My husband and I are owners of the home that will be directly impacted by the application for Special Use Permit #2016-0100, 623 and 625 North Columbus Street (Docket Item #3 on the April 6, 2017 Planning Commission meeting).

Our house at 629 N. Columbus Street is adjacent to the lot. We learned only on Monday, March 27 of the application for Special Use Permit #2016-0100 to convert the lot that has for decades been used for parking, to two single family homes. We learned about this only from a neighbor's Facebook post.

We object to the request by 623 & 625 North Columbus Street Homes, LLC ("Applicant"), to modify use of the lot at 623 North Columbus Street (the "Lot") as set forth in the application for Special Use Permit #2016-0100. We ask the City of Alexandria to deny this application in its totality and refuse permission to construct any building on the lot for the following reasons:

1. Construction of homes on this lot will significantly and substantially diminish the value and enjoyment of our home at 629 N. Columbus Street. Applicant's plan would have one of the homes directly touching our property line. No side yard is contemplated, and the homes would each have 168 square feet less open space than Zoning Ordinance Section 3-706(B) requires.
2. Construction of this house at our property line would totally obstruct 13 windows of our home. This obstruction would cause us to lose almost all natural light and the utility of over 60% of our windows. The elimination of the majority of our home's natural light will substantially diminish the value of the house, increase our utility costs, impede ventilation and significantly reduce enjoyment of the home.
3. The application for Special Use Permit #2016-0100 contains several irregularities that the city cannot ignore: 1) the application for SUP #2106-0100 fails to recognize the existing use of the Lot as off-site parking as set forth in DSUP #2013-0002i; 2) the application erroneously refers to the Lot as two lots, which it designates as 623 & 625 North Columbus Street. In reality, the Lot is actually only one lot, 623, as evinced in the city's real estate assessment site and the city's [tax map](#). To assume there are two lots requires extreme modification of the proposed dwellings to allow development on what then must be characterized as substandard lots. Developing the Lot as two substandard lots increases density. The result is a reduction of width for each dwelling (19.3' from the 50' required by zoning ordinance) and most crucially for us, no room for side yards, diminished open spaces and parking, and obstruction of the entire side of our freestanding house, including access to natural light.

4. Zoning Ordinance Section 11-416 (A) only allows the Planning Commission to modify minimum yard or open and usable space requirements where it determines that such modification would not be detrimental to neighboring property. Where the structure would exceed maximum density of the zone, the Planning Commission may not authorize the site plan. Further, where the distinction between minimum and maximum is unclear, such as in the case of density expressed in terms of both minimum lot area and maximum floor area, then no modification shall be allowed. Section 11-416(a)(2).

5. For the reasons herein described, modification of side yard and open space requirements would be severely detrimental to our property. This development begs too much in too little space and is damaging to neighboring property and the welfare of residents on the block.

Excessive new construction in Historic Old Town and Parker Gray Districts is eroding the historic nature of Old Town Alexandria. Materials and architectural styles are often not consistent with traditional materials. In a district where longtime homeowners of truly historic residences cannot even replace decorative shutters without city approval and use of specific and costly materials, allowing new construction that is not subject to the same stringent requirements for historic preservation penalizes stakeholders who truly care about preserving the past and maintaining the historic character of our neighborhoods.

Over the past 23 years that we have resided in Old Town Alexandria, we have seen the virtual disappearance of all open spaces. We have also witnessed the disappearance of the low-income projects and demographic diversity that once was Old Town Alexandria. In place of what was once a mixed, vibrant community of economic and racial classes are now a multitude of development projects spurred only by return on investment, rapid profit and gentrification.

Our home at 629 N. Columbus Street is our nest egg. We have cared for this property and our block since we purchased the home in 1997. It represents the grand majority of our net worth. We are not developers or commercial investors interested only in quick exploitation for gain; we are a military family working day-to-day for the greater good and to provide for our family. Construction of these homes as proposed by SUP #2016-0100, which according to realtor Linda Trinkle Wolf will yield homes that will sell for \$1 million each, would trade our own financial security and the bright, light-filled home we've loved for decades just to maximize profit for investors who have no attachment to our community nor care for its longtime residents.

For the foregoing reasons, we implore the City of Alexandria to deny the Application. We object to the proposed development in its entirety.

As a final note, we wish the record to reflect that we are not here in person to present our objections because we are assigned overseas through the U.S. Army. Lacking any timely, appropriate notice of this Application, it was impossible for us to return to the U.S. in time for this hearing. We were also told by the Planning Commission that we could not present our objections orally through a teleconference call at this hearing, but that instead, we had to ensure live representation at today's hearing. This requirement is unduly burdensome, and an unreasonable impediment to our right to be heard.

Sincerely yours,



Louis Peter Yob and Lillian Moyano Yob
629 N. Columbus Street
peteandlillian@comcast.net

¹ The off-site parking issue is thoroughly addressed by the other letter that we and other homeowners have submitted in opposition of this project. We ask the Planning Commission and City Council to refer to the companion letter and to incorporate its arguments into this letter. Beyond the reasons set forth in that letter, we add here that the reduction by half (from 2 spaces to 1) the total number of parking spaces required by Section 8-200(A) of the Zoning Ordinance for each of the proposed two residences will directly impact availability of parking in the immediate vicinity of our house as the new residents park their own and their visitors' additional vehicle(s) along the street.

Re: 623-625 North Columbus St

peteandlillian@comcast.net

Mon 5/1/2017 4:49 PM

To: Ann Horowitz <ann.horowitz@alexandriava.gov>; Kristen Walentisch <kristen.walentisch@alexandriava.gov>; PlanComm <PlanComm@alexandriava.gov>;

1 attachments (154 KB)

May 2 Planning Comm Letter.docx;

Ms. Horowitz,

Please include our attached response to the record of docket materials for the May 2 hearing regarding SUP #2016-0010. We object to this proposed development and its detrimental impact on our property and on our neighborhood. The City of Alexandria has not adequately studied the impact of this proposal on residents of N. Columbus Street and should not be recommending approval at this time.

There seem to be a number of errors and confusion in memoranda filed this week by your Planning and Zoning Director Karl Moritz on this docket file. This too may be probative of our position that not enough time or careful consideration has been given to this proposal or the impact of approval on residents.

Lillian M. Yob, Owner

629 N. Columbus Street

On April 28, 2017 at 9:52 PM Ann Horowitz <ann.horowitz@alexandriava.gov> wrote:

Ms. Yob,

We wanted to share a memo with you that was sent to the Planning Commission as part of the docket materials for their meeting on May 2nd.

Please contact us with any questions or comments.

Thank you.

Ann

Urban Planner

City of Alexandria

Department of Planning and Zoning

Room 2100

City Hall

301 King Street

Alexandria, VA 22314

Phone: 703-746-3821

Fax: 703-838-6393

City of Alexandria Planning Commission, City Council, Mayor Silberberg

We object to Karl Moritz's recommended approval of the project associated with SUP #2016-0100 and the related development of the lot at 625 N. Columbus Street with two homes that would be build with below-code minimal open space and dedicated parking. We incorporate herein the objections stated in our letter to you dated March 31, 2017.

We wish here to address specifically the points raised in the Moritz analysis. We also wish to correct misstatements of fact contained in his memorandum.

- Contrary to Moritz's conclusion, the SUP applicant, 623 & 625 N. Columbus Street Homes, LLC. has not "met several times with adjacent neighbors to address concerns". In fact, the applicant has made no effort to contact us, homeowners of 629 N. Columbus Street and the most directly affected residents of this proposed project, despite having our email address on the objections filed over four weeks ago on March 31. Instead, the applicant has acted in a manner that leads us to believe that their position is that the less notice we have of their intended proposal, the better for them. The first notice we received of this proposal to slip approval through the April 6 Planning Commission's Consent Calendar was through a Facebook post by a neighbor one week before the proposed meeting.
- Contrary to the Moritz memo, Rafat Mahmood did not sell property located at 623-625 N. Washington Street to the SUP applicant, 623 & 625 N. Columbus Street Homes, LLC.
- Mahmood Investment Corp's solution to relocate parking for the day care center to two blocks away is not a solution for the day care center nor for residents of the 600 block of N. Columbus. This alternate lot is so far away from the day care center that it would itself require another special use permit to approve. It stands to reason that parents dropping off children will not use a lot that is more than 500 feet from the center, especially during inclement weather/when they are under time pressures, and will instead continue to park along our block. Furthermore, given Mahmood's track record of disregarding the interests of the community, there is no reason to believe that he will honor in any long-term way any commitment to dedicate yet another one of his properties for parking. Unless the city is willing to encumber the lot at 898 N. Columbus Street to serve as the off-site and evening parking required by DSUP #2013-0002 for as long at the project at 700 N. Washington Street stands, it is no stretch of the imagination to conceive that Mahmood will convey that lot when the right profit opportunity presents itself.

To allow this development to proceed is to disregard the very purpose and intent of the Alexandria Zoning Ordinance at 1-102, which is to protect against overcrowding of land, undue density of population, obstruction of light and air, congestion on public streets, and protection of the social and economic well-being of our city's residents. The City of Alexandria must stop conceding development proposals that require granting of exceptions to Zoning Ordinance requirements at the expense of the historic character of our neighborhoods and the rights of its long-term residents.

This proposed development is part of a pattern in the greater Old Town/Parker Gray area of acquiescing to developers whose only interest in our community is rapid return on investment. As long-term residents who are invested in our community for the right reasons, we are very concerned that our Planning Commission and City Council continue to approve developments designed to increase the tax base while ignoring regulations designed to preserve the historic character and quality of life in our neighborhoods.

The stakes for us personally, as 23+ year residents of Old Town and owners of a home that we have carefully and at large expense slowly restored and maintained since 1997, could not be higher. This home is our pride, it is our future and the future of our children, and it is our nest egg. It is where we have lived when the military has assigned us to the Northern Virginia area and where we plan to return once we retire from the service. This proposed development would destroy over 60% of the natural light in our house. It would make obsolete 13 windows in our home. And it would permanently change our home for the worse while decimating the value of our nest egg.

To allow 623 & 625 N. Columbus Street Homes, LLC to cram two homes to within mere feet of our home on a lot that has been designated in tax records as a single lot is to disregard the fundamental protections of our Zoning Ordinance. It also demonstrates complete disregard for the rights of residents who are directly affected by the very overcrowding, undue density, obstruction of light and air, and congestion that the ordinance seeks to guard against. Why have a Zoning Ordinance and commissions dedicated to preservation of the neighborhood if the City is so readily willing to exempt developers from even minimal requirements without duly considering the impact of these projects and the founded concerns of its residents? Zoning variances should only be granted where they do not affect the rights of others. Where granting a variance or modification enables development that directly harms existing neighboring property and the community as a whole, it should not be granted. The City becomes a biased adjudicator when it summarily modifies ordinances that cause harm to existing property and the community.

In the 2+ decades we've lived in Old Town, we have seen the systematic displacement of long-term residents and the resulting gentrification of our

community. Gone are the low-income homes that once surrounded the historically black St. Joseph's Catholic Church and the Alexandria Black History Museum. With their departure has gone the racial and economic diversity that once made our neighborhoods vibrant places to live. We believe that the future of middle class families like ours - military folks, non profit workers, small business owners and government employees, will soon face the same fate in this community as developers are given green light time and again to develop new, high-end homes affordable only to the highest income earners. In exchange, we continue to pay higher and higher taxes even while our home values are negatively impacted by rising density, city disinterest in mandating strict adherence to zoning and building regulations, the diminishment of the historical fabric of our community, and the disappearance of open spaces.

We are tired of this. We demand a pause on new development until its impact on residents is fully and fairly studied. We demand the City of Alexandria to stop surrendering our interests and the quality of life of our community to profiteers whose only interest here is the potential for rapid gain. We demand to be heard on this matter through a conference call; our assignment overseas prevents us from being physically present at hearings concerning this proposal. We implore the city to deny SUP # 2016-0100 and its request for open space and parking reduction modification. We are also entitled to a review under the language of the 2013 Master Plan and DSUP, where in Paragraph 31 the Planning Commission itself provides that the city is compelled to review the parking issue upon allegation of a violation of the permit conditions.

If our concerns are not considered and Alexandria approves this project without an appropriate review, we will continue to voice our opposition and rally support against this project through every public and legislative avenue available to us.

Lillian Moyano Yob and Louis Peter Yob, Owners
629 N. Columbus Street
peteandlillian@comcast.net