

***Special Use Permit #2021-00027***  
***214 & 216 S. Payne Street***

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<b>Application</b>		<b>General Data</b>	
<b>Request:</b> Public Hearing and consideration of a request for a Special Use Permit for a parking reduction and lot modifications		<b>Planning Commission Hearing:</b>	June 1, 2021
		<b>City Council Hearing:</b>	June 19, 2021
<b>Address:</b> 214 & 216 S. Payne Street		<b>Zone:</b>	CL / Commercial Low
<b>Applicant:</b> 214 & 216 S. Payne LLC, represented by Mark Yoo, architect		<b>Small Area Plan:</b>	Old Town Small Area Plan
<b>Staff Recommendation:</b> APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.			
<b>Staff Reviewers:</b> Marlo J.W. Ford, <a href="mailto:marlo.ford@alexandriava.gov">marlo.ford@alexandriava.gov</a> Ann Horowitz, <a href="mailto:ann.horowitz@alexandriava.gov">ann.horowitz@alexandriava.gov</a>			

**PLANNING COMMISSION ACTION, JUNE 1, 2021:** On a motion by Vice Chair McMahon, seconded by Commissioner Lyle, the Planning Commission moved to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 to 0.

**Reason:** The Planning Commission agreed with the staff analysis.

Vice Chair, McMahon asked staff why the concrete area to the south of the building was not calculated toward open space. Staff indicated that because the survey plat denoted the space as a “concrete drive,” it did not comply with Zoning Ordinance Section 2-180, defining open space.

Commissioner Brown suggested that all parking dedicated to the residential apartment across the street and the one space for commercial use should be clearly identified. In addition, the applicant should make clear that the alley way is not a place to park and hinder access.

Chair Macek indicated that proposed project had the right balance of open space and parking and expressed his support.

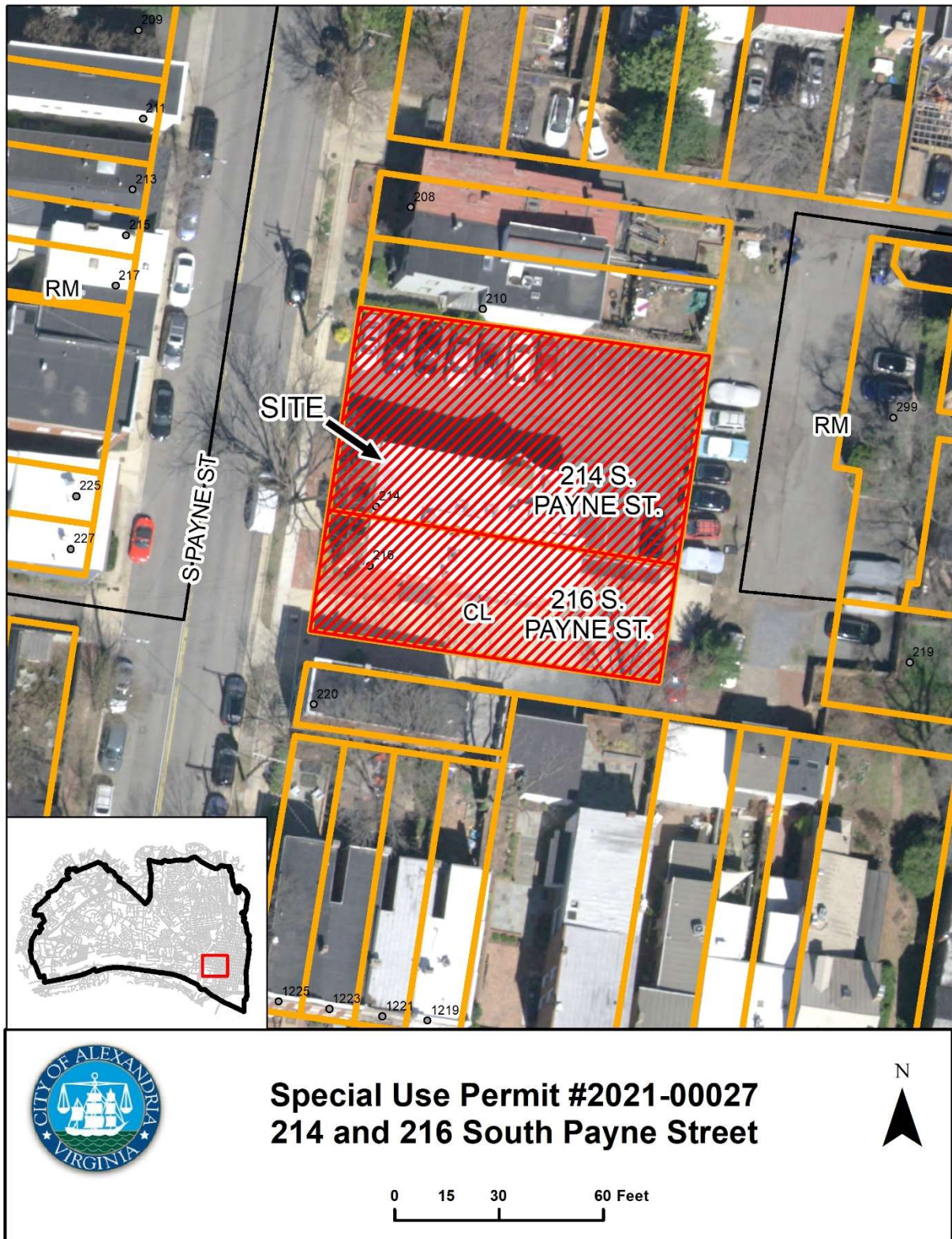
**Speakers:**

H. Alan Young, 229 S. Payne Street, supported the proposed improvements to the building, however, voiced concern related to two issues: (1) parking and (2) open space. The concern is that parking spaces would be removed and the concrete area to the south of the property that is denoted as a “concrete drive” could be used as additional open space. He requested that the Planning

Commission consider addition of a condition to require the front portion of concrete area currently located at 216 S. Payne Street to be converted to green space.

Annette Antonelli Clark, owner of 214 and 216 South Payne Street, spoke in support, indicating her desire to improve the property.

Mark Yoo, applicant and architect for the property owner, voiced support for the request. He answered commissioners' questions regarding parking and open space, noting that one reason for the open space modification was due to the seven parking spaces under perpetual easement for the apartment complex at 211 and 219 S. Payne Street. The three parking spaces provided in the application would be used by the owner of the building who would occupy the second floor dwelling unit and act as the first-floor business owner, therefore, one space would be available for customer use.



PROJECT LOCATION MAP



## I. DISCUSSION

The applicant, Mark Yoo, requests Special Use Permit (SUP) approval for modifications to the open space minimum requirement, the front yard setback requirements as well as a parking reduction. Proposal approval would allow for the conversion of a commercial property to a residential, two-family duplex, with units on the basement and second floors after the lots are consolidated.

### SITE DESCRIPTION

The subject properties are each developed with a semi-detached commercial building unit on each lot (Figure 1). Prior to the conversion to commercial, the units were used as residential. The lots are developed with surface parking. On the lot addressed as 214 N. Payne Street, the lot contains 13 parking spaces and the lot addressed as 216 N. Payne has three parking spaces.

The lot addressed as 214 S. Payne Street is one lot of record with 62.75 feet of lot frontage facing South Payne Street and 62.75 feet lot frontage facing Evans Court with a depth of 100.00 feet on the north and south side yard property line. According to the Real Estate Assessment records, the lot size for this parcel is 6,275.00 square feet.



*Figure 1: Subject Properties*

The lot addressed as 216 S. Payne Street is one lot of record with 35.92 feet of frontage facing South Payne Street and 35.92 feet of lot frontage facing Evans Court and a depth of 100.00 feet on the north and south side yard property line. According to the Real Estate Assessment records, the lot size for this parcel is 3,592.00 square feet.

If the parking reduction and the lot modifications are approved through this SUP request, the applicant would consolidate the two lots, which would result in one lot with a frontage of 98.67 feet facing South Payne and Evans Court and a depth of 100.00 feet on the north and south side property line. The new land area would be 9,867.00 square feet.

### BACKGROUND

City Real Estate records indicated that of the two-story buildings were constructed circa 1880.

On September 11, 1962, the Board of Zoning Appeals granted a variance (BZA #594) for the property at 219 and 221 S. Payne Street to allow for the construction of an addition to create an 11-unit apartment building serviced by four on-site parking spaces. The staff report indicates that 214 S. Payne Street was purchased to “provide additional and required parking for the apartment building. The BZA approval indicated that not more than seven of 11 spaces would be at 214 South Payne Street. Should the spaces become unavailable at 214 S. Payne Street, then the property at



219 and 221 S. Payne street “must apply for a Special Use Permit for a parking reduction.” In addition, there is a perpetual easement that currently exists for the seven parking spaces located at 214 S. Payne Street.

On October 23, 1979, the property at 216 S. Payne was approved for the conversion of a single-family home into two apartments through building permit #10570. Building permit #01949 was approved on October 7, 1988 to convert the building to a commercial use. Subsequently, Certificate of Occupancy #89-087 was approved on February 14, 1989 for the second floor and #89-0099 was approved on February 17, 1989 for the first-floor conversion to commercial use.

On June 5, 1986, building permit #2009 and Certificate of Occupancy #87-901 were approved to convert from a residential to a commercial use for the property addressed as 214 S. Payne Street.

### PROPOSAL

The applicant, requests Special Use Permit approval for a one-space parking reduction from the four space requirement and lot modifications for a front yard setback and open space for the conversion of a commercial use to a residential, two-family duplex that includes commercial space. Because both properties were used commercially, there were no yard or open space requirements on these properties. The basement would consist of an apartment; the first floor would have a commercial use with a residential suite that has no kitchen that would be a part of the second-floor residential unit above it; and rooftop open space (Figure 2).

With the conversion of the existing buildings to a two-family duplex, the applicant is required to provide open space. In the case of the subject properties, as a consolidated lot the total lot area would be 9,867.00 square feet. To meet the 40 percent, open space requirement, the lot would have to provide 3,946.80 square feet of open space. The applicant is proposing 2,595.00 square feet which equates to 26.30 percent open space. The SUP application provides that 2,220 square feet of open space would be placed where seven parking spaces exist toward the rear of 214 S. Patrick Street and 375 square feet would be on a portion of the rooftop (Figure 3).

The front yard requirement is 20.00 feet as the apartment on the second floor is aligned with the first-floor commercial use where the closest wall sits 5.10 feet from the front property line. Because the existing structure has a non-complying front plan, a front yard modification of 14.90 feet is required.

Although the applicant’s SUP submission notes a front porch addition that encroaches into the public right-of-way, the encroachment will be reviewed separately as ENC #2021-00002 with Planning Commission review on June 24 and City Council review on July 6.



**Figure 2: Proposed Layout**

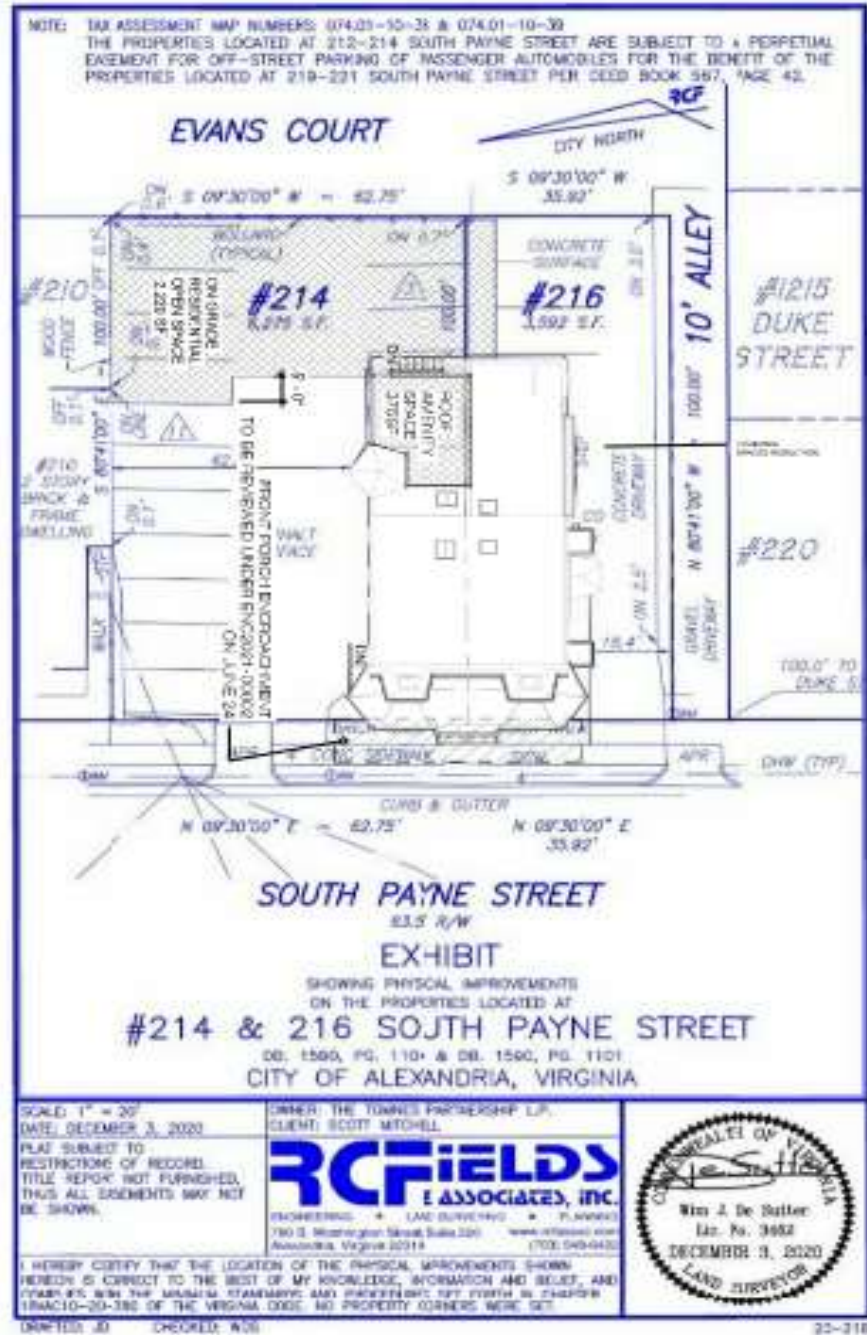


Figure 3: Ground level and Roof Top Open Space

Color Key for Figures 2 and 3

	Residential
	Commercial
	Roof top Open space
	Ground Level Open Space

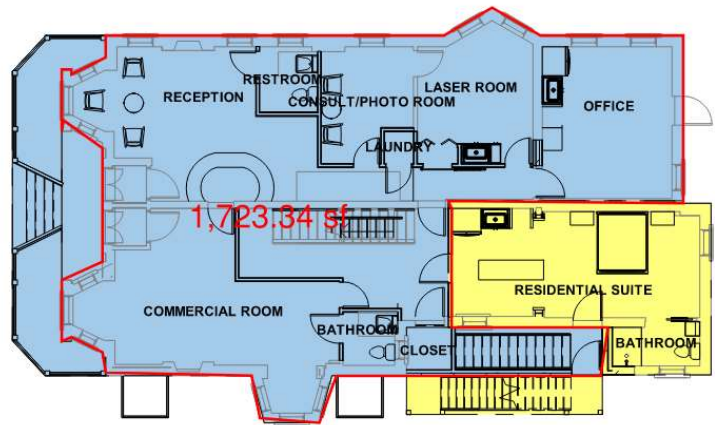


### PARKING

There are currently 14 parking spaces on the lot addressed as 214 S. Payne Street and three located at 216 S. Payne Street for a total parking arrangement of 17 spaces. There are three parking considerations to be addressed on the site: (1) seven associated parking spaces granted in BZA #594 for 219 and 221 South Payne Street, which are not available for the proposed uses at 214 and 216 S. Payne Street; (2) parking for the first floor 1,723 square foot commercial space; and (3) parking for the residential units on the basement and second floors.

The second component is for the commercial use. For the commercial portion, of the property that will be on the first floor, the applicant proposes approximately 1,723 square feet of space for a by-right retail or personal service use. As the site is located in the Central Business District, retail and personal service uses do not have a parking requirement, pursuant to Section 8-300(B) of the Zoning Ordinance.

Lastly, off-street parking for the residential portion of the site is calculated based on a two-family dwelling. Section 8-200 (A)(1) requires two parking spaces per dwelling unit or four parking spaces for the residential uses, resulting in a total of four parking spaces for all uses on the lot.



2 USES - Main Level  
A103 1" = 20'-0"

*Figure 3: Commercial Layout*

Of the 17 spaces on both lots, the applicant proposes removing seven parking spaces at the rear of 214 S. Payne Street to create open space and seven parking spaces are dedicated to the apartment building across the street, leaving three parking spaces for the applicant's use. With a four-space parking requirement, the applicant requires a one space parking reduction.

### ZONING

The subject property is zoned CL/Commercial Low and it is located in the Old and Historic District. Table 1 indicates the Zoning Ordinance requirements for the area regulations under Section 4-105(B) and bulk regulations under Section 4-106 for a two-family duplex dwelling.

The CL zone, under Section 4-106(A)(2)(b), requires that 40 percent of the lot be used as open space. Section 4-106 (A)(2)(b) indicates that "landscaped roofs fully open to the sky" may be deemed open space if it is determined that the roof top open space functions in the same manner as the ground level open space.

Table 1 – Zoning Analysis

	Requirement for Residential Use	214 Payne	216 Payne	New Proposal Requirements for Two-Family Duplex	Provided /Proposed
<b>Lot Area</b>	2,500 sq. ft.	6,275 sq. ft.	3,592 sq. ft.	5,000 sq. ft.*	9,867 sq. ft.
<b>Lot Width</b>	37.5 Ft	62.75 Ft	35.92 Ft.	50.0 Ft.	98.67 Ft.
<b>Lot Frontage</b>	37.5 Ft.	62.75 Ft	35.92 Ft.	50.0 Ft.	98.67 Ft.
<b>Front Yard</b>	20.00 feet (minimum)	N/A**	N/A**	20.00 feet	5.10 feet
<b>Side Yard</b>	8.00 Ft. 1:3 height to setback ratio Ft.	N/A**	N/A**	8.00 Ft. 1:3 height to setback	18.4 Ft. (South) 42.2 Ft. (North)
<b>Rear Yard</b>	8.00 Ft. 1:1 height to setback	N/A**	N/A**	8.00 Ft. 1:1 height to setback	22:00 Ft.
<b>Open Space</b>	40% of lot	N/A**	N/A**	3,946.80 sq. ft 40%	2,595.00 sq. ft. 26.30%
<b>Net Floor Area</b>	0.75 Floor Area Ratio (FAR)	Maximum 4706.25 sq. ft. (.75)	Maximum 2,694.00 sq. ft. (.75)	Maximum 3,750 sq. ft. (.75)	4,162.96 sq. ft. (.42)
<b>Height</b>	35.00 feet	30.21 feet	30.21 feet	No change	30.21 feet

\* 2,500.00 square feet is required for each unit.

\*\*Property was used as commercial. No yard or open space requirement per Section 4-106(A)(1).

### MASTER PLAN DESIGNATION

The proposed two-family duplex use is consistent with the Old Town Small Area plan which designates uses for the area. The plan indicates that the predominate use for the West side of the 200 Block of S. Payne are dwelling units. It further indicates that the CL zoning would “assure that there will be a mix of uses in the area.”

## **II. STAFF ANALYSIS**

Staff supports the applicant’s proposal to develop this property as a two-family duplex, the predominate and original use. Although the proposal will maintain an element of commercial use, the residential use would be compatible with the existing block that currently has residential uses on both sides of the block. Overall, the proposal is consistent with the Old Town Small Area

Plan because the residential and commercial uses are compatible uses within the Small Area Plan as permitted uses in the CL, Commercial Low zone.

Staff finds that the request for the subject property to convert to a residential, two-family duplex with a first-floor commercial unit represents a reasonable request and is emblematic of a current trend to revert buildings, more recently used for commercial, to their original residential use. The modification of 14.90 feet is reasonable as the historic structure reflects the construction characteristics of the time, built with a front setback compatible with adjacent historic buildings and well before the CL zone requirements were established in 1992. A front setback of 20 feet would look out of place on this block containing buildings which are contemporaries of 214 and 216 S. Patrick Street.

The open space reduction request is also reasonable given that dwellings were originally constructed with less open space than the CL zone now requires. For example, the historic properties at 208 S. Payne Street and 220 S. Payne Street provide approximately 32% and 21% respectively of open space, relatively consistent with the SUP request.

Staff finds the one-space parking reduction to be also reasonable. Three parking spaces for two residential properties is consistent with previous approvals proximate to mass transit options. The site is approximately five blocks from the King Street metro, close to BikeShare stations, and two blocks from King Street and one block from Duke Street, where DASH and Metro bus lines run regularly.

Staff found that the proposal to convert from commercial use to a two-family duplex with commercial space would be compatible with the established neighborhood character, consistent with the Old Town Small Area Plan and accommodate the market trend of commercial to residential reversions.

### III. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable with all applicable codes and ordinances and the following conditions:

1. The open space shall not be reduced to less than 26.30 % of the lot area. (P&Z)
2. The parking spaces shall be clearly delineated from the adjacent open space. (P&Z)
3. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
4. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)



5. No vehicles associated with this project shall be permitted to idle for more than 10 minutes when parked. (T&ES)

STAFF: Marlo J.W. Ford, AICP, Urban Planner, Department of Planning and Zoning  
Ann Horowitz, Principal Planner, Department of Planning and Zoning  
Tony LaColla, AICP, Division Chief, Department of Planning

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Staff Note: In accordance with section 11-506(c) of the Zoning Ordinance, construction or operation shall be commenced and diligently and substantially pursued within 36 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

#### IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

##### Transportation & Environmental Services:

- F-1 The applicant should provide a determination of disturbed area per City Guidelines to T&ES prior to submitting for permits. If the land disturbance meets or exceeds 2500 square feet, a released grading plan will be required prior to submitting for permits. (T&ES)
- F-2 Any encroachments shall be approved under a separate encroachment ordinance. (T&ES)
- R-1 Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
- R-2 Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor containers shall be maintained to the satisfaction of the Directors of P&Z and T&ES, including replacing damaged lids and repairing/replacing damaged dumpsters. (P&Z) (T&ES)
- R-3 No vehicles associated with this project shall be permitted to idle for more than 10 minutes when parked.
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at [commercialrecycling@alexandriava.gov](mailto:commercialrecycling@alexandriava.gov), for information about completing this form. (T&ES)
- C-2 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)
- C-3 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

- C-1 A building code plan review is required for proposed change of use.
- C-2 Accessible features will need to be identified on plans. This will need to include accessible parking spaces and routes.

Recreation, Parks and Cultural Activities/Arborist:

No comments

Police Department:

No comments received by this department

Fire Department:

No comments





## APPLICATION

# SPECIAL USE PERMIT

**SPECIAL USE PERMIT #** \_\_\_\_\_

**PROPERTY LOCATION:** 214/216 S Payne Street

**TAX MAP REFERENCE:** 074.01-10-39,074.01-10-38 **ZONE:** CL

**APPLICANT:**

Name: 214 & 216 S Payne LLC

Address: 214/216 S Payne Street, Alexandria VA 22314

**PROPOSED USE:** Mixed - Commercial (Personal Service/Retail)/Residential

SUP - Requested for a front yard modification, parking reduction and open space reduction.

- ☒ THE UNDERSIGNED, hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 4-11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.
- ☒ THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article IV, Section 4-1404(D)(7) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED, hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Director of Planning and Zoning on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Mark R. Yoo

Print Name of Applicant or Agent

221 S Henry Street

Mailing/Street Address

Alexandria VA

City and State

22314

Zip Code

Mark R. Yoo

Signature

3/19/2021

Date

202-251-3235

Telephone #

Fax #

mark@markyooarchitect.com

Email address

**PROPERTY OWNER'S AUTHORIZATION**


As the property owner of 214/216 S Payne Street, Alexandria VA 22314, I hereby  
(Property Address)  
grant the applicant authorization to apply for the Commercial/Residential use as  
(use)  
described in this application.

Name: Anthony Antonelli

Phone: 801-310-3700

Please Print  
Address: 3214 N University Ave. #700 Provo Ut.

Email: 214southpayne@gmail.co

Signature: 

Date: 3/19/2021

- 1.** Floor Plan and Plot Plan. As a part of this application, the applicant is required to submit a floor plan and plot or site plan with the parking layout of the proposed use. The SUP application checklist lists the requirements of the floor and site plans. The Planning Director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver.

☒ **Required floor plan and plot/site plan attached.**

☒ **Requesting a waiver. See attached written request.**

- 2.** The applicant is the (check one):

☐ Owner

☐ Contract Purchaser

☐ Lessee or

☒ Other: Architect/Contractor of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant or owner, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent.

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# OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

**1. Applicant.** State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
<sup>1</sup> Mark Yoo	221 S Henry Street, Alexandria VA 22314	100
<sup>2</sup>		
<sup>3</sup>		

**2. Property.** State the name, address and percent of ownership of any person or entity owning an interest in the property located at 214/216 S Payne Street, Alexandria VA 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
<sup>1</sup>		
<sup>2</sup>		
<sup>3</sup> J. A. Antonelli	3214 N University Ave Ste 700, Provo UT 84604	100%

**3. Business or Financial Relationships.** Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are required to disclose **any** business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicate each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
<sup>1</sup> Mark Yoo	Board Member	Board of Zoning Approval
<sup>2</sup> J. A. Antonelli	None	None
<sup>3</sup>		

**NOTE:** Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

3/19/2021

Date

Mark R. Yoo

Printed Name

*Mark R. Yoo*

Signature



If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

☒ **Yes.** Provide proof of current City business license

☐ **No.** The agent shall obtain a business license prior to filing application, if required by the City Code.

## NARRATIVE DESCRIPTION

**3.** The applicant shall describe below the nature of the request **in detail** so that the Planning Commission and City Council can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (Attach additional sheets if necessary.)

The Owner would like to convert the two attached town homes into a single mixed use building that includes a commercial component including a personal service establishment and a retail component on the first floor, a residence on the 2nd floor, with an additional basement residence. The property contains a perpetual easement for 7 parking spaces that was granted to the adjacent residential property. Based on the uses of the building the proposed use would require an additional 4 parking spaces to create a total of 11 parking spaces on site. There are currently 14 parking spaces on site, however, due to the required residential open space a number of these spaces would need to be eliminated. We would like to request a parking reduction for the proposed use of one parking spaces, leaving a single parking space for each residence and a parking space for the retail/personal service establishment. We would also like to reduce the residential open space required based on the proportion of the residential space to the gross building area.

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## USE CHARACTERISTICS

4. The proposed special use permit request is for (*check one*):

- ☐ a new use requiring a special use permit,  
☐ an expansion or change to an existing use without a special use permit,  
☐ an expansion or change to an existing use with a special use permit,  
☒ other. Please describe: NA

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect?

5 persons/hour max at peak times.

B. How many employees, staff and other personnel do you expect?

Specify time period (i.e., day, hour, or shift).

NA  
1-6 daily 9am to evenings daily except Sundays

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

NA

Hours:

Mon-Sat 9-6 except later on

Wed & Thursday evenings as clients

Need. Always closed Sundays

7. Please describe any potential noise emanating from the proposed use.

A. Describe the noise levels anticipated from all mechanical equipment and patrons.

NA

B. How will the noise be controlled?

NA

8. Describe any potential odors emanating from the proposed use and plans to control them:

None

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9. Please provide information regarding trash and litter generated by the use.

- A. What type of trash and garbage will be generated by the use? (i.e. office paper, food wrappers)

NA

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- B. How much trash and garbage will be generated by the use? (i.e. # of bags or pounds per day or per week)

2 bags daily less than 3 lbs each

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- C. How often will trash be collected?

Weekly

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- D. How will you prevent littering on the property, streets and nearby properties?

The services we provide and luxury retail we sell don't create litter

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10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

[ ] Yes.

[✓] No.

If yes, provide the name, monthly quantity, and specific disposal method below:

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- 11.** Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes.      ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

NA

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- 12.** What methods are proposed to ensure the safety of nearby residents, employees and patrons?

NA

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## **ALCOHOL SALES**

**13.**

- A. Will the proposed use include the sale of beer, wine, or mixed drinks?

☐ Yes      ☒ No

If yes, describe existing (if applicable) and proposed alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales.

NA

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## PARKING AND ACCESS REQUIREMENTS

14. A. How many parking spaces of each type are provided for the proposed use:

3 Standard spaces  
           Compact spaces  
           Handicapped accessible spaces.  
           Other.

<p>Planning and Zoning Staff Only</p> <p>Required number of spaces for use per Zoning Ordinance Section 8-200A <u>          </u></p> <p>Does the application meet the requirement? <input type="checkbox"/> Yes   <input type="checkbox"/> No</p>
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- B. Where is required parking located? (*check one*)

☒ on-site

☐ off-site

If the required parking will be located off-site, where will it be located?

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**PLEASE NOTE:** Pursuant to Section 8-200 (C) of the Zoning Ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- C. If a reduction in the required parking is requested, pursuant to Section 8-100 (A) (4) or (5) of the Zoning Ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

**☒ Parking reduction requested; see attached supplemental form**

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are available for the use? 0

<p>Planning and Zoning Staff Only</p> <p>Required number of loading spaces for use per Zoning Ordinance Section 8-200 <u>          </u></p> <p>Does the application meet the requirement? <input type="checkbox"/> Yes   <input type="checkbox"/> No</p>
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- B. Where are off-street loading facilities located? NA
- C. During what hours of the day do you expect loading/unloading operations to occur?  
NA
- D. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?  
NA

- 16.** Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

No

## SITE CHARACTERISTICS

- 17.** Will the proposed uses be located in an existing building? ☒ Yes ☐ No
- Do you propose to construct an addition to the building? ☐ Yes ☒ No
- How large will the addition be? 0 square feet.

- 18.** What will the total area occupied by the proposed use be?

5670 sq. ft. (existing) + 2024 sq. ft. (addition if any) = 7694 sq. ft. (total)

- 19.** The proposed use is located in: *(check one)*

- ☒ a stand alone building
- ☐ a house located in a residential zone
- ☐ a warehouse
- ☐ a shopping center. Please provide name of the center: \_\_\_\_\_
- ☐ an office building. Please provide name of the building: \_\_\_\_\_
- ☐ other. Please describe: \_\_\_\_\_

## End of Application





# APPLICATION - SUPPLEMENTAL

## PARKING REDUCTION

***Supplemental information to be completed by applicants requesting special use permit approval of a reduction in the required parking pursuant to section 8-100(A)(4) or (5).***

**1. Describe the requested parking reduction.** (e.g. number of spaces, stacked parking, size, off-site location)

We would like to request a 1 space reduction. Four spaces are required for the use, however, we would like to reduce the count to three, one for each of the residential units and one for the retail establishment.

**2. Provide a statement of justification for the proposed parking reduction.**

Due to the requirements of residential open space, and an existing perpetual parking easement, fulfilling 100% of the parking requirements represents a hardship for the Owner.

**3. Why is it not feasible to provide the required parking?**

The requirements for residential open space combined with the existing perpetual parking easement for 7 parking spaces existing on site make the inclusion of an additional four parking spaces a hardship to be able to attain.

**4. Will the proposed reduction reduce the number of available parking spaces below the number of existing parking spaces?**

\_\_\_\_\_ Yes. \_\_\_\_\_ No.

5. If the requested reduction is for more than five parking spaces, the applicant must submit a ***Parking Management Plan*** which identifies the location and number of parking spaces both on-site and off-site, the availability of on-street parking, any proposed methods of mitigating negative affects of the parking reduction.

6. The applicant must also demonstrate that the reduction in parking will not have a negative impact on the surrounding neighborhood.



# Department of Planning and Zoning

## Floor Area Ratio and Open Space Calculations

as of 12/20/18

**B**

### A. Property Information

A1.  CL   
 Street Address Zone

A2.  x  =   
 Total Lot Area Floor Area Ratio Allowed by Zone Maximum Allowable Floor Area

### B. Existing Gross Floor Area

Existing Gross Area		Allowable Exclusions**		
Basement	<input type="text"/>	Basement**	<input type="text"/>	B1. <input type="text"/> Sq. Ft.
First Floor	<input type="text"/>	Stairways**	<input type="text"/>	Existing Gross Floor Area*
Second Floor	<input type="text"/>	Mechanical**	<input type="text"/>	B2. <input type="text"/> Sq. Ft.
Third Floor	<input type="text"/>	Attic less than 7'***	<input type="text"/>	Allowable Floor Exclusions**
Attic	<input type="text"/>	Porches**	<input type="text"/>	B3. <input type="text"/> Sq. Ft.
Porches	<input type="text"/>	Balcony/Deck**	<input type="text"/>	Existing Floor Area Minus Exclusions
Balcony/Deck	<input type="text"/>	Lavatory***	<input type="text"/>	(subtract B2 from B1)
Lavatory***	<input type="text"/>	Other**	<input type="text"/>	
Other**	<input type="text"/>	Other**	<input type="text"/>	
B1. <b>Total Gross</b>	<input type="text"/>	B2. <b>Total Exclusions</b>	<input type="text"/>	

**Comments for Existing Gross Floor Area**

### C. Proposed Gross Floor Area

Proposed Gross Area		Allowable Exclusions**		
Basement	<input type="text"/>	Basement**	<input type="text"/>	C1. <input type="text"/> Sq. Ft.
First Floor	<input type="text"/>	Stairways**	<input type="text"/>	Proposed Gross Floor Area*
Second Floor	<input type="text"/>	Mechanical**	<input type="text"/>	C2. <input type="text"/> Sq. Ft.
Third Floor	<input type="text"/>	Attic less than 7'***	<input type="text"/>	Allowable Floor Exclusions**
Attic	<input type="text"/>	Porches**	<input type="text"/>	C3. <input type="text"/> Sq. Ft.
Porches	<input type="text"/>	Balcony/Deck**	<input type="text"/>	Proposed Floor Area Minus Exclusions
Balcony/Deck	<input type="text"/>	Lavatory***	<input type="text"/>	(subtract C2 from C1)
Lavatory***	<input type="text"/>	Other**	<input type="text"/>	
Other	<input type="text"/>	Other**	<input type="text"/>	
C1. <b>Total Gross</b>	<input type="text"/>	C2. <b>Total Exclusions</b>	<input type="text"/>	

### D. Total Floor Area

D1.  Sq. Ft.  
 Total Floor Area (add B3 and C3)

D2.  Sq. Ft.  
 Total Floor Area Allowed by Zone (A2)

### E. Open Space

E1.  Sq. Ft.  
 Existing Open Space

E2.  Sq. Ft.  
 Required Open Space

E3.  Sq. Ft.  
 Proposed Open Space

### Notes

\*Gross floor area is the sum of all areas under roof of a lot, measured from the face of exterior walls, including basements, garages, sheds, gazebos, guest buildings and other accessory buildings.

\*\* Refer to the Zoning Ordinance (Section 2-145(B)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.

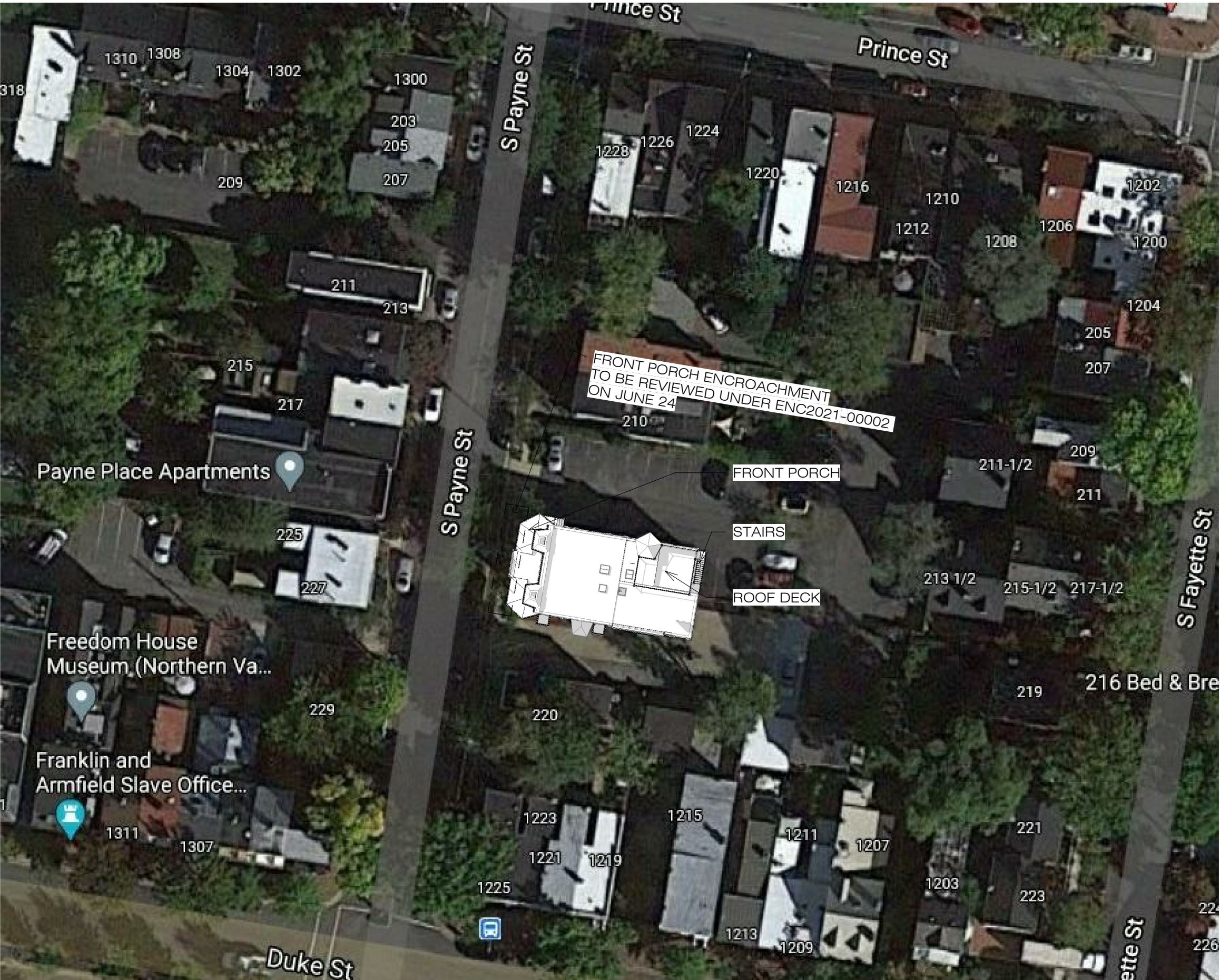
\*\*\*Lavatories may be excluded up to a maximum of 50 square feet, per lavatory. The maximum total of excludable area for lavatories shall be no greater than 10% of gross floor area.

The undersigned hereby certifies and attests that, to the best of his/her knowledge, the above computations are true and correct.

Signature: Mark R. Goo

Date: \_\_\_\_\_



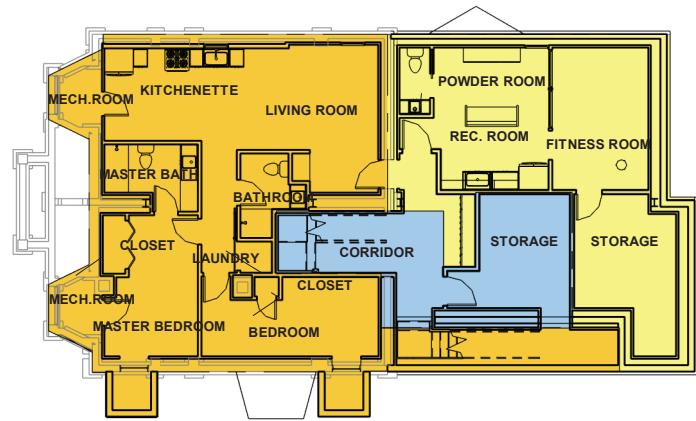


1 Site Context  
A101 1" = 40'-0"

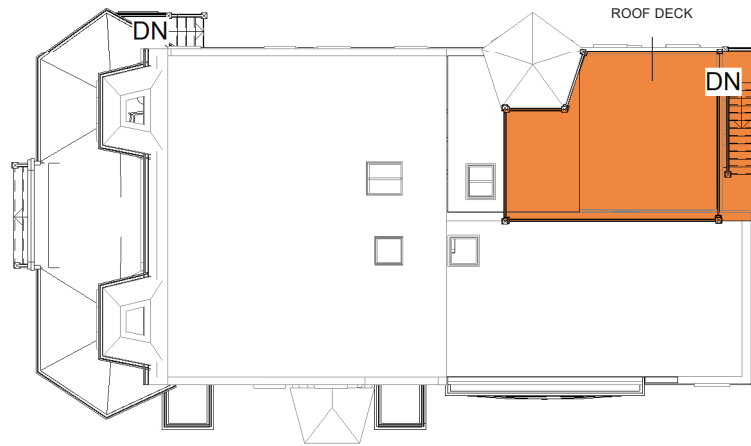
ISSUE:	Project	214 & 216 S Payne St Alexandria VA 22314	Drawing Title	A101	SEAL	1" = 40'-0"	DATE OF PRINTING	MAY 12, 2021



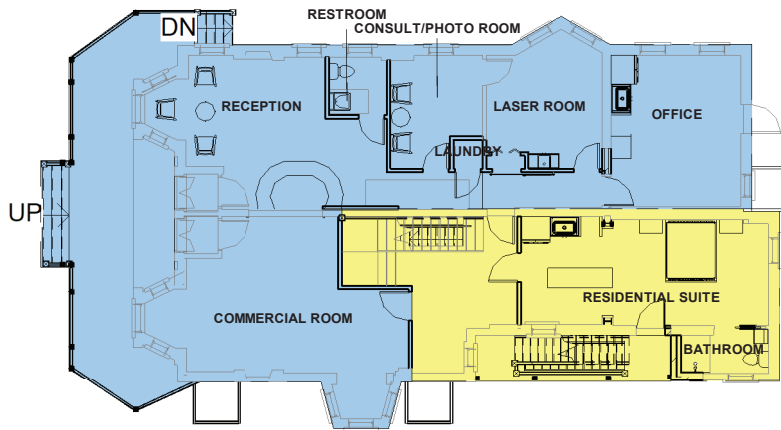




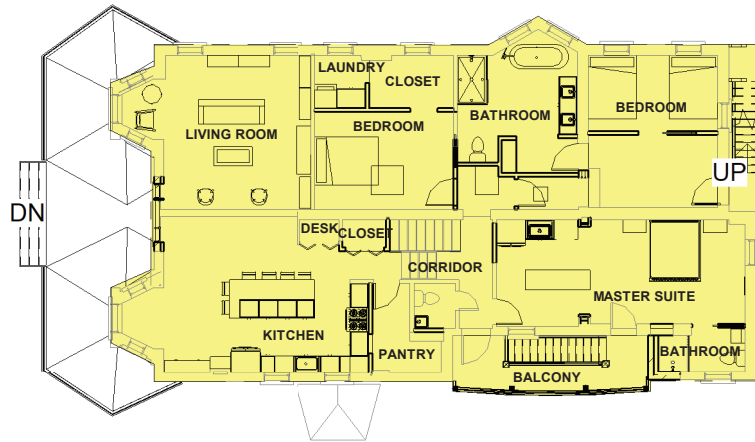
1 USES - Basement  
A103 1" = 20'-0"



5 USES- Roof Level  
A103 1" = 20'-0"



2 USES - Main Level  
A103 1" = 20'-0"



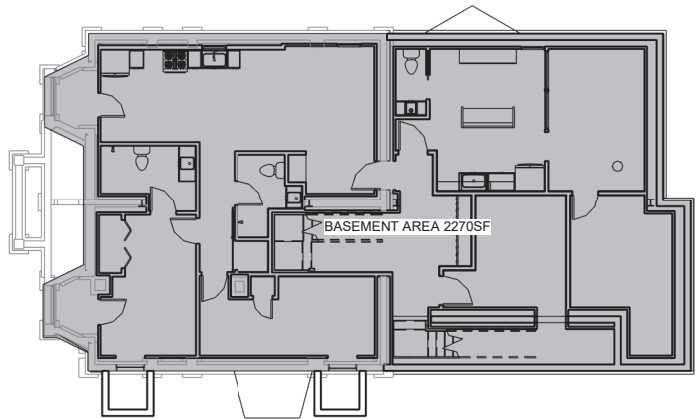
3 USES - Second Level  
A103 1" = 20'-0"

USES LEGEND:

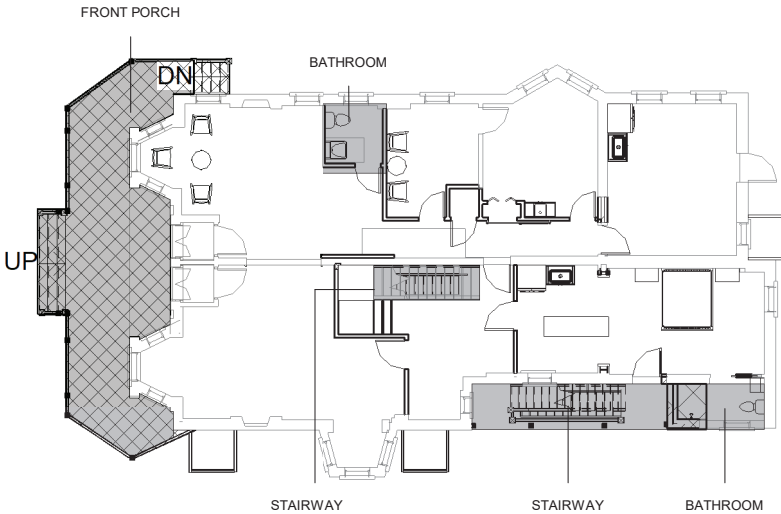
- RESIDENTIAL 1
- RESIDENTIAL 2
- RESIDENTIAL OPEN SPACE
- COMMERCIAL

ISSUE:	Project	214 & 216 S Payne St Alexandria VA 22314	<div>Mark R. Yoo Architect</div> <div>221 S Henry Street, Alexandria, VA 22314 PH: 202.251.3235 FX: 571.351.2357 mark@markyooarchitect.com</div>	SEAL																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																</
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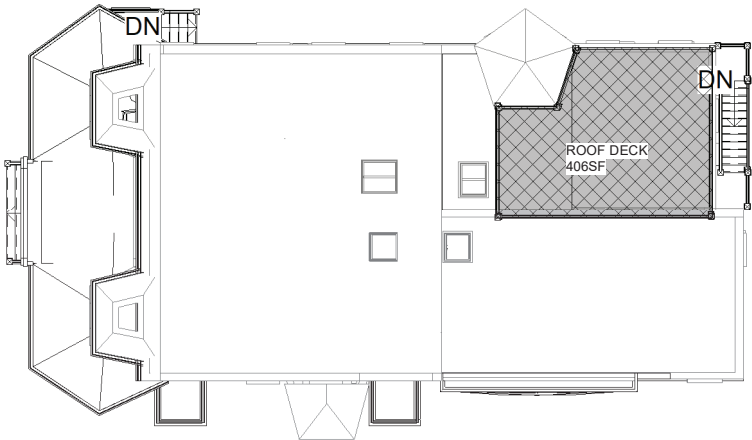




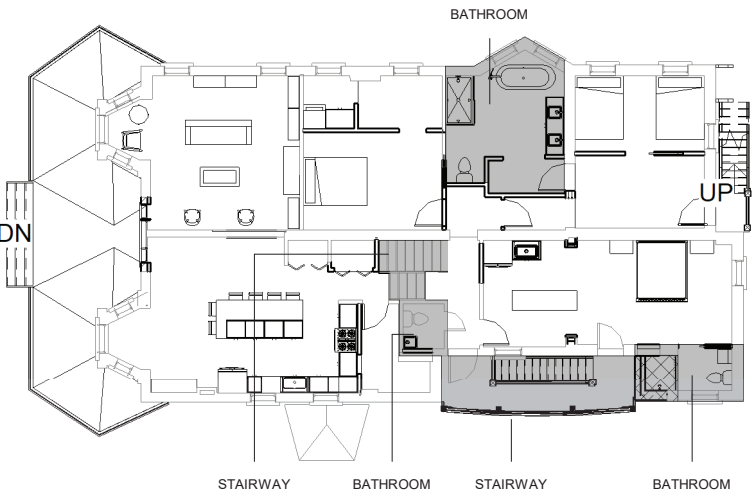
1 FAR - Basement  
A104 1" = 20'-0"



2 FAR - Main Level  
A104 1" = 20'-0"



3 FAR - Roof Level  
A104 1" = 20'-0"



4 FAR - Second Level  
A104 1" = 20'-0"

FAR AREA LEGEND

- Additional Gross Floor Area
- FAR Exclusion

ALLOWABLE AREA	
Site Area	9,867
FAR .75 Allowable Non-Residential per 4-106 Special Use	

EXISTING AREA		
Gross Floor Area		Allowable Exclusions
Basement	1,173.00	1,173.00
Main Level	2,153.00	-
Second Level	2,116.00	-
Porch	62.00	62.00
Lavatory	166.58	166.58
Stairways	-	432.96
TOTAL	5,670.58	1,834.54

PROPOSED AREA		
Gross Floor Area		Allowable Exclusions
Basement	1,097.00	1,097.00
Main Level	141.22	-
Second Level	98.94	-
Porch	198.39	198.39
Balcony/Deck	406.00	406.00
Lavatory	83.42	83.42
TOTAL	2,024.97	1,698.05
Proposed Floor Area Minus Exclusions		326.92

SEAL

DATE OF PRINTING

APRIL 14, 2021

1" = 20'-0"

Mark R. Yoo  
Architect

221 S Henry Street, Alexandria, VA 22314  
PH: 202.251.3235 FX: 571.351.2357  
mark@markyooarchitect.com

Project

214 & 216 S Payne St  
Alexandria VA 22314

ISSUE:

Drawing Title

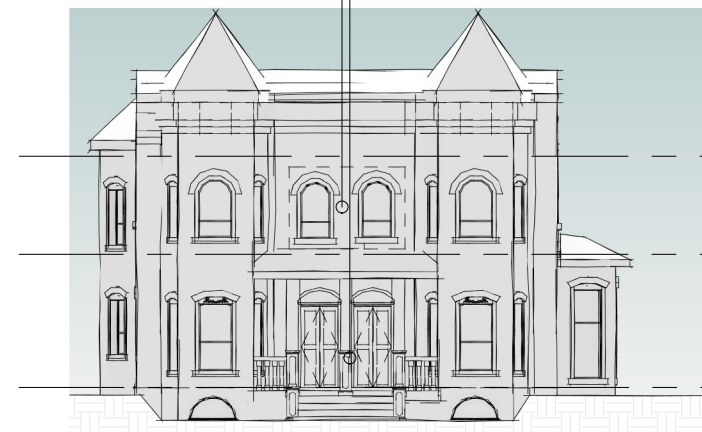
FAR Plans

SHEET No.  
A104



REMOVE WINDOWS REMOVE RAILINGS REMOVE CONCRETE STAIR

REMOVE STAIRWAY



Roof Level  
19' - 3"

Second Level  
11' - 1"

Main Level  
0"

1 Existing - Front Elevation  
A105 1/16" = 1'-0"

2 Existing - East Elevation  
A105 1/16" = 1'-0"



EXISTING FRONT WINDOWS



EXISTING FRONT PORCH



EXISTING STAIRWAY



Roof Level  
19' - 3"

Second Level  
11' - 1"

Main Level  
0"

3 Existing - Rear Elevation  
A105 1/16" = 1'-0"

4 Existing - West Elevation  
A105 1/16" = 1'-0"



FRONT ELEVATION



REAR ELEVATION



EAST ELEVATION



WEST ELEVATION

SEAL

Mark R. Yoo  
Architect

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mark@markyooarchitect.com

214 & 216 S Payne St  
Alexandria VA 22314

Drawing Title

Elevations

ISSUE:

SHEET No.

A105

MAY 12, 2021

DATE OF PRINTING

1/16" = 1'-0"









1 Block Elevation  
A107 1 : 300

ISSUE:	Project	214 & 216 S Payne St Alexandria VA 22314	SEAL	1 : 300	DATE OF PRINTING
SHEET No. A107	Drawing Title	Block Elevation	Mark R. Yoo Architect	221 S Henry Street, Alexandria, VA 22314 PH: 202.251.3235 FX 571.351.2357 mark@markyooarchitect.com	APRIL 14, 2021



1 Front Porch Elevation  
A108 1/8" = 1'-0"

4 A108

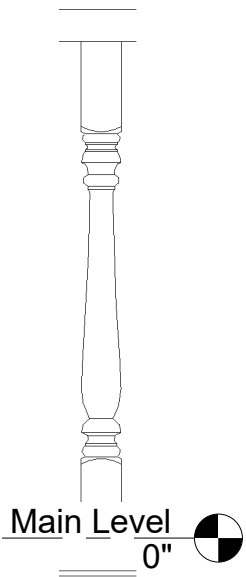
5 A108

2 A108

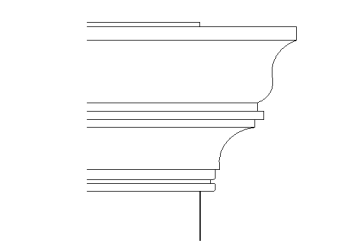
8 A108

3 A108

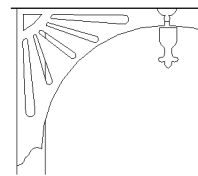
6 A108



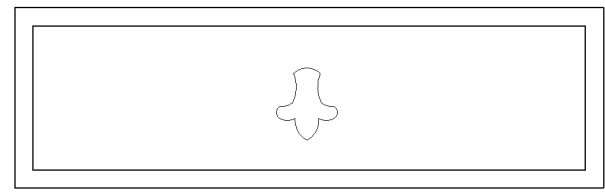
2 Baluster Detail  
1" = 1'-0"



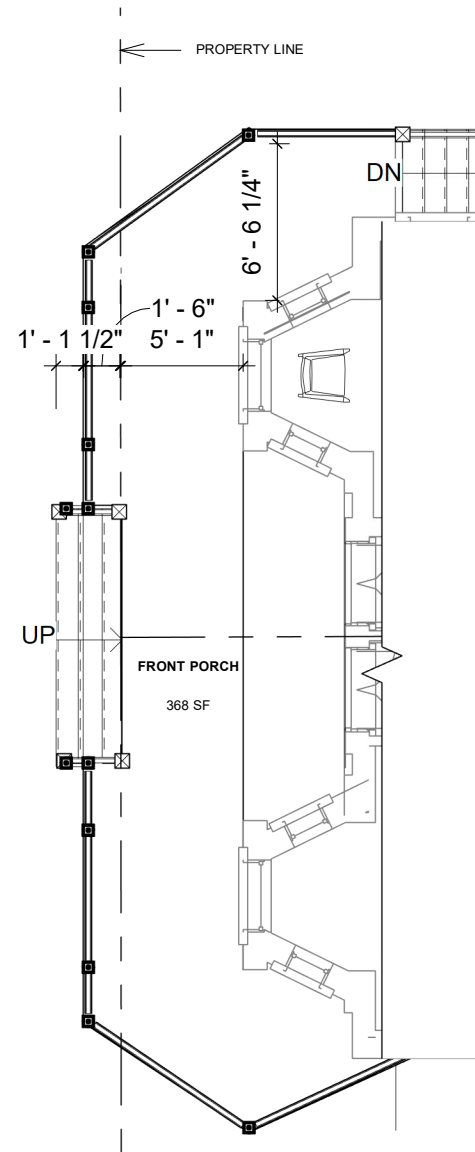
6 Fascia Typ. Detail  
1" = 1'-0"



4 Bracket Typ. Detail  
3/4" = 1'-0"



8 Ornament Typ. Detail  
3/4" = 1'-0"



7 Main Level - Front Porch  
A108 1/8" = 1'-0"



5 Gable Wall Typ. Detail  
3/4" = 1'-0"

## MATERIAL PALLETTE:



GREY COMPOSITE DECK



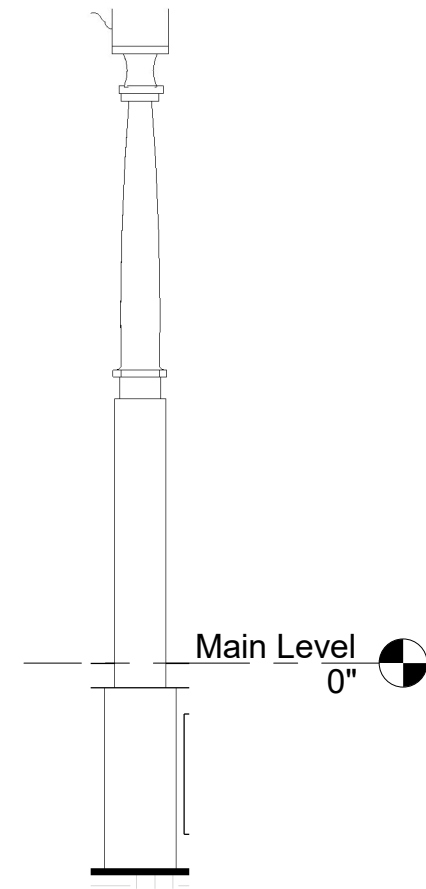
GREY ZINC STANDING SEAM ROOF



EXISTING BRICK



WHITE PAINT



3 Column Detail  
1/2" = 1'-0"

ISSUE:	Project	214 & 216 S Payne St Alexandria VA 22314	Mark R. Yoo Architect	SEAL	
SHEET No.	Drawing Title	Porch Details	221 S Henry Street, Alexandria, VA 22314 PH: 202.251.3235 FX.571.3512357 mark@markyooarchitect.com		
A108					
</					





1 East Elevation - Balcony  
1/8" = 1'-0"



2 Rear Elevation - Stairway  
1/8" = 1'-0"

ISSUE:	Project	214 & 216 S Payne St Alexandria VA 22314	Mark R. Yoo Architect  221 S Henry Street, Alexandria, VA 22314 PH: 202.251.3235 FX: 571.351.2357 mark@markyooarchitect.com	SEAL	1/8" = 1'-0"	DATE OF PRINTING APRIL 14, 2021
SHEET No.	Drawing Title	Balcony				
A109						

**RE: [EXTERNAL]SUP #2021-00027 - Ryan Comments**

Marlo Ford <Marlo.Ford@alexandriava.gov>

Wed 5/26/2021 3:27 PM

To: Patrick Silva <Patrick.Silva@alexandriava.gov>; Anh Vu <Anh.Vu@alexandriava.gov>

Cc: timothyjryan88@gmail.com <timothyjryan88@gmail.com>; Ann Horowitz <ann.horowitz@alexandriava.gov>; Tony LaColla <Anthony.LaColla@alexandriava.gov>

Good Afternoon:

Please find email to the Planning Commission from the resident at 1213 Duke Street.

Regards,

Marlo J.W. Ford, AICP

Land Use Services, Planning & Zoning




---

**From:** Tim Ryan <timothyjryan88@gmail.com>

**Sent:** Wednesday, May 26, 2021 3:20 PM

**To:** Marlo Ford <Marlo.Ford@alexandriava.gov>

**Subject:** [EXTERNAL]SUP #2021-00027 - Ryan Comments

RE: Special Use Permit #2021-00027 for 214-216 Payne Street

Dear Ms. Ford:

Thank you for giving me the opportunity to comment on SUP #2021-00027 ahead of the June 1, 2021 hearing. I am a resident of 1213 Duke Street, and the rear of my property has a two-car garage situated kitty-corner from 214-216 Payne Street. I use an alleyway that runs parallel, and butting up against the 214-216 Payne St property line, on the East-facing side, to access my garage. These proposed changes may impact me, as well as my neighbors on 1207 Duke, 1209 Duke, 1211 Duke, 1215 Duke, and 220 Payne; however I am writing on my behalf only, and do not represent the opinions of my neighbors.

The applicant is requesting significant modifications that will result in the physical alteration of the exterior structure of an historic building, reduce the number of currently available parking spaces by 4, and convert a commercial property to a multi-dwelling residential + commercial with a request to reduce the open space requirement by 34%.

That said, I have no problems with the applicant's desire to make improvements to the building. The building has gone largely unused over the past few years and is due for a renovation. We welcome our new neighbors and wish to be accommodating even as we understand this will result in a disruptive and lengthy construction project.



I do have concerns, however, about the potential negative impact on parking and traffic in an area with already limited parking options. The applicant states that its Laser Spa business attracts as many as five customers per hour, and given the nature of this business it is doubtful these customers will be arriving by public transportation. Because the three proposed parking spots are designated for residential parking, their customers will necessarily need to find parking on residential streets nearby.

My concern is that, with limited parking, their customers will be encouraged to park in areas not designated as parking, particularly along the alley, resulting in blocked traffic from time-to-time. This may make it difficult for those with garages and carports to make 90-degree turns into their spaces, as well as result in commercial traffic in a protected residential "common backyard" area where children and dogs often play, safe from cars.

Perhaps the applicant would consider that, as a condition of the parking and open space reductions, they will agree to not use the concrete area along the East side of the property as a makeshift parking lot, and that the three designated parking spots will be for resident use only.

In addition, the applicant states there is "a perpetual easement that currently exists for the seven parking spaces located at 214 S. Payne Street" granted to 219 and 221 Payne Street. They reference board of zoning approval BZA #594, which I could not find online, but it is my understanding that the new owners of 214 Payne Street are permitted to request a reversal of that easement and regain those 7 parking spaces, if so desired. The applicant states this would force 219 and 221 Payne St. to submit their own request for a parking reduction, but I cannot imagine the City would deny this request given what would be an obvious hardship.

It may be worth asking at the hearing why the applicant has not endeavored to reclaim use of these spaces, and instead use the easement as a reason for reducing their parking requirement. It might also be helpful to know if it is their intention to reclaim them in the future, as this added transparency may be helpful to the Planning Commission as it makes its determination.

Certainly, with those seven parking spaces secured for their customers, my concerns for parking would be largely alleviated.

Thank you for considering my comments and have an enjoyable Memorial Day Weekend.

Regards,  
Tim Ryan

--

Tim Ryan  
[timothyryan88@gmail.com](mailto:timothyryan88@gmail.com)  
703-835-7887

---

**DISCLAIMER: This message was sent from outside the City of Alexandria email system.  
DO NOT CLICK any links or download attachments unless the contents are from a trusted source.**

**Re: [EXTERNAL]SUP #2021-00027 - Ryan Comments**

Tim Ryan <timothyjryan88@gmail.com>

Wed 5/26/2021 7:46 PM

**To:** Marlo Ford <Marlo.Ford@alexandriava.gov>

**Cc:** Patrick Silva <Patrick.Silva@alexandriava.gov>; Anh Vu <Anh.Vu@alexandriava.gov>; Ann Horowitz <ann.horowitz@alexandriava.gov>; Tony LaColla <Anthony.LaColla@alexandriava.gov>

Thank you, Ms. Ford. I want to add a correction that the alleyway mentioned in my comments is actually on the SOUTH side of the property, not the East.

Regards,  
Tim Ryan

**[EXTERNAL]Special Use Permit #2021-00027:214c& 216 South Payne street**

halan YOUNG <halan.young@icloud.com>

Tue 6/1/2021 9:32 AM

To: PlanComm <PlanComm@alexandriava.gov>

Cc: PlanComm <PlanComm@alexandriava.gov>; Sharon Bob-Young <sharon.bob@powerslaw.com>; Michael Zampella <mzampella@icloud.com>; Bob Lennox <robertflennox@gmail.com>

Special Use Permit #2021-00027  
214-216 South Payne Street

Dear Chair Macek and Members of the Commission,

My name is H.Alan Young. My wife, Sharon, and I reside at 229 South Payne Street, across the street from the subject properties.

We welcome any improvement to our neighborhood. Overall, the application looks like it will enhance our neighborhood but there are some issues that we wish to address.

Parking in Old Town, as you well know, is at a premium and the 200 block of South Payne Street is no exception.

At first glance, it appears that the applicant is requesting a reduction of one parking space. So that rather than providing the required 4 parking spaces, if the application is approved, three spaces will remain. However there will be an overall reduction of 6 EXISTING parking spaces located on the west property line of 214 S. Payne St. In other words six parking spaces CURRENTLY located at 214 S. Payne St. will be ELIMINATED leaving only three spaces behind 314 S. Payne St. if this SUP is approved.

Currently the two properties provide nine parking spaces, six on the west side of 214 S. Payne and three in the rear of 216 S. Payne St. Although there are no painted parking lines at this time in the back of 216 S. Payne St, people use those three spaces all day long.

We understand there is a requirement to provide 40% of open space (not necessarily green space) if this application is approved. We welcome this but it is my understanding that the applicant intends to provide only approximately 26% of open space including the roof. This does not include seven parking spaces that have been deeded in perpetuity to the apartment building across the street at 219 S. Payne St. known as Payne Place Apartments.]

One day a number of years ago, when I returned from my office, I was astonished to see that the then owner of 216 S. Payne Street, of an antiques' store, poured concrete over the entire outdoors of her property and thus destroyed every last bit of grass and plantings on the premises! I was in a state of shock and learned that nothing could be done about it. It was ironic that the antiques' store went out of business shortly after the concrete was poured

The question remains as to what the applicant intends to do with the concrete "tarmac", as Sharon and I derisively call it, which now takes up all of the front and rear open space of 216 S. Payne St. Clearly, this condition is not in keeping with Old Town.

Last week I met with the applicant's architect, Bill Yoo, and asked what the applicant intended to do about the "tarmac". Apparently, earlier, staff asked Mr. Yoo whether the applicant gave any consideration to the tarmac. I cannot recall what Mr. Yoo's exact response was but it was noncommittal. When I asked Mr. Yoo what the applicant intended to do with the "tarmac", his answer was vague and gave me no solace.

Forty four years ago, in 1977, I purchased our present residence. At that time and at my expense I (gladly) removed 100 feet of concrete sidewalk and replaced it with brick. Additionally, I installed a sprinkler system on the planting strip between the curb and the sidewalk. Also I was requested to pay a share of the costs of replacing trees on City property on Duke Street that the City said were inappropriate. Again I gladly did so. (See the attached photograph taken last week.) As can be seen, we take pride in our home and community and admire Alexandria's historical ambiance. We not only talk the talk but walk the walk. Seeing the eyesore across the street has been a constant annoyance to us and our neighbors.

Sharon and I believe that our concerns can be satisfied to the mutual satisfaction of us and the applicant as well as the City. I look forward to discussing this matter at tomorrow's meeting and welcome any questions that you may have.

Respectfully yours,

H. Alan Young

P.S. I wanted to send a courtesy copy of this email to Mr. Yoo but I did not have his email address although I left a message on his phone. Accordingly, by copy of this email I am requesting that the staff forward this email to Mr. Yoo.

Below is a recent photo of 229 S. Payne St which is located at the northwest corner of Duke and S. Payne streets.



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