

***Encroachment #2021-00002***  
***214 and 216 S. Payne Street***

---

Application	General Data	
Public hearing and consideration of a request for an Encroachment for a fence into the public right-of-way	<b>Planning Commission Hearing:</b>	June 24, 2021
	<b>City Council Hearing:</b>	July 6, 2021
Address: 214 and 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

**Staff Recommendation:** APPROVAL subject to compliance with all applicable codes and ordinances and the recommended permit conditions found in Section III of this report.

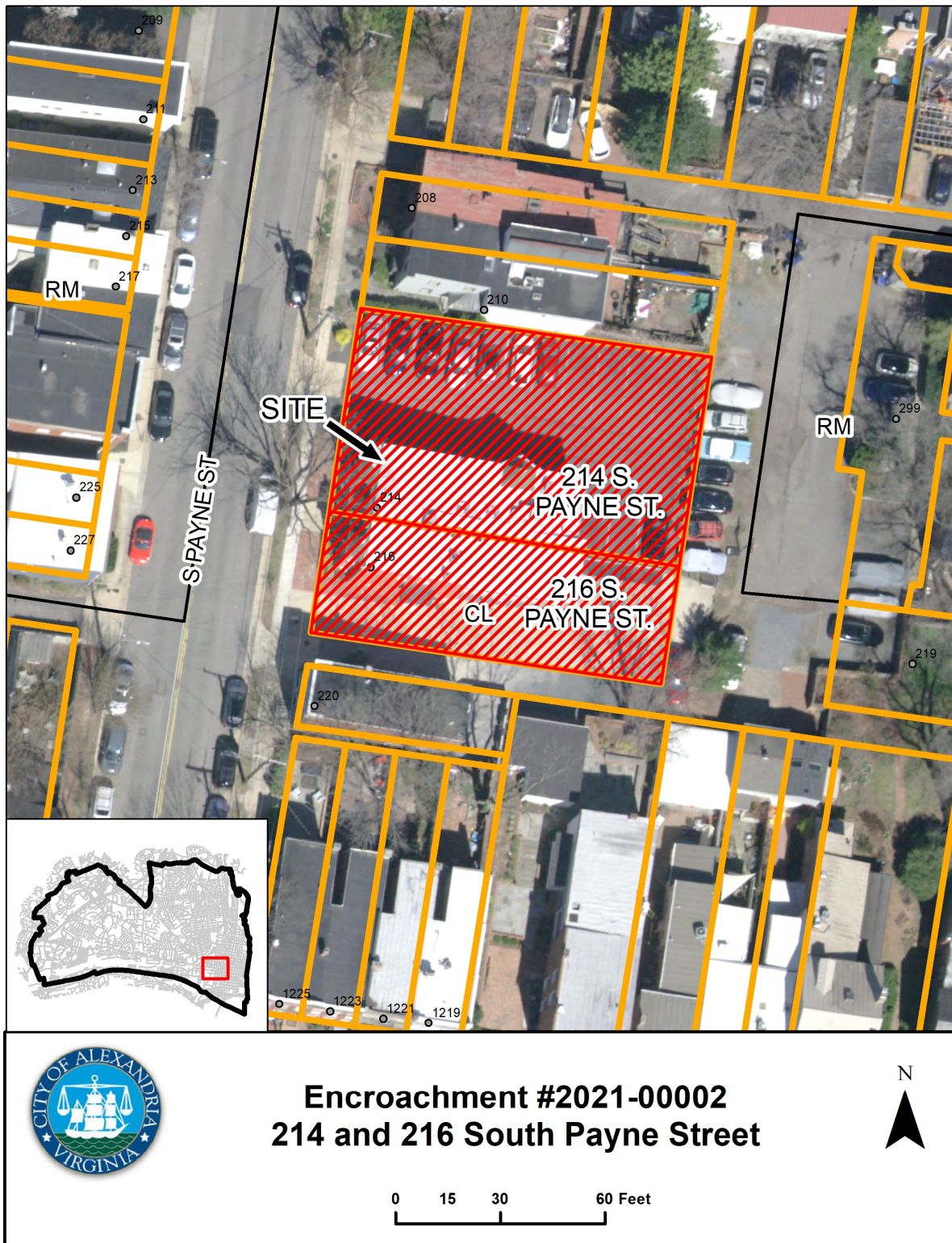
**Staff Reviewers:** Marlo J.W, Ford, AICP, Urban Planner, [marlo.ford@alexandriava.gov](mailto:marlo.ford@alexandriava.gov)  
Ann Horowitz, Principal Planner, [annhorowitz@alexandriava.gov](mailto:annhorowitz@alexandriava.gov)

**PLANNING COMMISSION ACTION, JUNE 24, 2021:** On a motion by Vice Chair McMahon, seconded by Commissioner Brown, 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 to confirm that the proposed trapezoidal-shaped porch configuration would fit within the rectangular encroachment area as indicated on the survey plat, stating she wanted to highlight that fact with fellow commissioners.

Chairman Macek indicated that he supports the encroachment request. Although he had concerns with the new proposed porch, he recognized that the porch is subject to the Board of Architecture Review consideration, solely, and outside the Planning Commission review purview.



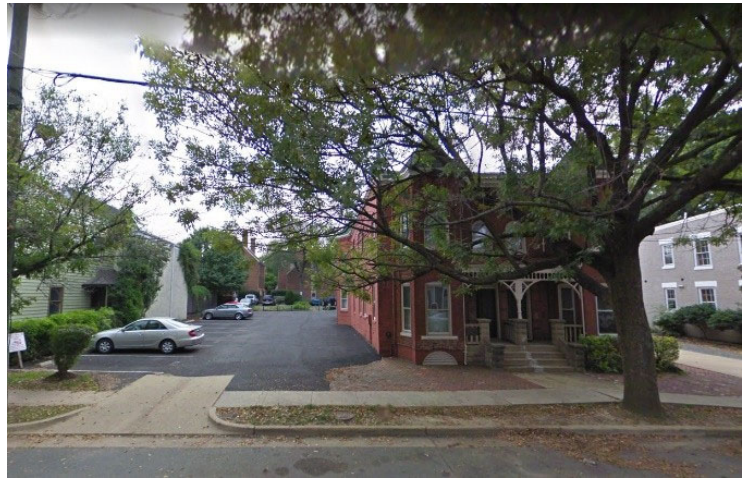
## I. REPORT SUMMARY

The applicant, 214 & 216 S. Payne LLC, represented by Mark Yoo, architect, requests an encroachment for a proposed covered porch. If the applicant receives encroachment approval, the removal of the existing porch and design of a new, open covered porch across the front of the building would require Board of Architectural Review (BAR) approval.

### SITE DESCRIPTION

The subject properties are each developed with a semi-detached commercial building unit on each lot (Figure 1). 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 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 6,275.00 square feet.

According to the Real Estate Assessment records, the lot size for this parcel is 3,592.00 square feet.



*Figure 1: Subject Properties*

### BACKGROUND

City Real Estate records indicate that the two-story buildings were constructed circa 1880. In the mid-1980s, the two properties were converted from residential to commercial use.

On June 1, 2021, Planning Commission recommended approval to City Council of SUP #2021-0027 for a one-space parking reduction and for lot modifications to allow for the reversion of the commercial uses to a residential duplex use. City Council review of SUP #2021- 0027 occurs on June 19. The duplex units would be located primarily on the second and basement levels with a commercial use planned for most of the first floor.

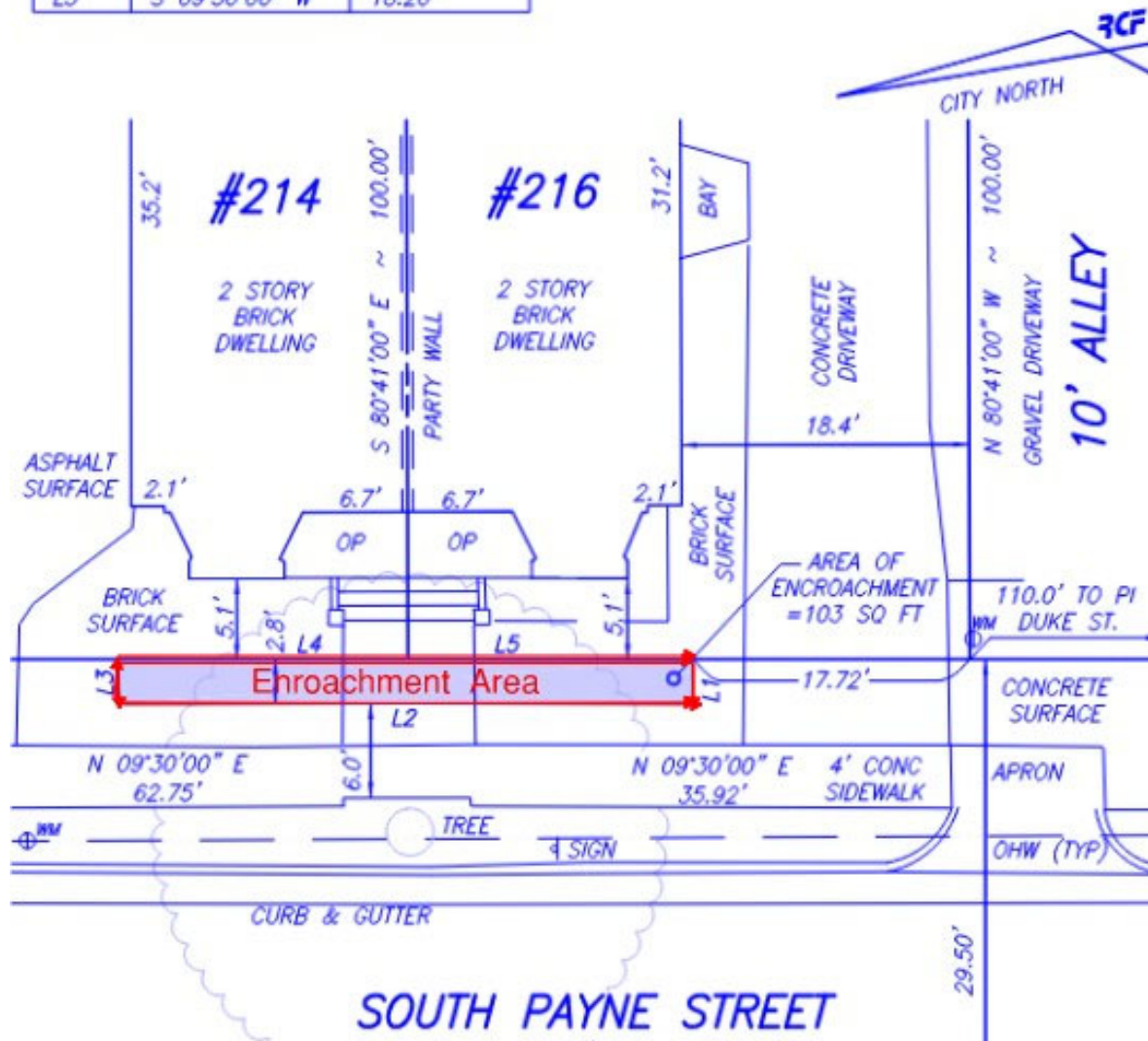
### PROPOSAL

For the proposed porch project, the applicant requests encroachment approval into the public right-of-way to allow for the construction of a new, open front porch for use by the first-floor commercial tenant. An encroachment area of 102.76 square feet is requested to accommodate a front porch and stairs which would extend 2.80 feet into the public right-of-way (Figures 2 and



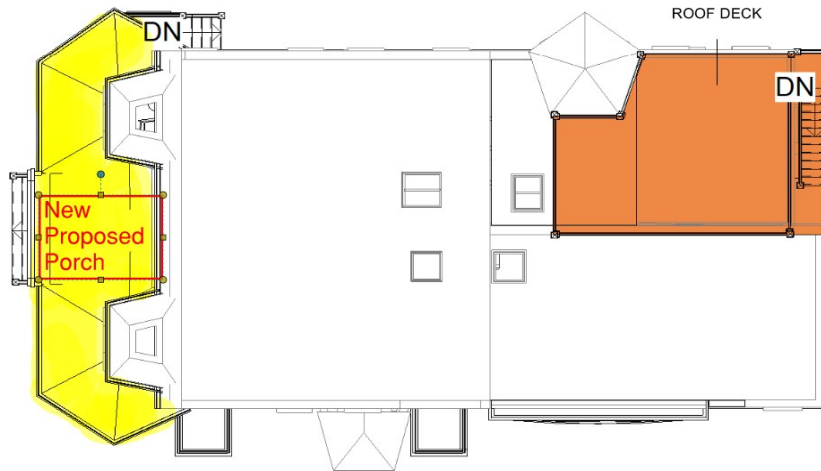
LINE TABLE:

LINE	BEARING	DISTANCE
L1	N 80°30'00" W	2.80'
L2	N 09°30'00" E	36.70'
L3	S 80°30'00" E	2.80'
L4	S 09°30'00" W	18.50'
L5	S 09°30'00" W	18.20'



**Figure 2: Proposed Area of Encroachment Outlined in Red**





*Figure 3: Proposed plan for front porch, requiring BAR approval*

#### ZONING/MASTER PLAN DESIGNATION

The proposed two-family with commercial 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.”

The subject property is located in the Old & Historic Alexandria District and the proposed porch requires Board of Architectural Review approval, which is contingent on approval of this encroachment request.

#### VALUE OF ENCROACHMENT

Section 3-2-85 of the City Code states that an annual commercial encroachment fee shall be assessed. The fee is based on the real estate tax that would be assessed on the encroachment area. The Department of Real Estate Assessments estimates that the annual fee would be \$190.00 (rounded). Details on this estimate can be found in the attached Memorandum dated June 4, 2021.

## **II. STAFF ANALYSIS**

Staff supports the encroachment request as it maintains adequate space to allow for the potential of widening the existing four-foot wide sidewalk to a six-foot width, recommended for neighborhood residential streets, like this block of South Payne Street, in the City’s Complete Streets Guidelines.

Subject to the conditions contained in Section III of this report staff recommends approval of this request.

### **III. RECOMMENDED CONDITIONS**

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

1. The owner shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the owner (and all successors in interest) and the City of Alexandria, as Additional Insured, against claims, demands, suits and all related costs, including attorneys' fees, arising from any bodily injury or property damage which may occur as a result of this encroachment. (T&ES)

**Please submit Insurance Certificate:  
City of Alexandria  
T&ES  
301 King Street, Room 4130  
Alexandria, VA 22314**

2. Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
3. In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
4. The applicant shall bear all the cost associated with the removal of the encroachments. (T&ES)
5. The lots at 214 and 216 South Payne Street shall be consolidated with Circuit Court Land Records prior to release of the Wall Check survey and Certificate of Occupancies. (P&Z)

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

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- F-1 The encroachment shown allows space for a potential 6 foot wide sidewalk in compliance with the Complete Streets Guidelines. (Transportation Planning)
- R-1 The owner shall obtain and maintain a policy of general liability insurance in the amount of \$1,000,000, which will indemnify the owner (and all successors in interest) and the City of Alexandria, as Additional Insured, against claims, demands, suits and all related costs, including attorneys' fees, arising from any bodily injury or property damage which may occur as a result of this encroachment. (T&ES)

**Please submit Insurance Certificate:**

**City of Alexandria**

**T&ES**

**301 King Street, Room 4130**

**Alexandria, VA 22314**

- R-2 Neither the City nor any Private utility company will be held responsible for damage to the private improvements in the public right-of-way during repair, maintenance or replacement of any utilities that may be located within the area of the proposed encroachment. (T&ES)
- R-3 In the event the City shall, in the future, have need for the area of the proposed encroachment, the applicant shall remove any structure that encroached into the public right-of-way, within 60 days, upon notification by the City. (T&ES)
- R-4 The applicant shall bear all the cost associated with the removal of the encroachments. (T&ES)

##### Code Administration:

- C-1 A building code review is required prior to encroachment approval. Construction appears to be located over an adjoining lot line.

##### Fire:

No comments.

##### Parks and Recreation:

No comments

##### Police Department:

No comments received

##### Archeology:

No comments



# City of Alexandria, Virginia

---

## MEMORANDUM

**DATE:** JUNE 4, 2021

**TO:** KARL MORITZ, DIRECTOR  
DEPARTMENT OF PLANNING AND ZONING

**FROM:** WILLIAM BRYAN PAGE SRA, RM, REAL ESTATE ASSESSOR  
OFFICE OF REAL ESTATE ASSESSMENTS

**SUBJECT:** ENCROACHMENT OF 103 SQUARE FEET ON S PAYNE STREET,  
ALEXANDRIA, VIRGINIA 22314

**PROJECT:** ENCROACHMENT #2021-00002

---

Per your request, we have reviewed the proposed 103 square-foot encroachment to permit the construction of a one-story decorative open porch spanning the entire eastern elevation of 214-216 S Payne Street, approximately 100 feet north of that artery's intersection with Duke Street in the Old Town area of the City of Alexandria. The site has a combined area of 9,867 square feet and are zoned CL, Commercial Low.

The site is currently improved with two semi-detached duplex units originally constructed in approximately 1880 that contain a combined above grade floor area of 4,305 square feet. Both have unfinished storage basements that contain 551 square feet. The property is reported to be in good condition with a service commercial use on the first floor and residential apartments on the second.

The encroachment area is rectangular in shape measuring 2.80 feet by 36.7 feet in width. With small front yard area, the proposed improvement would not impede pedestrian traffic which is provided by a four-foot concrete sidewalk.

Because this is not a vacation on the part of the City, the value of the encroachment is determined by the application of **Section 3-2-85** of the City Municipal Code which defines the annual charge for commercial encroachments to be the equivalent of what would be the real estate tax upon the land being encroached if it were owned by the owner or owners of the encroaching property. Based on a 2021 average land value of \$166.55 per square-foot, an encroachment area of 103 square feet, and the 2011 tax rate of \$1.11/\$100 of assessed value, the indicated annual fee for the encroachment is **\$190.00 (rounded)**.

**One Hundred and Ninety Dollars**

This analysis does not constitute a fully documented real property appraisal report and should not be purported as such. The analysis is based on the current 2020 per square-foot assessed values of similarly zoned parcels in the immediate area of the subject property and complies with City policies and guidelines.

**Attachments:**

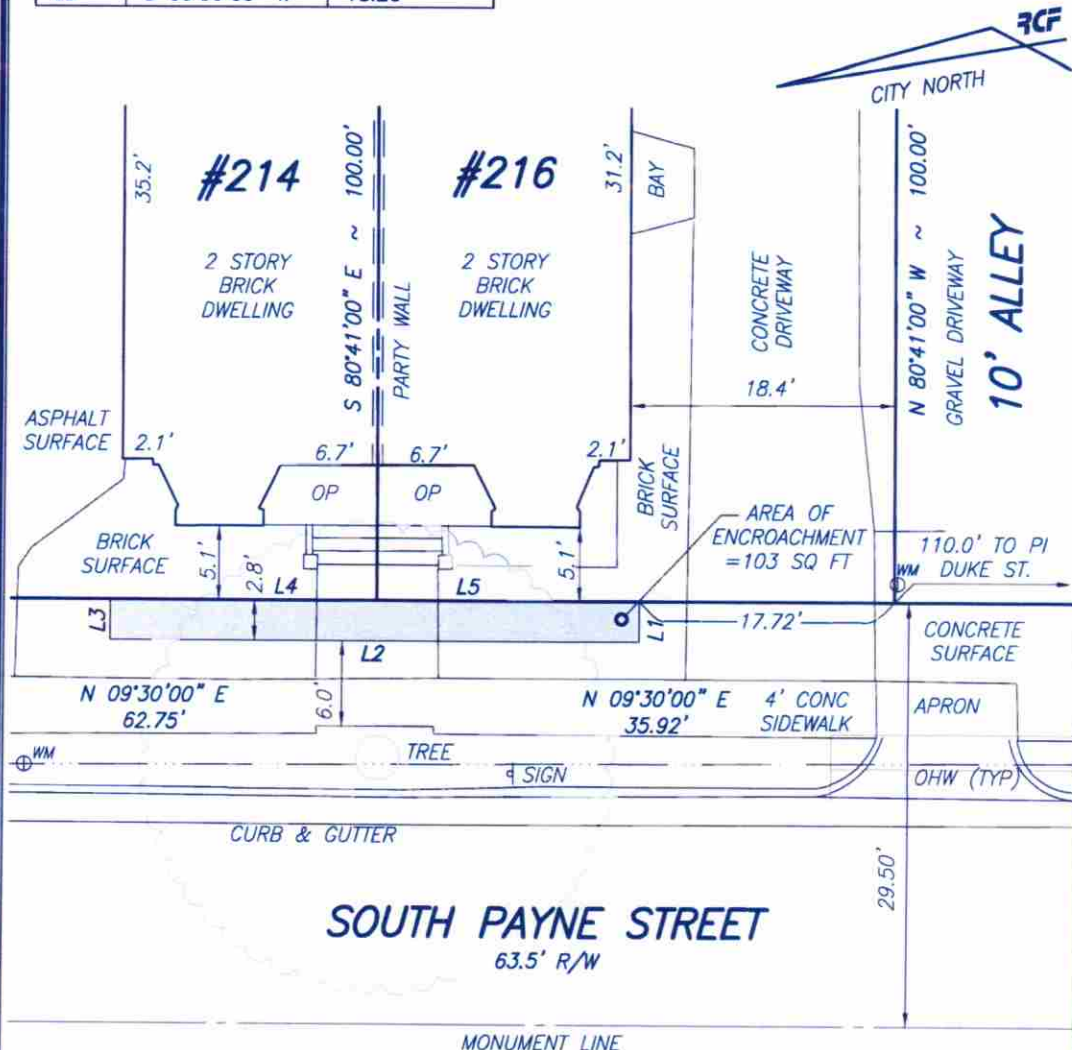
Encroachment Exhibit (dated May 12, 2021)  
City of Alexandria Zoning Map  
Metes and Bounds Description

cc: Marlo J.W. Ford, AICP

NOTE: TAX ASSESSMENT MAP NUMBERS: 074.01-10-38 & 074.01-10-39

LINE TABLE:

LINE	BEARING	DISTANCE
L1	N 80°30'00" W	2.80'
L2	N 09°30'00" E	36.70'
L3	S 80°30'00" E	2.80'
L4	S 09°30'00" W	18.50'
L5	S 09°30'00" W	18.20'



## ENCROACHMENT PLAT

SHOWING AREA OF ENCROACHMENT  
FOR A PRIVATE PORCH AND ITS OVERHANG  
ON THE PROPERTIES LOCATED AT

#214 & 216 SOUTH PAYNE

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 10'  
DATE: MAY 12, 2021

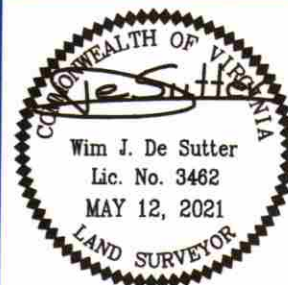
INSTRUMENT REF: 200028181  
PLAT SUBJECT TO  
RESTRICTIONS OF RECORD.  
TITLE REPORT NOT FURNISHED,  
THUS ALL EASEMENTS MAY NOT  
BE SHOWN.

OWNER: 214 AND 216 S PAYNE ST, LLC.  
CLIENT: MARK YOO

**RCFIELD**  
& ASSOCIATES, INC.

ENGINEERING • LAND SURVEYING • PLANNING  
700 S. Washington Street, Suite 220 www.rcfassoc.com  
Alexandria, Virginia 22314 (703) 549-6422

I HEREBY CERTIFY THAT THE LOCATION OF THE PHYSICAL IMPROVEMENTS SHOWN  
HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND  
COMPLIES WITH THE MINIMUM STANDARDS AND PROCEDURES SET FORTH IN CHAPTER  
18VAC10-20-380 OF THE VIRGINIA CODE. NO PROPERTY CORNERS WERE SET.



DRAFTED: AA CHECKED: WDS

20-218



#

## **METES AND BOUNDS DESCRIPTION**

### **ENCROACHMENT AREA #214 & #216 SOUTH PAYNE STREET**

CITY OF ALEXANDRIA, VIRGINIA

Being a strip of land hereinafter described lying and being situated in the City of Alexandria, Virginia; running in, through, over and across part of the right-of-way of South Payne Street, and being more particularly described by metes and bounds as follows:

**BEGINNING AT A POINT** lying in the easterly right-of-way line of South Payne Street (63.5 wide), 127.72 feet as measured along said right-of-way line from its intersection with the northerly right-of-way line of Duke Street; thence, departing said easterly right-of-way line of South Payne Street and crossing and including a portion of the right-of-way of said South Payne Street the following five (5) courses and distances:

1. North 80° 30' 00" West, 2.80 feet to a point;
2. North 09° 30' 00" East, 36.70 feet to a point;
3. South 80° 30' 00" East, 2.80 feet to a point in the aforementioned easterly right-of-way of South Payne Street; thence, running with said easterly right-of-way line;
4. South 09° 30' 00" West, 18.50 feet to the south west corner of the property located at #214 South Payne Street; thence, running with said easterly right-of-way line;
5. South 09° 30' 00" West, 18.20 feet to the **POINT OF BEGINNING**.

**Containing an Area of 103 Square Feet or 0.0024 Acres of Land**



## APPLICATION

### ENCROACHMENT

**PROPERTY LOCATION:** 214/216 S Payne Street, Alexandria, VA 22314

**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

#### PROPERTY OWNER

Name: Anthony Antonelli

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

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

**INSURANCE CARRIER** (copy attached) NAUTILUS INSURANCE CO. **POLICY #** NN1195504

A certificate of general liability insurance in the amount of \$1,000,000 which will indemnify the owner and names the city as an additional insured must be attached to this application.

- ☒ THE UNDERSIGNED hereby applies for an Encroachment Ordinance in accordance with the provisions of Section 8-1-16 and Sections 3-2-82 and 85 of the Code 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 XI, Section 11-301 (B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.
- ☒ THE UNDERSIGNED also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of their knowledge and belief.

Mark R. Yoo

Print Name of Applicant or Agent

221 S Henry Street

Mailing/Street Address

Alexandria, VA 22314

City and State

Zip Code

*Mark R. Yoo*

Signature

202.251.3235

Telephone #

Fax #

mark@markyooarchitect.com

Email address

04/13/2021

Date

# 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
1. Mark Yoo	221 S Henry Street, Alexandria VA 22314	100
2.		
3.		

**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
1. Anthoni Antonelli	3214 N University Ave. #700 Provo Ut.	100
2.		
3.		

**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 require 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 indicated 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.)
1. Mark Yoo	Board Member	Board of Zoning Approval
2. Anthony Antonelli	None	None
3.		

**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.

04/13/2021  
Date

Mark R. Yoo  
Printed Name

*Mark R. Yoo*  
Signature





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/07/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AdventSure PO Box 85  Bridgewater VA 22812	CONTACT NAME: PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: INSURER(S) AFFORDING COVERAGE INSURER A: Nautilus Insurance Co INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:
INSURED Mark R. Yoo Architect PLLC 221 S. HENRY ST.  Alexandria VA 22314	NAIC # 17370

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

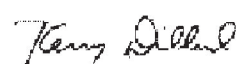
INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	X		NN1195504	11/23/2020	11/23/2021	EACH OCCURRENCE \$ 1,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000	
							MED EXP (Any one person) \$ 5,000	
							PERSONAL & ADV INJURY \$ 1,000,000	
	GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						GENERAL AGGREGATE \$ 2,000,000	
							PRODUCTS - COMP/OP AGG \$ 2,000,000	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$	
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$	
	<input type="checkbox"/> HIRED AUTOS						PROPERTY DAMAGE (Per accident) \$	
A	<input type="checkbox"/> UMBRELLA LIAB			AN096678	11/23/2020	11/23/2021	EACH OCCURRENCE \$ 5,000,000	
	<input checked="" type="checkbox"/> EXCESS LIAB						AGGREGATE \$ 5,000,000	
	<input type="checkbox"/> CLAIMS-MADE							
	DED RETENTION \$							
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N					E.L. EACH ACCIDENT \$	
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					E.L. DISEASE - EA EMPLOYEE \$	
							E.L. DISEASE - POLICY LIMIT \$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder is additional insured per form CG2033

Excess is a follow form

**CERTIFICATE HOLDER****CANCELLATION**

City of Alexandria 301 King St  Alexandria VA 22314	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
--	--

© 1988-2014 ACORD CORPORATION. All rights reserved.

#

## **METES AND BOUNDS DESCRIPTION**

### **ENCROACHMENT AREA #214 & #216 SOUTH PAYNE STREET**

CITY OF ALEXANDRIA, VIRGINIA

Being a strip of land hereinafter described lying and being situated in the City of Alexandria, Virginia; running in, through, over and across part of the right-of-way of South Payne Street, and being more particularly described by metes and bounds as follows:

**BEGINNING AT A POINT** lying in the easterly right-of-way line of South Payne Street (63.5 wide), 127.72 feet as measured along said right-of-way line from its intersection with the northerly right-of-way line of Duke Street; thence, departing said easterly right-of-way line of South Payne Street and crossing and including a portion of the right-of-way of said South Payne Street the following five (5) courses and distances:

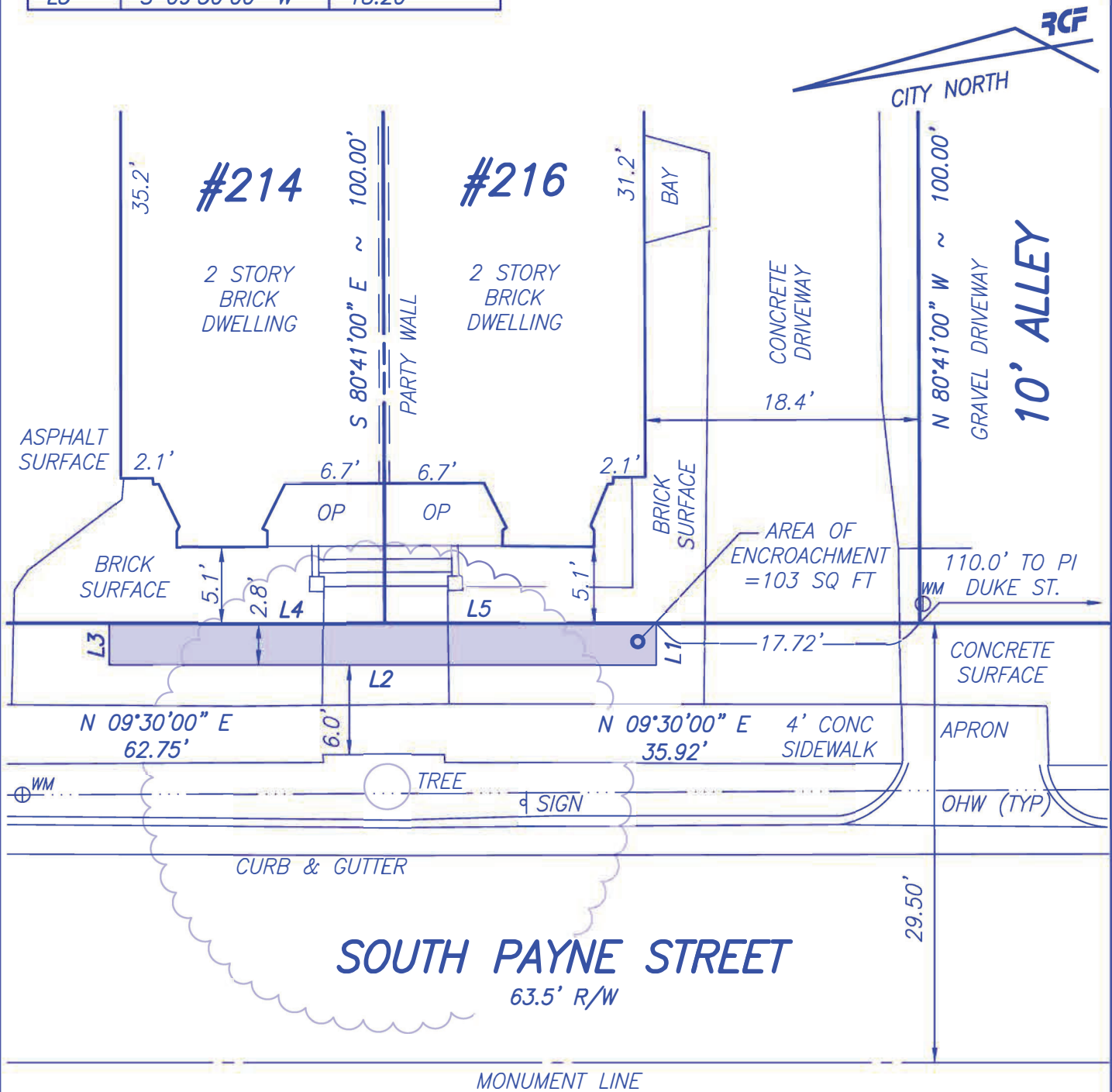
1. North 80° 30' 00" West, 2.80 feet to a point;
2. North 09° 30' 00" East, 36.70 feet to a point;
3. South 80° 30' 00" East, 2.80 feet to a point in the aforementioned easterly right-of-way of South Payne Street; thence, running with said easterly right-of-way line;
4. South 09° 30' 00" West, 18.50 feet to the south west corner of the property located at #214 South Payne Street; thence, running with said easterly right -of-way line;
5. South 09° 30' 00" West, 18.20 feet to the **POINT OF BEGINNING**.

**Containing an Area of 103 Square Feet or 0.0024 Acres of Land**

NOTE: TAX ASSESSMENT MAP NUMBERS: 074.01-10-38 & 074.01-10-39

LINE TABLE:

LINE	BEARING	DISTANCE
L1	N 80°30'00" W	2.80'
L2	N 09°30'00" E	36.70'
L3	S 80°30'00" E	2.80'
L4	S 09°30'00" W	18.50'
L5	S 09°30'00" W	18.20'



# ENCROACHMENT PLAT

SHOWING AREA OF ENCROACHMENT  
FOR A PRIVATE PORCH AND ITS OVERHANG  
ON THE PROPERTIES LOCATED AT

#214 & 216 SOUTH PAYNE

CITY OF ALEXANDRIA, VIRGINIA

SCALE: 1" = 10'  
DATE: MAY 12, 2021

INSTRUMENT REF: 200028181  
PLAT SUBJECT TO  
RESTRICTIONS OF RECORD.  
TITLE REPORT NOT FURNISHED,  
THUS ALL EASEMENTS MAY NOT  
BE SHOWN.

OWNER: 214 AND 216 S PAYNE ST, LLC.  
CLIENT: MARK YOO

**RCFIELD**  
& ASSOCIATES, INC.  
ENGINEERING • LAND SURVEYING • PLANNING  
700 S. Washington Street, Suite 220 www.rcfassoc.com  
Alexandria, Virginia 22314 (703) 549-6422

I HEREBY CERTIFY THAT THE LOCATION OF THE PHYSICAL IMPROVEMENTS SHOWN  
HEREON IS CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, AND  
COMPLIES WITH THE MINIMUM STANDARDS AND PROCEDURES SET FORTH IN CHAPTER  
18VAC10-20-380 OF THE VIRGINIA CODE. NO PROPERTY CORNERS WERE SET.



DRAFTED: AA CHECKED: WDS





# Department of Planning and Zoning Floor Area Ratio and Open Space Calculations

**B**

## A. Property Information

A1.  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

Basement

First Floor

Second Floor

Third Floor

Attic

Porches

Balcony/Deck

Lavatory\*\*\*

Other\*\*

### Allowable Exclusions\*\*

Basement\*\*

Stairways\*\*

Mechanical\*\*

Attic less than 7'\*\*\*

Porches\*\*

Balcony/Deck\*\*

Lavatory\*\*\*

Other\*\*

Other\*\*

B1.  Sq. Ft.  
Existing Gross Floor Area\*

B2.  Sq. Ft.  
Allowable Floor Exclusions\*\*

B3.  Sq. Ft.  
Existing Floor Area Minus Exclusions  
(subtract B2 from B1)

### Comments for Existing Gross Floor Area

B1. **Total Gross**

B2. **Total Exclusions**

## C. Proposed Gross Floor Area

### Proposed Gross Area

Basement

First Floor

Second Floor

Third Floor

Attic

Porches

Balcony/Deck

Lavatory\*\*\*

Other

### Allowable Exclusions\*\*

Basement\*\*

Stairways\*\*

Mechanical\*\*

Attic less than 7'\*\*\*

Porches\*\*

Balcony/Deck\*\*

Lavatory\*\*\*

Other\*\*

Other\*\*

C1.  Sq. Ft.  
Proposed Gross Floor Area\*

C2.  Sq. Ft.  
Allowable Floor Exclusions\*\*

C3.  Sq. Ft.  
Proposed Floor Area Minus Exclusions  
(subtract C2 from C1)

C1. **Total Gross**

C2. **Total Exclusions**

## 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 (RA & RB Zones)

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.

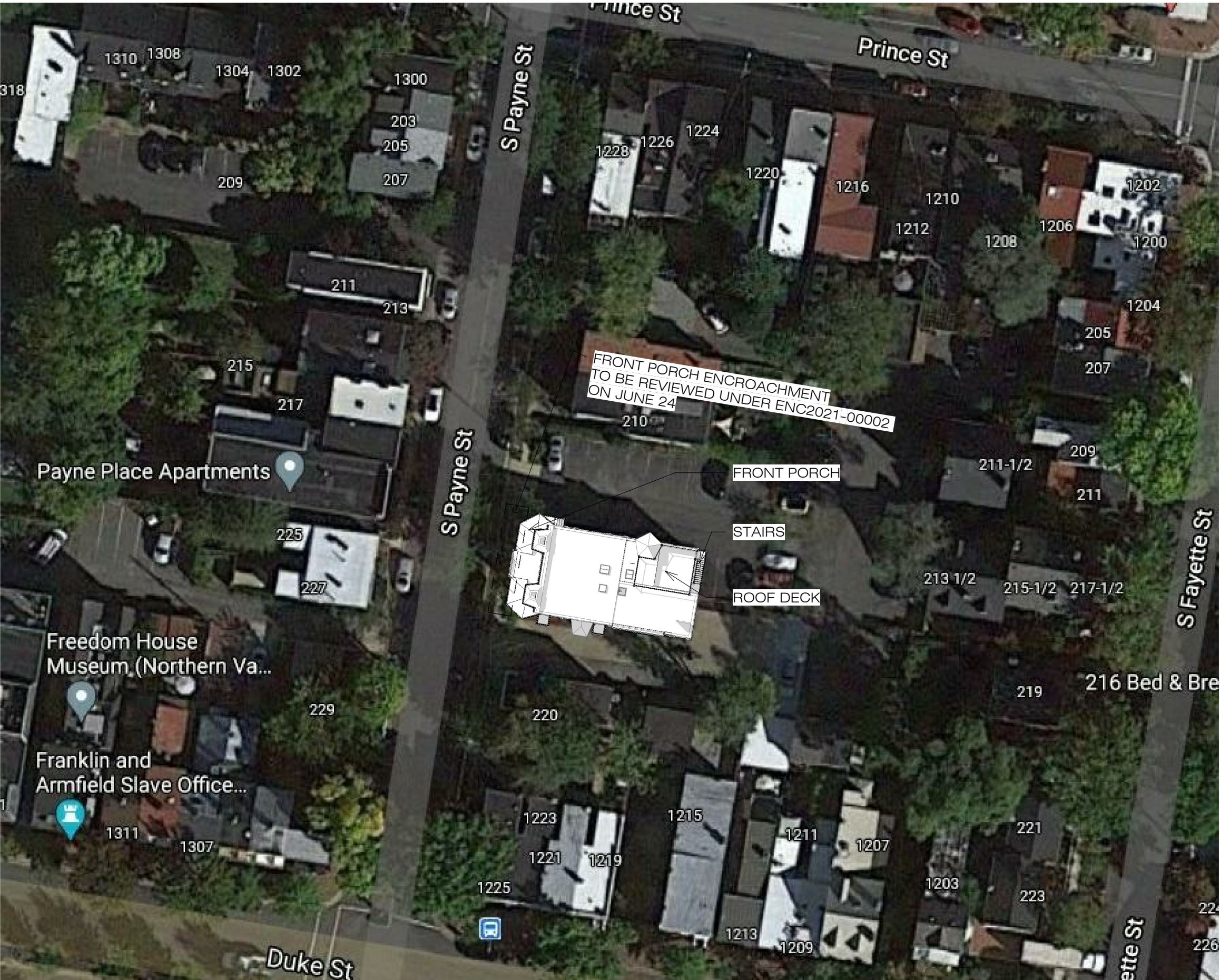
\*\* Refer to the Zoning Ordinance (Section 2-145(B)) and consult with Zoning Staff for information regarding allowable exclusions. Sections may also be required for some exclusions.

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

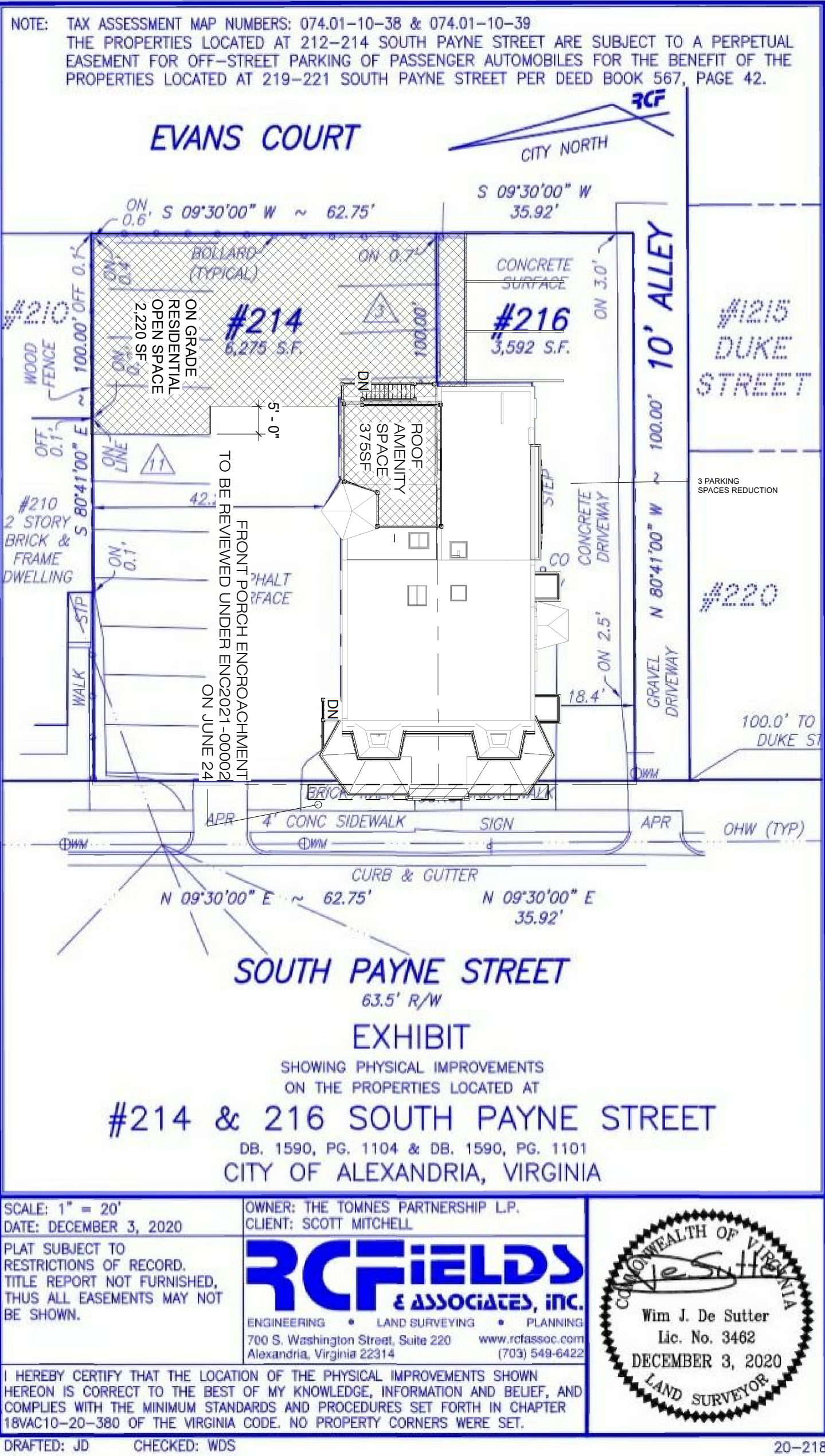




1 Site Context  
A101 1" = 40'-0"

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





ISSUE:	Project	214 & 216 S Payne St Alexandria VA 22314	Mark R. Yoo Architect	SEAL	
SHEET No.	Drawing Title	A102	Site Survey	221 S Henry Street, Alexandria, VA 22314 PH. 202.251.3235 FX.571.3512357 mark@markyooarchitect.com	1" = 20'-0"
					DATE OF PRINTING MAY 12, 2021

**[EXTERNAL]Alexandria Planning Commission - ENC2021-00002****mark@markyooarchitect.com <mark@markyooarchitect.com>**

Fri 6/25/2021 2:54 PM

**To:** Patrick Silva <Patrick.Silva@alexandriava.gov>**Cc:** '214 South Payne Street' <214southpayne@gmail.com> 2 attachments (6 MB)

Izalia Spa LuxRox Porch Petition.pdf; 214 - 216 Encroachment Presentation.pdf;

Good afternoon Patrick,

As discussed earlier today my client and I were surprised that we were not afforded the opportunity to speak at the planning commission meeting last night in reference to our encroachment case ENC2021-00002. We both had been given an invitation as a panelist and had assumed the board would at least ask us if we wished to make a statement on behalf of our project, and as panelists we were not required to sign up to speak. Further we had not been notified that our invitations as panelists did not ensure a place to speak, nor do the invitations to the zoom meeting as panelists identify that we needed to further sign up if we wanted to speak. In addition, when board members started to ask questions in regard to our request, I immediately raised my hand but was ignored by the Commissioners. To that end a comment was made by the Chairman of the Board as to the validity of the front porch request on this structure on this block. However, had we been given our opportunity to speak my client, the Owner, would have presented a substantiation of why the front porch was necessary for her business, as well as our reasoning for specifically utilizing it in this particular design perhaps addressing the Chairman's comment rather than allowing it to be noted unaddressed. Of course, I was also present with the Owner and the Chairman had ample opportunity to inquire as to the need for a front porch in our design, which I believe would have been pertinent to this presentation but also to further presentations to the BAR that are forthcoming on this project.

Since we were not given any opportunity to present on behalf of our project I have submitted additional information on this project in the form of the written testimony of my Owner in regards to the reasons behind the addition of the front porch, as well as a presentation I have prepared and was intending to present to the board last night which identified numerous encroachments on that street all of which are front porches and their relative depths from the property line showing that our encroachment of 2.8' was significantly less than the average encroachment of 3.5'. (Both are attached herein.)

I would like to respectfully request that this information be made part of the record and be included in the package submitted to the City Council for the final approval of the Council on July 7<sup>th</sup>.

I further recommend that the Planning Commission reconsider their process to ensure that all persons including applicants are afforded the opportunity to speak on behalf of their project, at the very least notifying applicants that their invitation as a panelist does not ensure them a chance to speak and providing information as to how they can sign up for each meeting. I can assure you that as the Vice Chair of the Board of Zoning Appeals that all applicants are given an opportunity to present on behalf of their project at Board of Zoning Appeals meetings.

We are glad that we have been approved by the Planning Commission for our encroachment, and you have been a pleasure to work with on the multiple requests required for this project, and I thank you for your diligent efforts. However, I am hoping that there are not other applicants who have been left out of what is supposed to be a public hearing process.

Thank you again for your efforts. I remain for any questions you might have.



Best Regards,  
Mark R. Yoo

Mark R. Yoo, Architect  
221 S Henry Street  
Alexandria VA 22314



mark r. yoo architect pllc  
architecture / interior design / construction  
ph. 202.251.3235      [www.markyooarchitect.com](http://www.markyooarchitect.com)

---

**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.



With luxury crystals shop: *LuxRox*

(To be read at the Alexandria Planning Commission Meeting June 24, 2021)

To: The Alexandria Planning Commission:

I am here as an owner of a classic old town boutique business; I operate a high-end med spa that also retails rare minerals and gemstones.

In my 15 years of being in business in Old Town I have worked hard to create a brand of elegance and believe my business contributes to the collective features of our town that helps to make Alexandria special.

From the first time I looked at buying this building as a potential place to move the business, I envisioned a front porch that could meet many of the demands I have realized are absolutely critical for doing small business in Old Town.

These demands include:

- Effective commercial and residential blending
- Security
- Marketing
- Social Climate Flexibility

Let me elaborate.

1. Authentic commercial and residential blending.

Many of the neighboring buildings to mine are residential, even though the zoning there is (CL) commercial. While I have considered alternatives, it is clear that the best way to create the outdoor space that my business requires and still blend it with the residential feel that the

neighbors can appreciate, is accomplished through a porch which has a residential look even though it will exist for business purposes.

My efforts to make things look as residential as possible is my effort to contribute to the community instead of detracting from it while still meeting the needs of the very business that bought the building.

2. Security. In my years of business in old town, I have seen my share of theft and robbery to my business, and personal harm to myself. Without elaborating into those details, security is a very big deal to me.

Having an additional space around my front perimeter that people will have to walk through, especially seeing that they are on camera before they even get to the business front doors, will help to deter people who could be a threat to my business, clients, and employees, and help alert us that a potential customer is approaching. From several points of view, security considerations are paramount to the business and the porch will prove to be crucial in mitigating most of the concerns.

3. Marketing- If I have learned anything in my years of watching myself and other businesses in old town, I have learned that my ability to host events at my location is key.

The businesses that have room to host the events of the boutique district and other networking groups get the majority of the marketing benefits of belonging to these types of collectives. It is additionally my observation that the businesses who are not members of the OTBD do not have staying power in town. Being active in these collectives shows a clear indicator of success and the ability to bring OTBD events to my storefront is critical. I do not have the setup inside that can work for hosting events, however the porch is the perfect place to host OTBD and other marketing events year-round. Business that cannot host get left behind and I bought this building because of its potential to host out front.

Secondly, I must face the reality that the most important avenue of marketing today is social media. In a world where social media rules everything, having a uniquely notable and trademark exterior is key to attracting “selfie takers” and “influencers” who want to prove they have been to a popular destination or business. The responding trend has become for businesses to make an exterior space that is attractive and unique and highly Instagram able. I am not asking to paint a mural to meet that demand, although I have seen murals generously approved for this reason on historic buildings in Alexandria, I am asking to add a historically appropriate, timelessly elegant porch. I plan to make the porch a charming location for selfie takers and influencers to flock to and business collective members to come to for events.

4. Most importantly, Social Pressure Flexibility

The owner of almost any business that has survived the 2020 global pandemic has an additional set of priorities added to their purview: a new focus in any business’s ever critical

“what if” plan. Through this pandemic I have learned that my business absolutely must have the ability to earn money through outdoor commerce. Unfortunately, I cannot use the outdoors to perform our laser aesthetic services, so in a situation where indoor business becomes suspended or frowned upon again, my revenue potential would rely solely on selling my merchandise outdoors.

The merchandise I sell is luxury and heavy yet delicate crystals. My merchandise is carefully moved on rolling carts when it must be moved. In this light it is critical that the business has a porch because otherwise, with steps in the front to get down to street level, I could not reasonably get my merchandise outside and back in using the steps every day.

To accommodate the general need for outdoor commerce, our city has closed parts of streets and allowed businesses to put up temporary and permanent outdoor structures all over Old Town. My business is asking for approval to build an historic looking and neighborhood appropriate charming porch to meet fundamental needs which the business has.

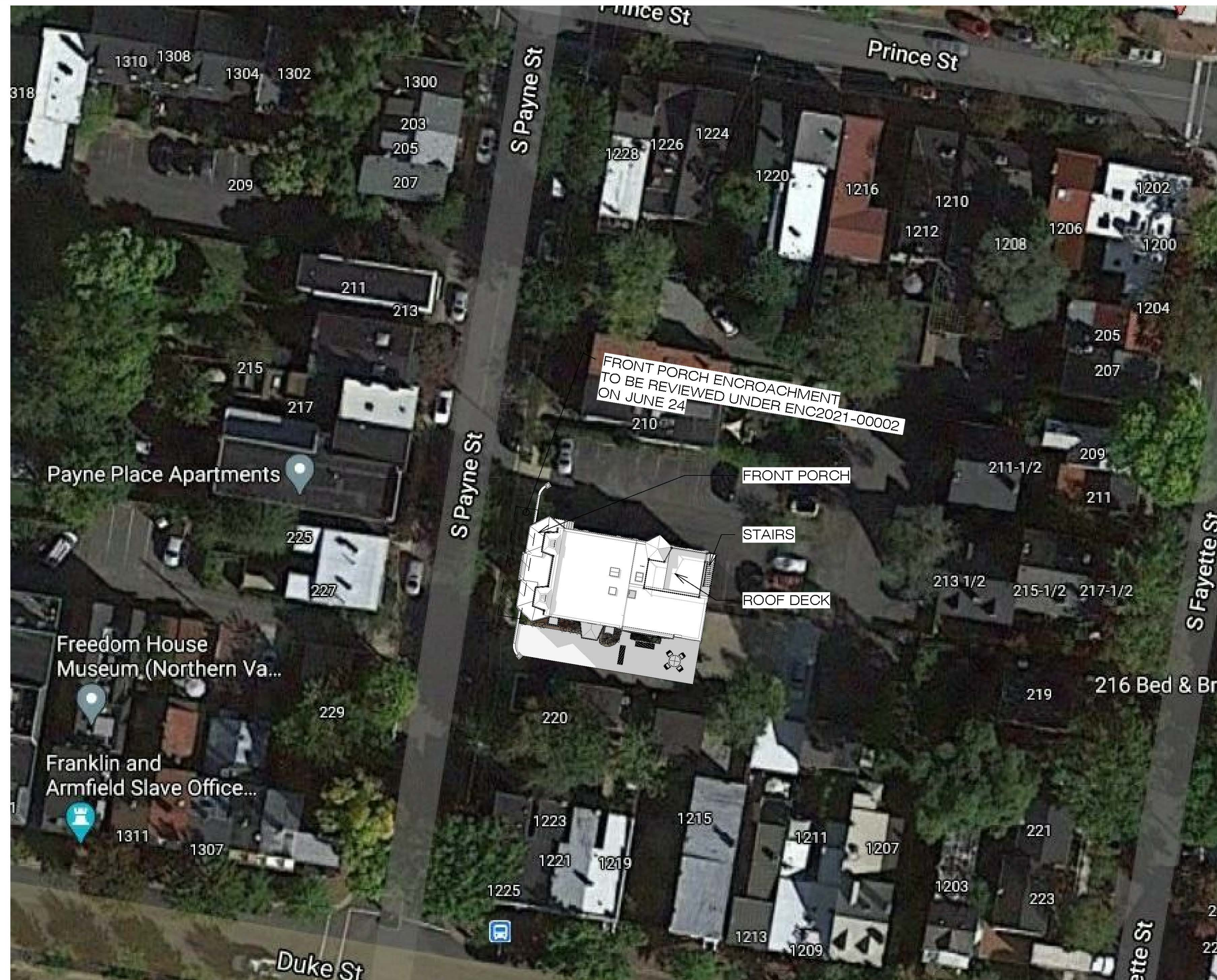
Since I started this business in 2006, I have diligently tried to bring added value to the city of Alexandria in everything I do. I want to be a benefit to my neighborhood and to my community and to my clients and to my business so that I can continue to thrive and be an employer and bring high-quality commerce to our town.

I sincerely ask you to see the benefits that this business could receive from having its outdoor space in the appropriate form of a porch, and how much a porch will meet the security, marketing, and outdoor flex needs of the business.

Thank you so much for your consideration.

A.A.Clark

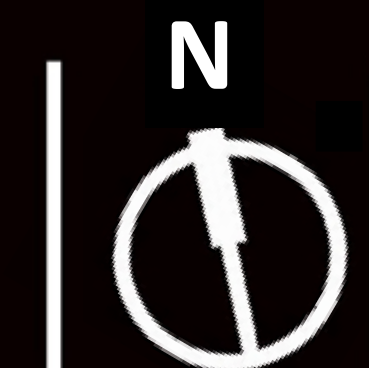




1 Site Context  
A101 1" = 40'-0"

#### SITE CONTEXT

214/216 S PAYNE STREET  
ALEXANDRIA VA 22314



ENC2021-00002



mark r. yoo architect pllc  
architecture / interior design / construction

221 south henry street, alexandria, va 22314  
ph. 202.251.3235 www.markyooarchitect.com



REMOVE WINDOWS REMOVE RAILINGS REMOVE CONCRETE STAIR

REMOVE STAIRWAY



Roof Level  
19' - 3"

Second Level  
11' - 1"

Main Level  
0"



EXISTING FRONT PORCH



EXISTING STAIRWAY

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

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

REMOVE CONCRETE STAIR



Roof Level  
19' - 3"

Second Level  
11' - 1"

Main Level  
0"



ADJACENT ALLEY GARAGES

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

## EXISTING ELEVATIONS



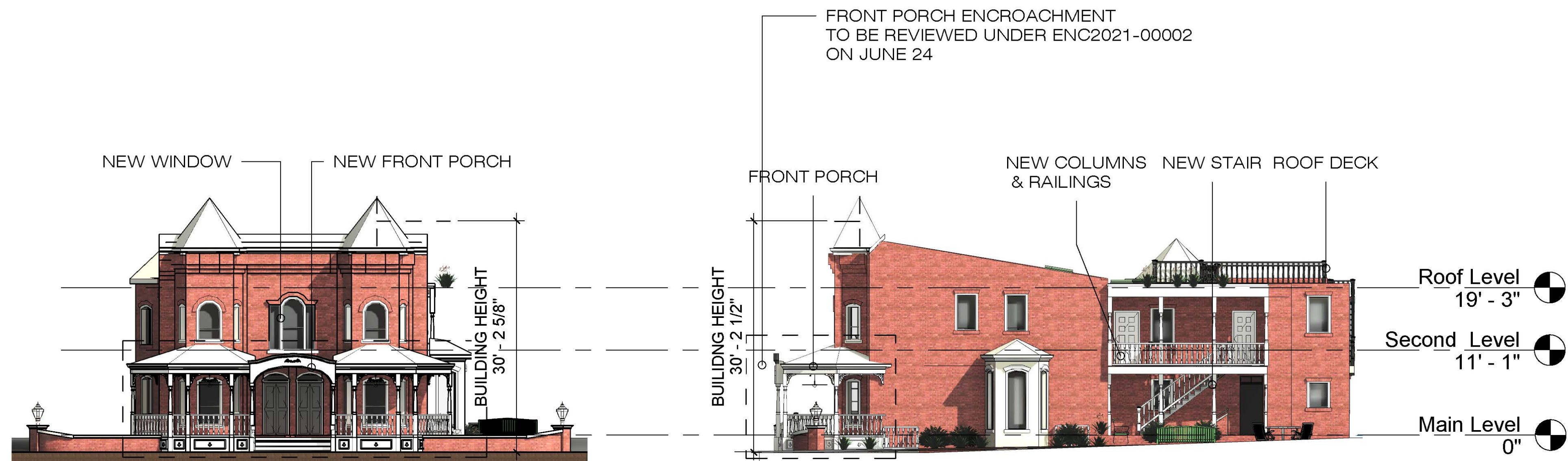
mark r. yoo architect pllc  
architecture / interior design / construction

221 south henry street, alexandria, va 22314  
ph. 202.251.3235 www.markyooarchitect.com

214/216 S PAYNE STREET  
ALEXANDRIA VA 22314

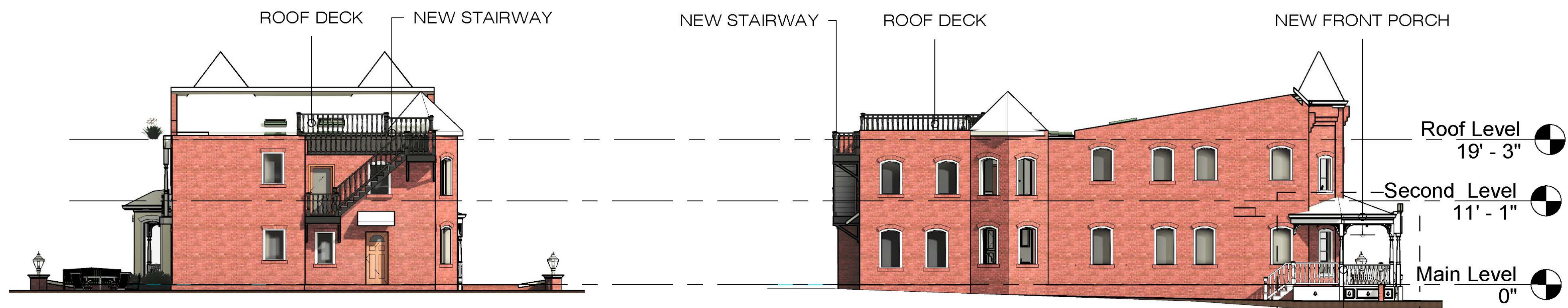
ENC2021-00002





1 Proposed - Front Elevation  
A106 1/16" = 1'-0"

2 Proposed - East Elevation  
A106 1/16" = 1'-0"



3 Proposed - Rear Elevation  
A106 1/16" = 1'-0"

4 Proposed - West Elevation  
A106 1/16" = 1'-0"

#### PROPOSED ELEVATIONS

214/216 S PAYNE STREET  
ALEXANDRIA VA 22314

ENC2021-00002



mark r. yoo architect pllc  
architecture / interior design / construction

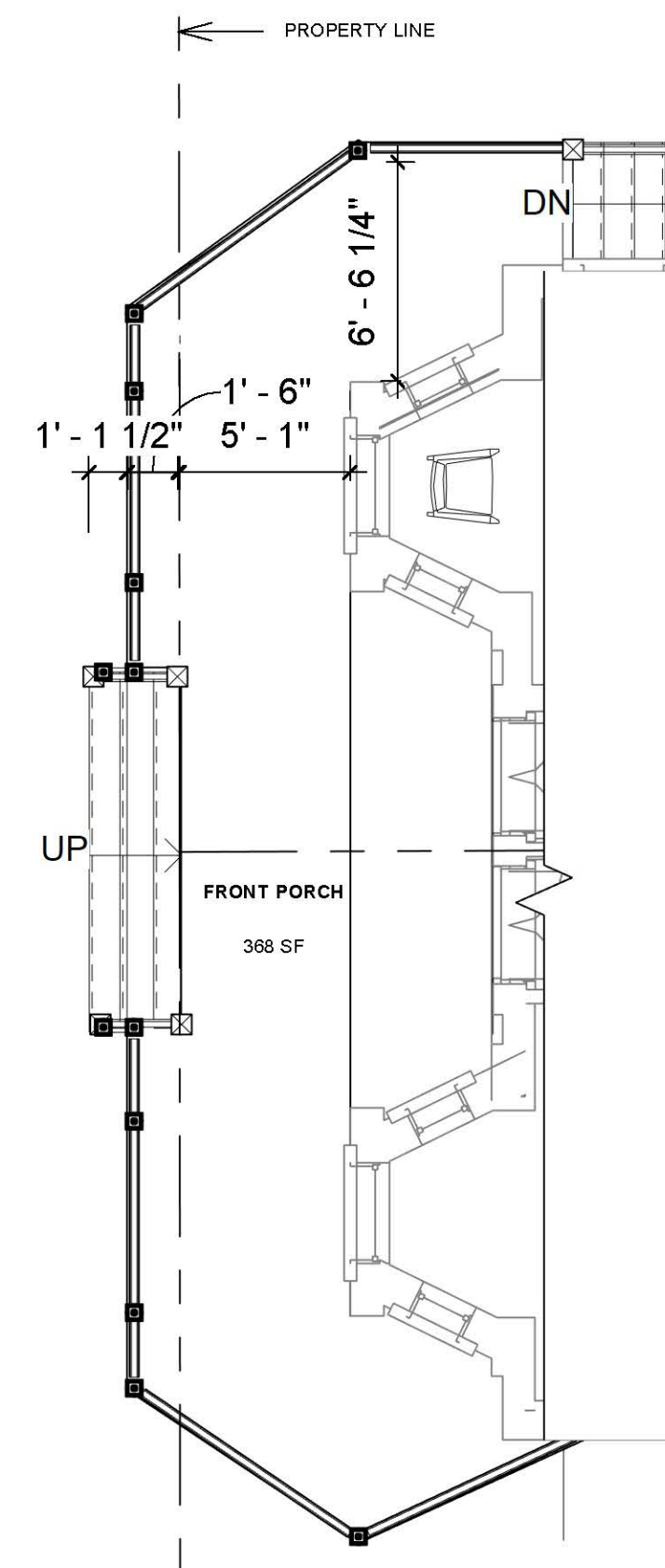
221 south henry street, alexandria, va 22314  
ph. 202.251.3235 www.markyooarchitect.com





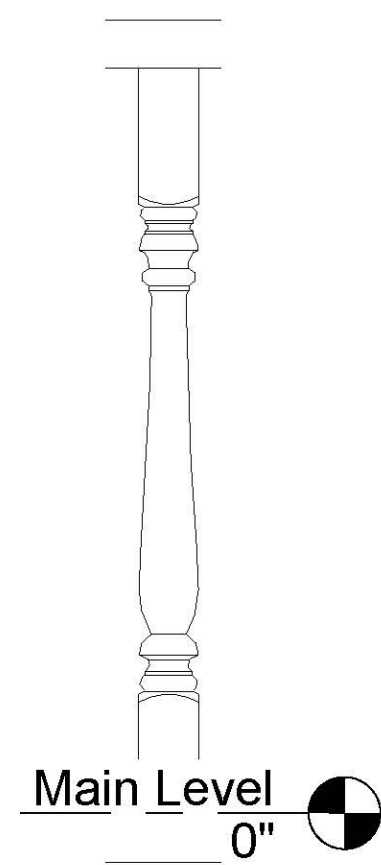
1 Front Porch Elevation  
A108 1/8" = 1'-0"

4 A108 5 A108 2 A108 8 A108 3 A108 6 A108

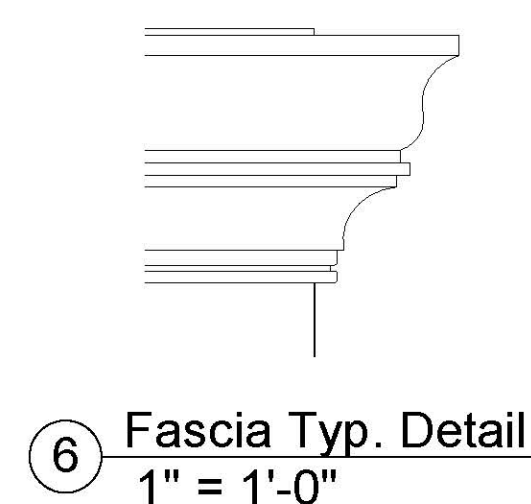


7 Main Level - Front Porch  
A108 1/8" = 1'-0"

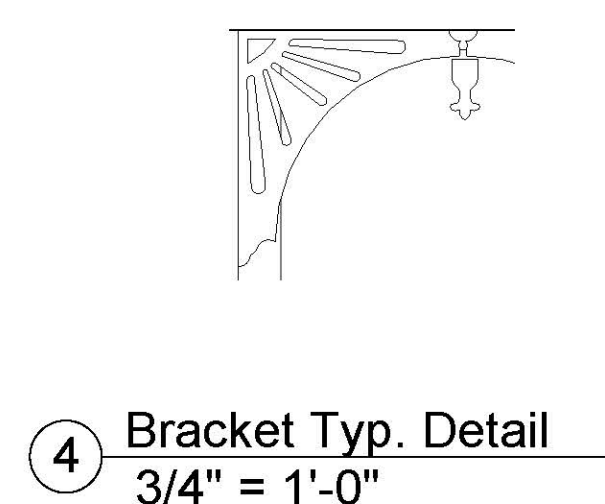
#### MATERIAL PALLETE:



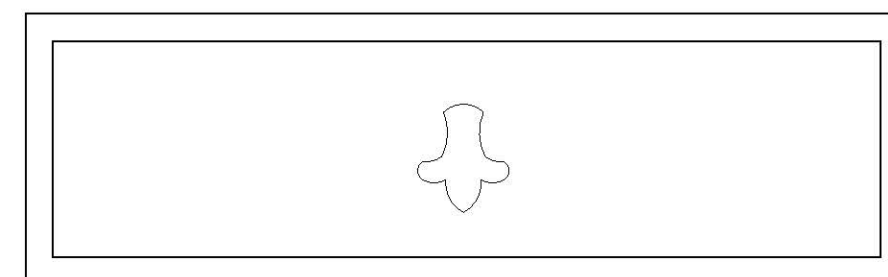
2 Baluster Detail  
1" = 1'-0"



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



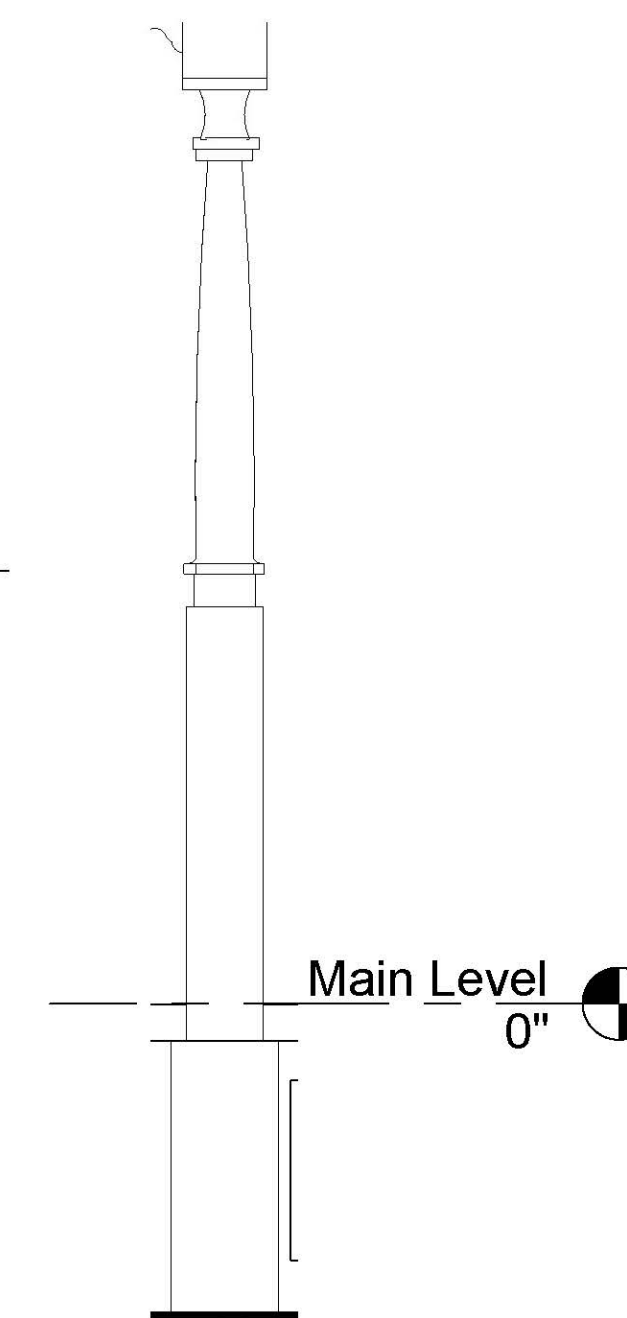
4 Bracket Typ. Detail  
3/4" = 1'-0"



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



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



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

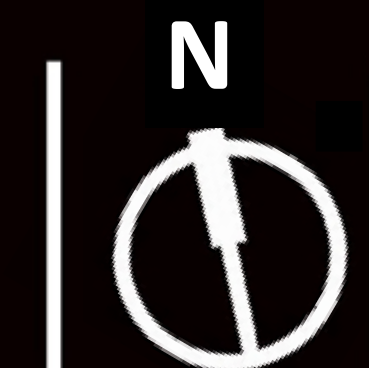
#### PORCH DETAILS



mark r. yoo architect pllc  
architecture / interior design / construction

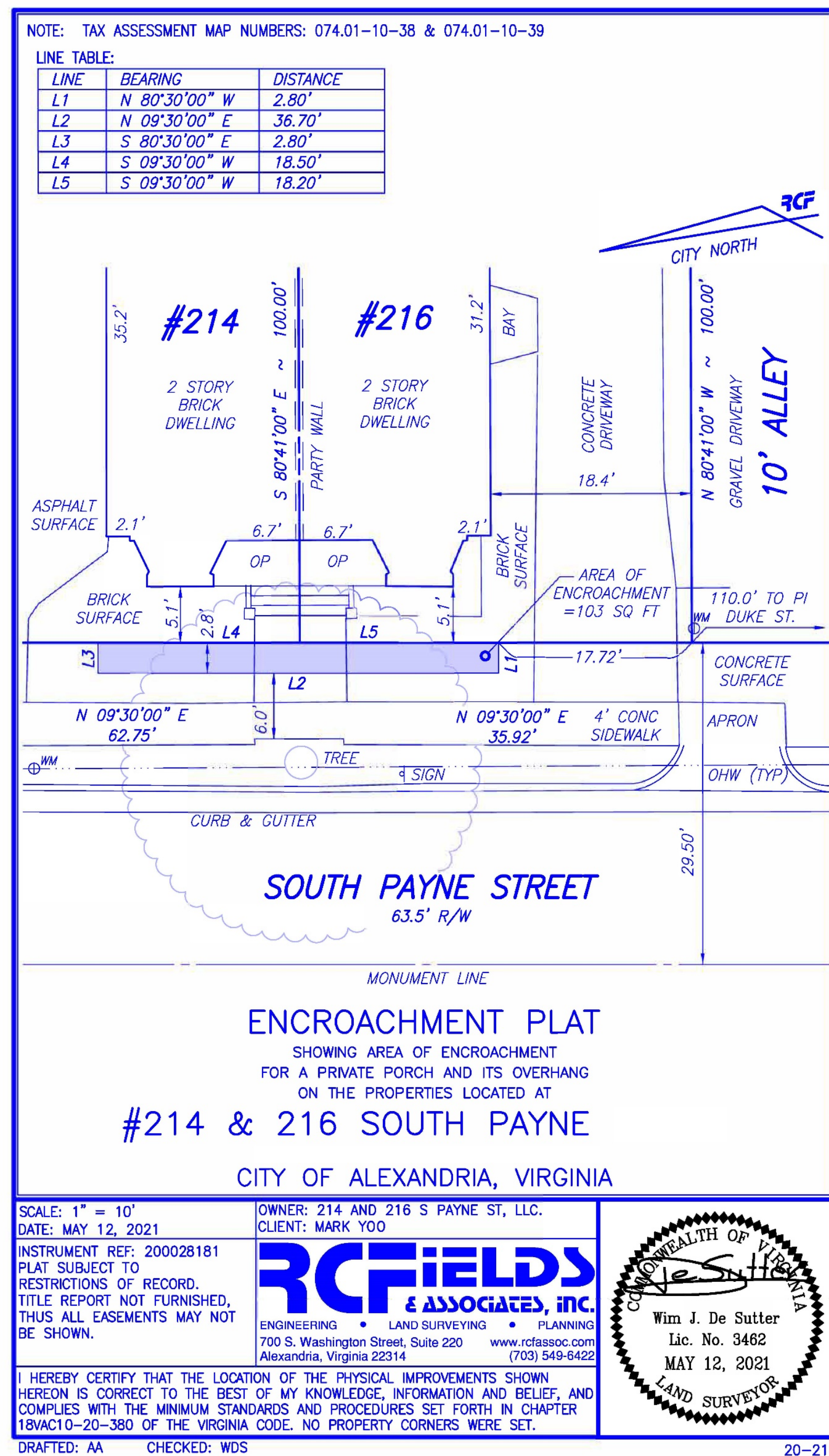
221 south henry street, alexandria, va 22314  
ph. 202.251.3235 www.markyooarchitect.com

214/216 S PAYNE STREET  
ALEXANDRIA VA 22314



ENC2021-00002





**RC FIELDS & ASSOCIATES**  
INCORPORATED

ENGINEERING • LAND SURVEYING • PLANNING

700 S. WASHINGTON ST  
SUITE 220  
ALEXANDRIA, VA 22314  
(703) 549-6422  
www.rcfassoc.com

#

## METES AND BOUNDS DESCRIPTION

### ENCROACHMENT AREA #214 & #216 SOUTH PAYNE STREET

CITY OF ALEXANDRIA, VIRGINIA

Being a strip of land hereinafter described lying and being situated in the City of Alexandria, Virginia; running in, through, over and across part of the right-of-way of South Payne Street, and being more particularly described by metes and bounds as follows:

**BEGINNING AT A POINT** lying in the easterly right-of-way line of South Payne Street (63.5 wide), 127.72 feet as measured along said right-of-way line from its intersection with the northerly right-of-way line of Duke Street; thence, departing said easterly right-of-way line of South Payne Street and crossing and including a portion of the right-of-way of said South Payne Street the following five (5) courses and distances:

1. North 80° 30' 00" West, 2.80 feet to a point;
2. North 09° 30' 00" East, 36.70 feet to a point;
3. South 80° 30' 00" East, 2.80 feet to a point in the aforementioned easterly right-of-way of South Payne Street; thence, running with said easterly right-of-way line;
4. South 09° 30' 00" West, 18.50 feet to the south west corner of the property located at #214 South Payne Street; thence, running with said easterly right -of-way line;
5. South 09° 30' 00" West, 18.20 feet to the **POINT OF BEGINNING**.

Containing an Area of 103 Square Feet or 0.0024 Acres of Land

## ENCROACHMENT SITE PLAN, METES AND BOUNDS

214/216 S PAYNE STREET  
ALEXANDRIA VA 22314



ENC2021-00002



**mark r. yoo architect pllc**  
architecture / interior design / construction

221 south henry street, alexandria, va 22314  
ph. 202.251.3235 www.markyooarchitect.com





EXISTING ENCROACHMENTS ON 200 BLOCK OF SOUTH PAYNE



mark r. yoo architect pllc  
architecture / interior design / construction  
221 south henry street, alexandria, va 22314  
ph. 202.251.3235 www.markyooarchitect.com

214/216 S PAYNE STREET  
ALEXANDRIA VA 22314

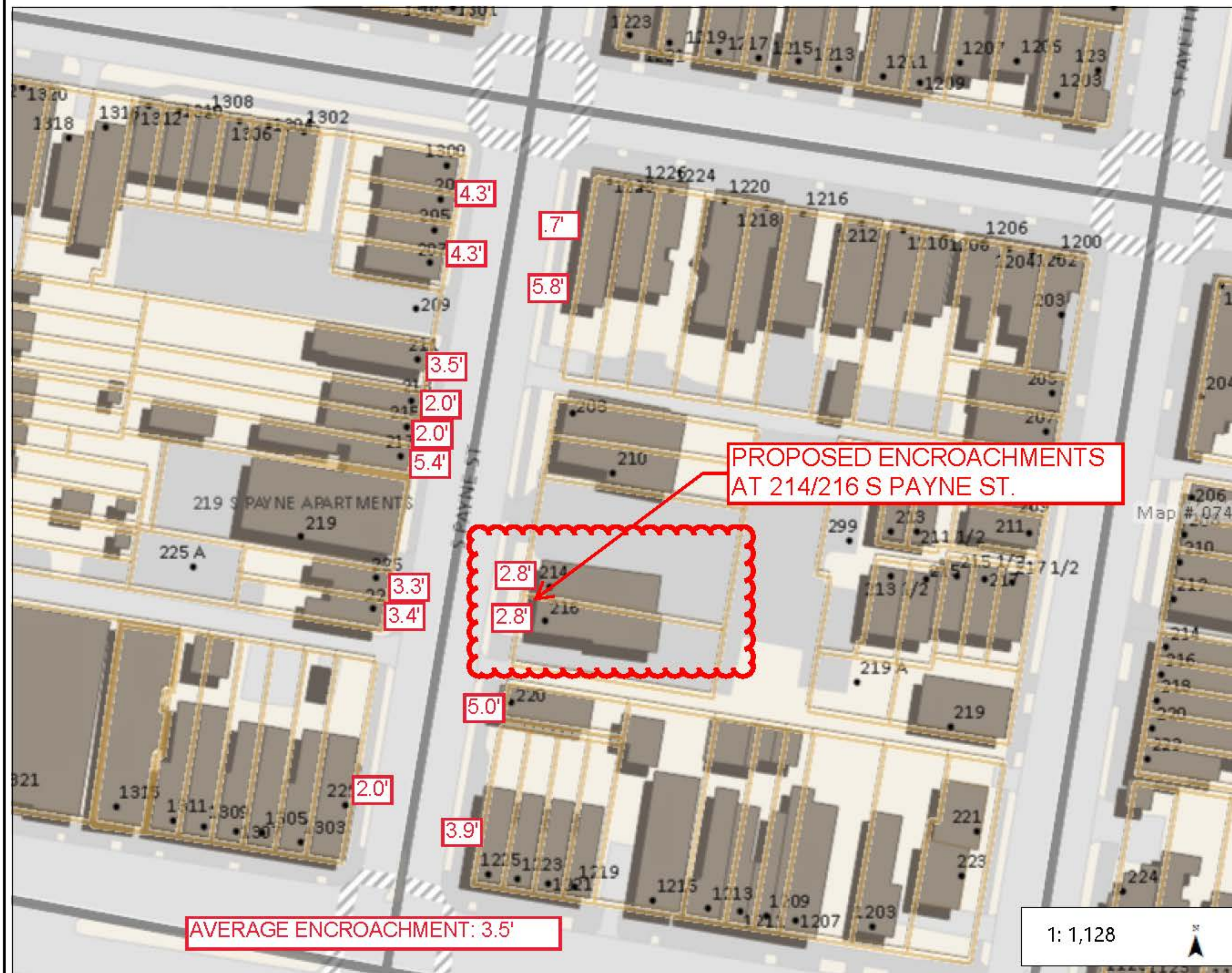
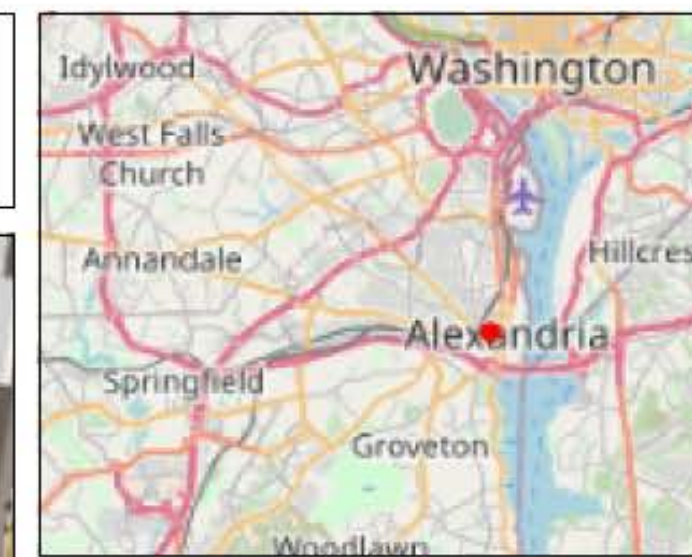
ENC2021-00002





City of Alexandria, Virginia

## 200 Block of S. Payne Encroachments



- Legend
- Tax Map Index
  - Parcels
  - Blocks
  - Fire Stations
  - Addresses
  - Metro Stations
  - Metro Lines
    - Blue
    - Yellow
    - Yellow Blue
  - City Boundary
  - Rail Lines
  - Parcels
  - Buildings
  - Surface Water
  - Streams
  - Parks
  - City of Alexandria

Notes

188.1 0 94.04 188.1 Feet

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
City of Alexandria, VA

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 1,128



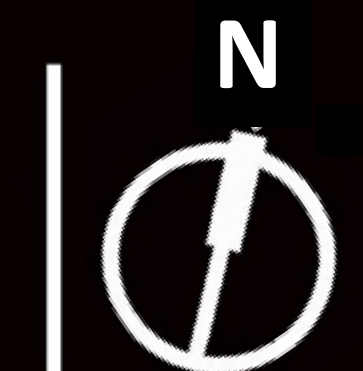
### ENCROACHMENT DIAGRAM 200 BLOCK SOUTH PAYNE



mark r. yoo architect pllc  
architecture / interior design / construction

221 south henry street, alexandria, va 22314  
ph. 202.251.3235 www.markyooarchitect.com

214/216 S PAYNE STREET  
ALEXANDRIA VA 22314



ENC2021-00002