

Docket Item B-3  
Planning Commission  
Tuesday, October 20, 1992  
7:30 p.m., City Hall

CASE MPA-92-3

ISSUE: Consideration of a request for an amendment to the Old Town section of the 1992 Master Plan to change 121 S. Columbus Street from Residential Medium to Commercial Downtown.

APPLICANT: Prestige Investors Unlimited, by Victor M. Glasberg

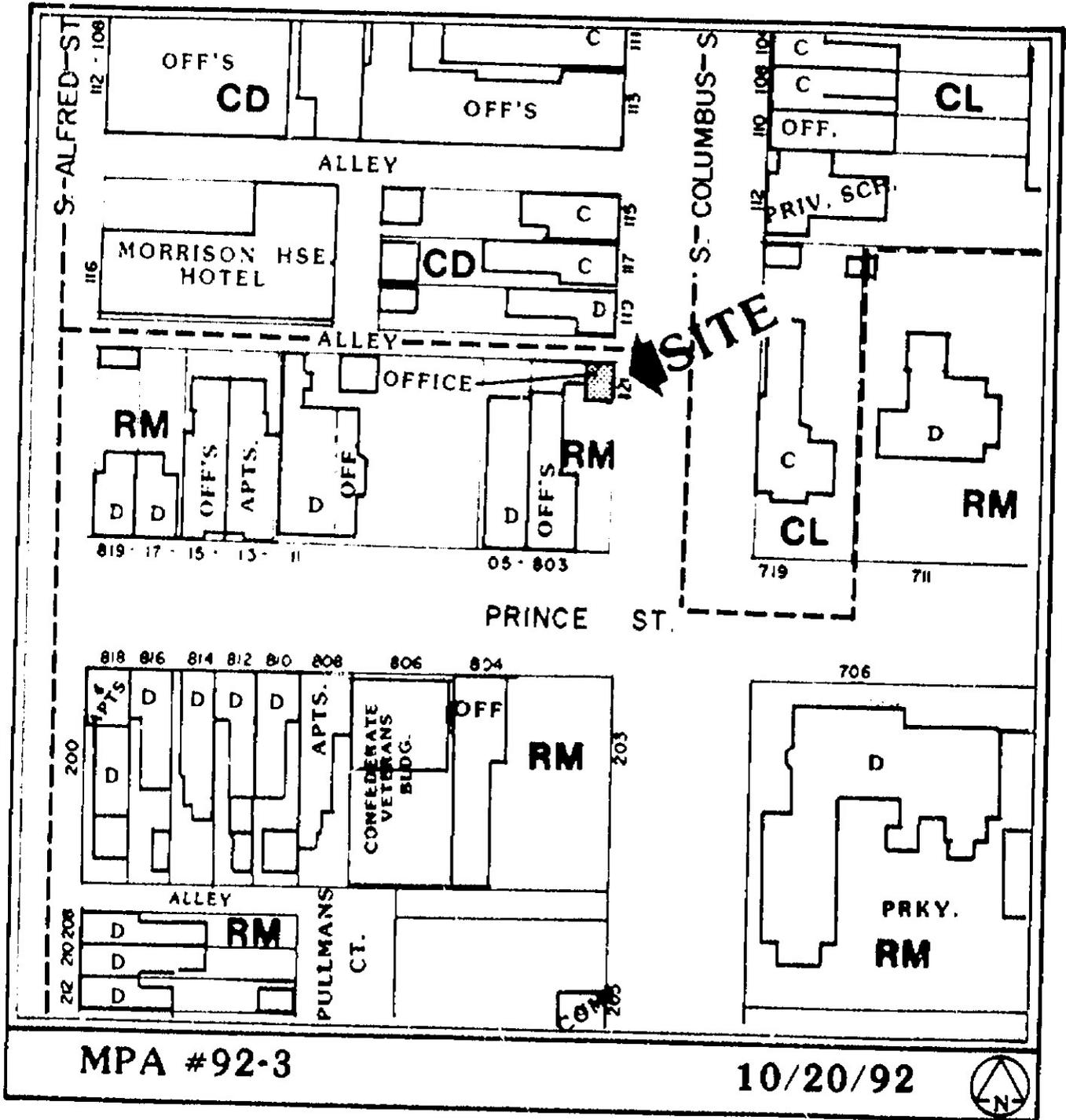
STAFF RECOMMENDATION: Staff recommends that the proposed change be approved.

PLANNING COMMISSION ACTION OCTOBER 20, 1992: A motion by Mr. Hurd seconded by Ms. Fossum to approve the proposed amendment passed 7-0.

Reason: The Planning Commission agreed with the staff recommendation.

No Speakers.

The subject property and surrounding land uses are shown on the sketch below:



MPA #92-3

10/20/92



## DISCUSSION

The applicant is seeking a change to the master plan designation for a small (722 square feet) parcel located at 121 S. Columbus Street from Residential Medium to Commercial Downtown. There is a two-story building on the site which is occupied by the applicant's law offices. Prior to the City's June 1992 rezoning, the parcel was zoned C-3.

As the map on the preceding page shows, the 100 block of South Columbus Street is a commercial block. With the exception of the subject property, all of the sites fronting on this block of Columbus Street are land used and zoned for commercial use. In fact, all of the parcels on the subject property's block are land used and zoned for commercial use except for those fronting on Prince Street (800 block). The Plan's principle in this area is that Prince Street is generally a residential street while Columbus Street is a commercial street. The subject parcel fronts on Columbus Street and clearly relates to the other commercial properties along Columbus. Therefore, staff recommends that the proposed amendment be approved.

STAFF: Sheldon Lynn, Director, Planning and Community Development; Larry Grossman, Chief of Comprehensive Planning; Kimberley Johnson, Planning.

<b>APPLICATION FOR MASTER PLAN AMENDMENT AND/OR ZONING MAP AMENDMENT</b>	<b>MPA # 923</b> <b>ZMA #</b>
------------------------------------------------------------------------------	----------------------------------

<b>A</b>	<b>TYPE OF APPLICATION: (Check One)</b>		
<input type="checkbox"/> Master Plan	<input type="checkbox"/> Zoning Map	<input checked="" type="checkbox"/> Master Plan and Zoning Map	

<b>B</b>	<b>APPLICANT</b>		
Name Prestige Investors Unlimited	Telephone (703) 684-1100		
Address 121 S. Columbus Street, Alexandria, VA 22314			
INTEREST IN PROPERTY (Check One)	<input checked="" type="checkbox"/>	Owner	Contract Purchaser <input type="checkbox"/> Other (specify) _____
	<input type="checkbox"/>	Developer	Lessee _____
<p>If property, owner or applicant is being represented by an authorized agent such as an attorney, a realtor, or other person for which there is some form of compensation, does this agent or the business in which they are employed have a business license to operate in Alexandria? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>? If yes provide proof of current City business license. If no, said agent shall be required to obtain a business license prior to filing application.</p>			

<b>C</b>	<b>PROPERTY OWNERSHIP (Check One)</b>	<input type="checkbox"/>	Individual Owner
		<input checked="" type="checkbox"/>	Corporation or Partnership Owner
Identify each person or individual with ownership interest, or, if Corporation or Partnership Owner, each person with more than 10% interest in such Corporation or Partnership.			
1	Name Victor M. Glasberg & Cristina Leckie	Extent of Interest: 81%	
	Address 330 E. Mason Avenue, Alexandria, VA 22301		
2	Name Stephen & Ruth Cochran	Extent of Interest: 15%	
	Address 6155 Farver Road, McLean, VA 22101		
3	Name _____	Extent of Interest:	
	Address _____		
CHECK HERE IF CONTINUED ON SEPARATE ATTACHED SHEET _____			

**APPLICATION FOR MASTER PLAN AMENDMENT  
AND/OR ZONING MAP AMENDMENT**

**MPA #  
ZMA #**

**D PROPERTY INFORMATION**

Provide the following information for each property for which an amendment is being requested

	Address and Tax Map-Blk-Lot No	Use		Master Plan Designation		Zoning Designation		Street Front- age (Feet)	Land Area (Acres) / Sq. feet
		Existing	Proposed	Existing	Proposed	Existing	Proposed		
1	121 S. Columbus St. Lot 15, Block 11 Assessment Map 74,02	Commer- cial Office Bldg.	Commer- cial Office Bldg.	RM	CD	RM	CD	17' 2"	722 Sq. feet
2									
3									
4									
5									
6									
7									
8									
9									
10									

CHECK HERE IF CONTINUED ON SEPARATE ATTACHED SHEET \_\_\_\_\_

APPLICATION FOR MASTER PLAN AMENDMENT  
AND/OR ZONING MAP AMENDMENT

MPA #  
ZMA #

E JUSTIFICATION FOR AMENDMENT

- 1 Explain how and why the proposed amendment(s) is necessary, desirable, beneficial to surrounding properties, in character with the applicable Smart Area Plan and consistent with City policies

See attached letter.

CHECK HERE IF STATEMENT CONTINUES ON SEPARATE ATTACHED SHEET

- 2 Explain how the property proposed for reclassification will be served adequately, by essential public facilities and services such as highways, streets, parking spaces, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools

Current adequate services will continue unchanged.

CHECK HERE IF STATEMENT CONTINUES ON SEPARATE ATTACHED SHEET

**APPLICATION FOR MASTER PLAN AMENDMENT  
AND/OR ZONING MAP AMENDMENT**

**MPA #  
ZMA #**

**E JUSTIFICATION FOR AMENDMENT (CONTINUED)**

3. If this application is for conditional zoning approval pursuant to section 11-804 of the zoning code, identify all proffered conditions that are to be considered part of this application (See zoning code section 11-804 for restrictions on conditional zoning).

N/A

CHECK HERE IF STATEMENT CONTINUES ON SEPARATE ATTACHED SHEET \_\_\_\_\_

I certify that the information supplied for this application is complete and accurate, and, pursuant to Section 11-301B of the Zoning Ordinance, hereby grant permission to the City of Alexandria, Virginia, to post placard(s) notice on the property(ies) which is the subject of this application.

Name of Owner or Authorized Agent (print name)

Victor M. Glasberg

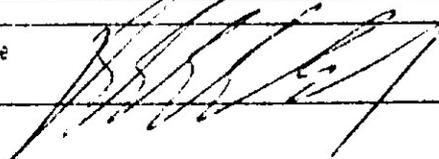
Telephone

(703) 684-1100

Address

121 S. Columbus Street, Alexandria, VA 22314

Signature



Date

July 22, 1992

**FOR CITY STAFF USE ONLY**

Date Application Received	Fee Paid \$
Date Application Complete	Staff Reviewed
Date Planning Commission Public Hearing	Action
Date City Council Public Hearing	Action
Date Ordinance Adopted	Number

November 8, 1990

Sheldon Lynn, Director of Planning  
Alexandria Planning Department  
301 King Street  
Alexandria, VA 22314

Re: Lot 15, Block 11, Assessment Map 74.02

Dear Mr. Lynn:

I am a general partner in the partnership which owns certain property located at the above address, which houses my law office. I write to request reconsideration of the proposed zoning change for this property from C3 commercial to RM residential.

I should say at the outset that it is not clear to me that we really have a difference of opinion regarding how my building should be zoned in principle. Based on my review of the planning maps and the Old Town Small Area Plan, I conclude that an inadvertent, albeit understandable, error has been made in drawing up the new zoning map for this area: a map with whose principles I am completely in agreement.

According to the plan, p.64, ¶27, both sides of the 800 block of Prince Street are to become RM residential, so as to be in keeping with the predominant residential zone applied in this area. Columbus Street, however, between Prince and King (where my building is located), is expressly recognized in the plan as having low-scale, commercial buildings such as my own (plan, p.64, ¶24), which are to be maintained as such. At issue here is the dividing line between the Prince Street residential property, and the Columbus Street commercial property.

Review of the planning map which I just received from your office demonstrates that in order to effectuate the purposes of the plan (rendering the larger Prince Street houses residential, while

Sheldon Lynn, Director of Planning  
November 8, 1990  
Page 2

maintaining commercial zoning for the low-scale Columbus Street buildings), the planners made their dividing line down an alley that runs directly to the north of my building. See, the attached assessment map. In drawing the separation line down this alley, the planners made understandable use of a natural boundary noted on the map. In so doing, however, they effectively separated my building from the other commercial buildings on Columbus Street to which it is akin in style, design, size, and function, and classified it with the residences on Prince Street to which it is foreign in every such respect. This separation, while admittedly suggested by the street map, is completely artificial, as an on-site inspection readily reveals.

I enclose two photographs of the property which I took today. My building is marked with an arrow in each picture. The first picture, marked A, shows the west side of Columbus between King and Prince. My building appears as one of numerous buildings accurately described in the plan as "low scale commercial." The second picture, marked B, shows the north side of Prince and a bit of Columbus. This photograph accurately depicts the considerably larger Prince Street residences, and demonstrates the discontinuity between those structures and the low-rise Columbus Street commercial buildings, of which mine is the first. My building is fully seventy feet away from Prince Street.

As you can see on photograph A, my building is of a piece with all the other buildings on Columbus Street on the other side of the alley (which is unpaved and accommodates one car at a time. There is a second, parallel alley about forty feet north, which also goes through to Alfred Street. Like the alley adjacent to my property, this alley too does not serve to distinguish the low-rise commercial properties on either side of it.) My building has nothing in common with the Prince Street properties except for the fact that it shares a common wall at one space in the rear.

Sheldon Lynn, Director of Planning  
November 8, 1990  
Page 3

There is no interior door or access between my property and any Prince Street property. My building sits entirely on its own, separate lot. This is apparent on your assessment map; I also enclose a surveyor's drawing of the building itself. The building, in short, has nothing to do with the neighboring Prince Street residences. It does not look like them; it does not face on the same street.

It is my hope that your review of these matters will lead you to conclude that my building was, as I believe, inadvertently included with the larger Prince Street residences rather than with the smaller Columbus Street commercial properties of which it is manifestly part. With this in mind, I respectfully request that the property be rezoned into the Columbus Street low-rise commercial zone in which it belongs.

In the event you are not satisfied that what is at issue here is simply an understandable mapping error, I wish to present the following additional reasons for which modifying the zoning from commercial to residential is inappropriate:

1. This building is tiny, not reasonably usable or marketable as a residence, and truly should not be used as a residence. The interior size is approximately 11 00 square feet. The building has no kitchen. It has an air-conditioner duct closet (4x4, floor to ceiling) in my office which I use as a closet; there are no other closets whatsoever. The interior steps are extraordinarily steep. I routinely meet elderly or infirm clients downstairs. The rear steps are the steepest interior steps I have ever encountered in any building. Please come to visit and see for yourself. All in all the steps are dangerous to young children and older persons, impassable by infirm persons, and problematical for the rest of us. The ceiling of one of the two "large" upstairs rooms is less than seven feet from the floor. There is no basement or attic. There is no off-street parking. The block on which it is located is almost without exception commercial.

I would love to live in Old Town (I live in Del Ray). I would not live in this building.

Sheldon Lynn, Director of Planning  
November 8, 1990  
Page 4

2. So far as I am aware, this building, like almost all the similar buildings on this block, has been used for commercial purposes for decades. I believe that it never was a residence, nor is there anything about the building to suggest it was ever used as one. There is no issue here of changing a use. At issue, rather, is maintaining the well-established and manifestly appropriate current use, and doing so, moreover, in a manner utterly consistent with the designated objectives of the city's master plan.

3. Rezoning the building from commercial to residential will have an enormous adverse impact on its commercial value. I believe the city should be confident of the appropriateness of such a change before undertaking to visit its damaging consequences on the owners. I do not believe that can be done here.

I am sending a copy of this letter and the enclosures to the city attorney to advise him of my concerns along these lines. In the meanwhile, I respectfully request your attention to this case, and ask to be apprised of such further steps, if any, which I must take in furtherance of my request for a zoning change.

Thank you and good wishes.

Sincerely,

Victor M. Glasberg

Enclosures  
LSL.V

cc: Philip G. Sunderland, Esq.  
Stephen G. Cochran, Esq.



EXHIBIT  
A

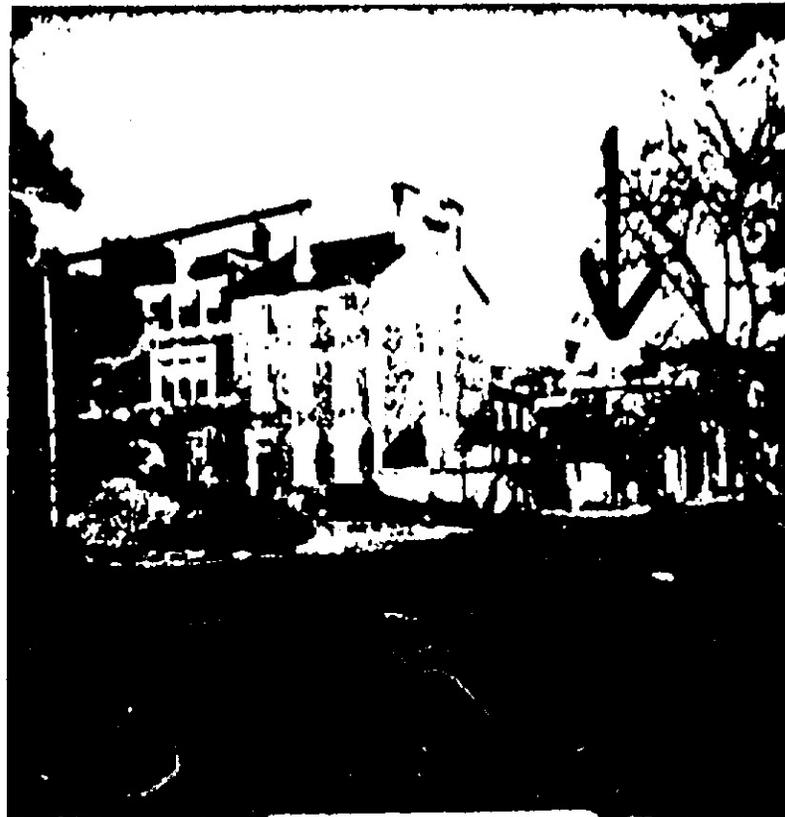
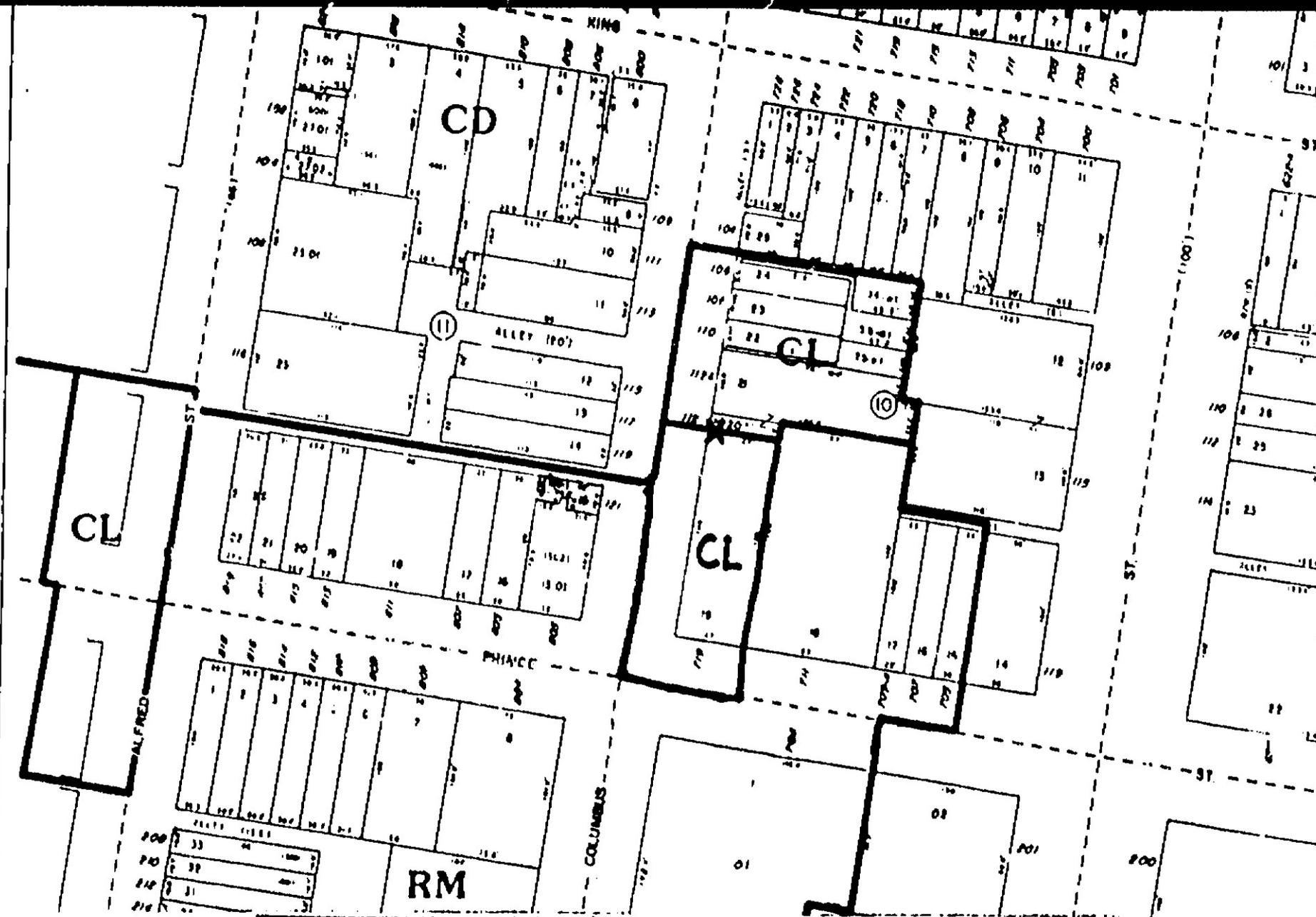


EXHIBIT  
B



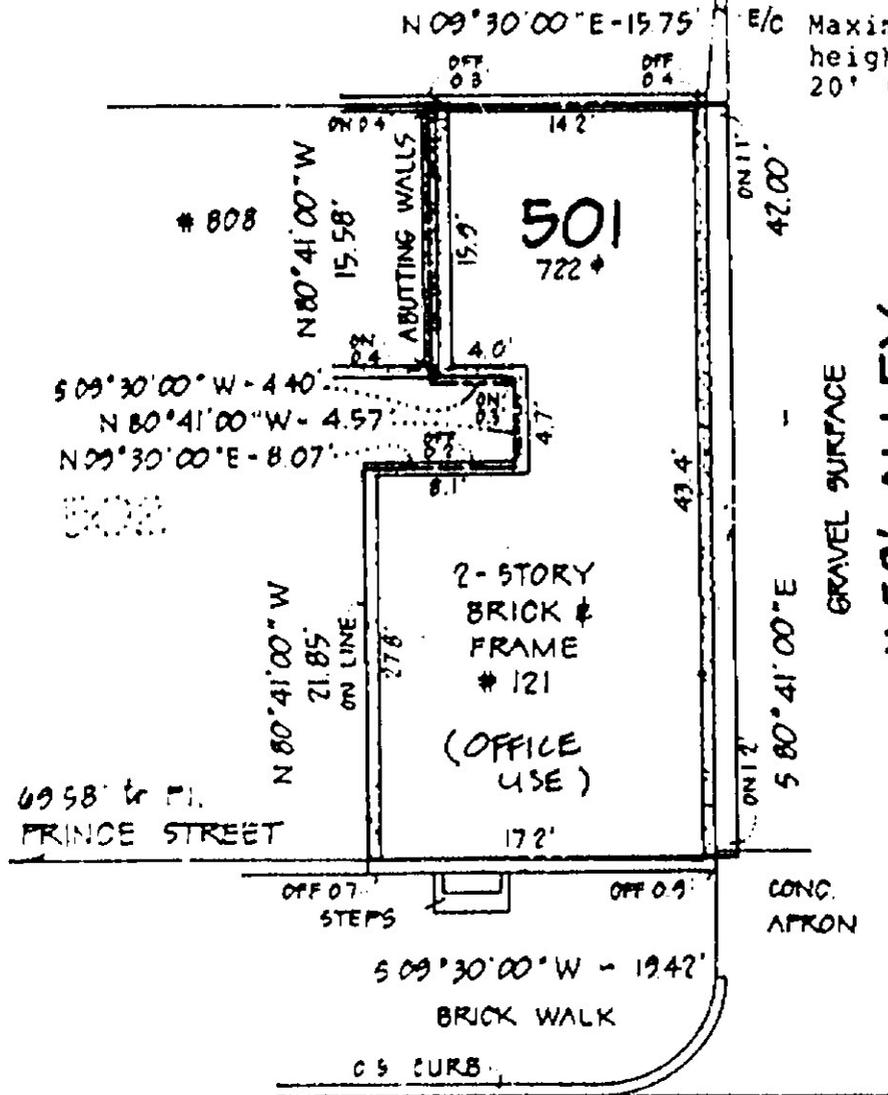
REAL ESTATE ASSESSMENT MAP  
 CITY OF ALEXANDRIA  
 Alexandria, Virginia

74.02

Legend		Special Motions		Revisions	
1. Unimproved 2. Improved 3. Vacant 4. Other	1. Vacant 2. Other				

NOTE: TELEPHONE UNDER

N 1/4" SCALE



E/c Maximum building height approximately 20' (front portion)

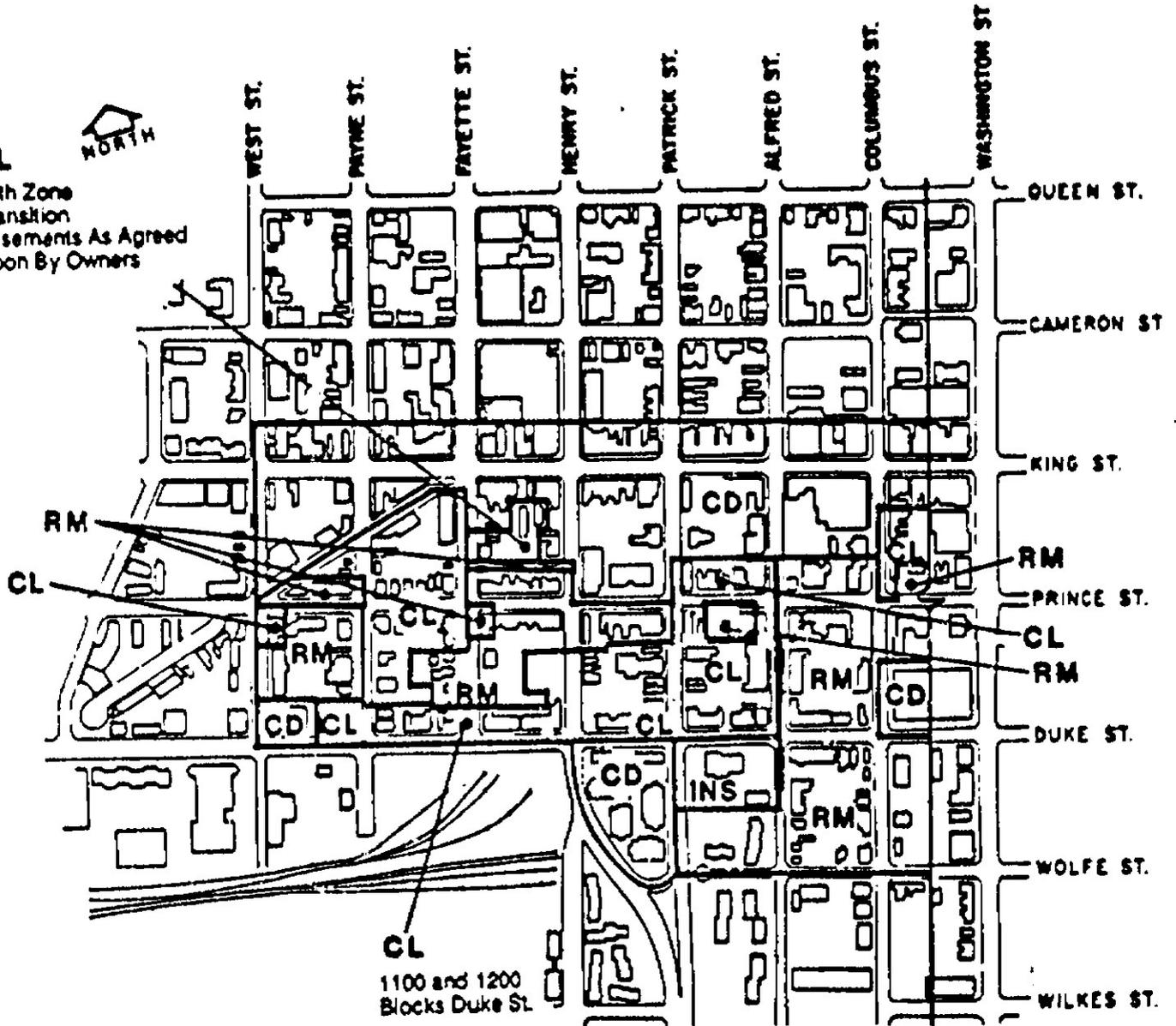
GRAVEL SURFACE  
11.58' ALLEY

SO. COLUMBUS STREET  
33.04' to MON. LINE

FLAT  
 SHOWING HOUSE LOCATION ON  
 LOT 501  
 RESUBDIVISION OF  
 IDA H. PADGETT PROPERTY  
 CITY OF ALEXANDRIA, VIRGINIA  
 SCALE: 1" = 10'      NOV. 18, 1985

# PROPOSED LAND USE PLAN OLD TOWN STUDY AREA WEST OF WASHINGTON STREET

**CL**  
With Zone  
Transition  
Easements As Agreed  
Upon By Owners



Lot numbered Five Hundred One (501), on Plat showing resubdivision of Ida M. Padgett Property, as the same appears duly dedicated, platted and recorded in the City of Alexandria, Virginia land records in Deed Book 802, at page 283.

TOGETHER WITH right of way on the north alley adjoining on the north with others entitled thereto, dated November 1, 1976, and recorded in Deed Book 840, at page 784, among the City of Alexandria Land Records.