Docket Item #
MASTER PLAN AMENDMENT #94-05A

Planning Commission Meeting
February 7, 1995

ISSUE: Consideration of amendments to the Braddock Road Metro Station Area Small Area Plan Chapter of the 1992 Master Plan changing the land use designation of the subject property from CRMU-M/Commercial Residential Mixed Use-Medium to CRMU-H/Commercial Residential Mixed Use-High, and increasing the height limit for commercial development on the subject property from 50 feet to 66 feet.

APPLICANT: Alfred W. Perkins
by Cyril D. Calley, attorney

LOCATION: 520 North Fayette Street (Tax Map #64.01-02-14)

CITY COUNCIL ACTION, FEBRUARY 25, 1995: City Council approved the recommendation of the Planning Commission, as amended, and approved the request, subject to compliance with all applicable codes, ordinances and staff recommendations, with an added condition to the small area plan to read: "That Council may consider increased heights up to 66 feet with a special use permit."

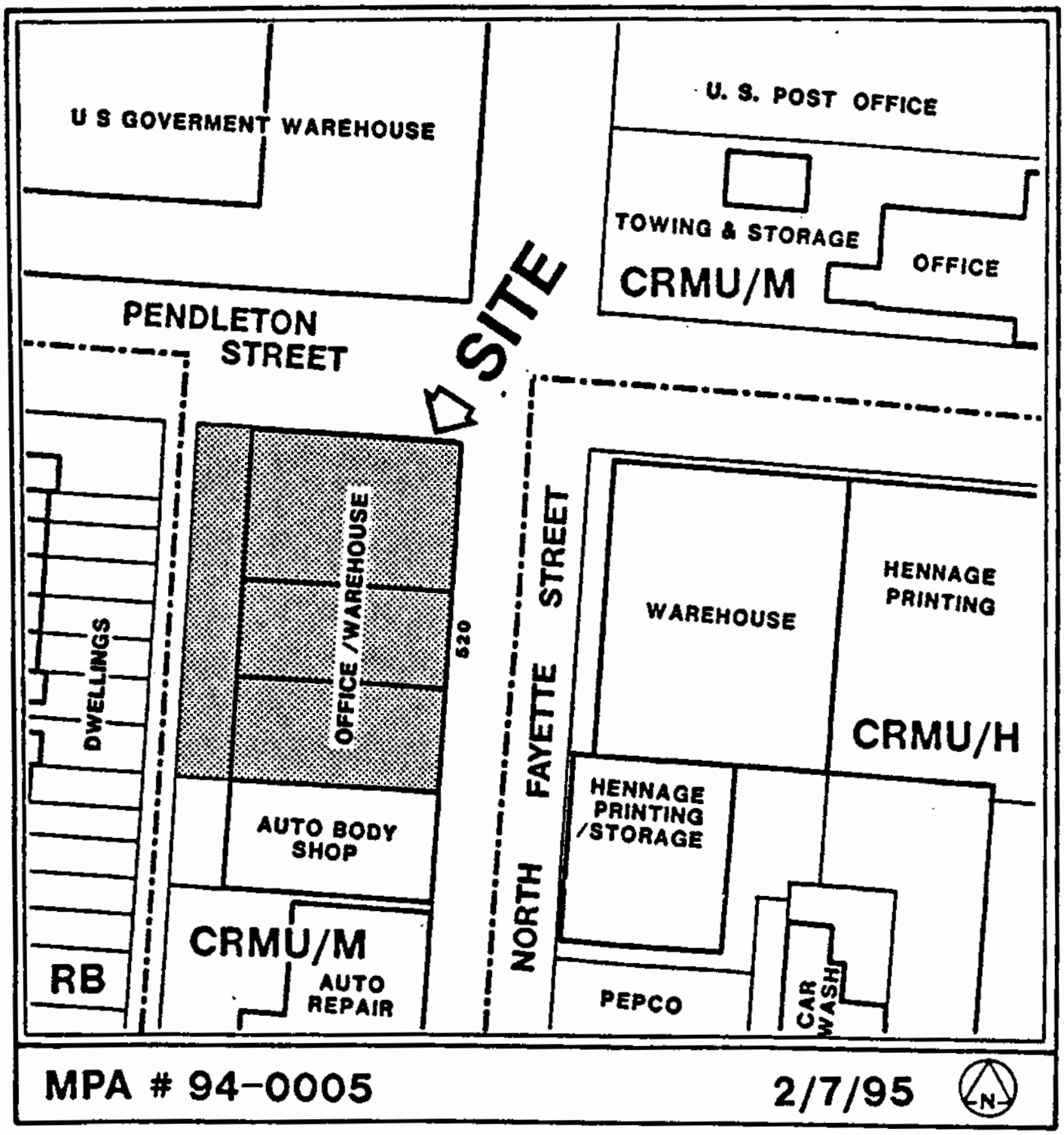
PLANNING COMMISSION ACTION, FEBRUARY 7, 1995: On a motion by Mr. Leibach, seconded by Mr. Wagner, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with the staff analysis.

Speakers:

Dez Calley, representing the applicant.

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



STAFF RECOMMENDATION:

Planning staff recommends approval of the following changes to the Braddock Road Metro Station Area Small Area Plan:

1. Change the land use designation of the subject property from CRMU-M/Commercial Residential Mixed Use-Medium to CRMU-H/Commercial Residential Mixed Use-High, subject to the proposed rezoning as proffered; and

2. Change the height limit for commercial development on the subject property from 50 feet to 55 feet.

   [Note: Staff does not agree with the applicant's request to increase the allowable height from 50 feet to 66 feet.]

3. City Council may consider increased heights up to 66 feet with a special use permit. (City Council)

DISCUSSION

Background

The subject property, located at 520 North Fayette Street, includes a one story warehouse building. The property contains approximately one half acre of land and is currently zoned CRMU-M/Commercial Residential Mixed Use - Medium.

The Braddock Road Metro Station Area Small Area Plan chapter of the 1992 Master Plan identifies the subject property with land use designation CRMU-M/Commercial Residential Mixed Use - Medium, and a 50 feet height limit for commercial development and a 77 feet height limit for residential development.

The applicant is requesting a change to the land use designation from CRMU-M to CRMU-H (Commercial Residential Mixed Use - High), and a change to the height limit for commercial development from 50 feet to 66 feet. In association with these master plan amendments, the applicant is also requesting the rezoning of the subject property from CRMU-M to CRMU-H, with proffers.

As with the neighboring property at 621 North Payne Street, which is the subject of the same master plan amendments and rezoning (MPA#94-06 and REZ#94-11), the City is also involved in litigation pertaining to the master plan land use designation and zoning of this property. According to Assistant City Attorney, Ignacio Pessoa, the litigation is presently on hold pending a decision on the requested master plan amendments and rezoning.

At an executive session held by City Council on September 13,1994, the City Attorney's Office and the Director of Planning and Zoning briefed Council on the pending litigation and the property owner's interest in staying the case pending an application to change the master plan land use designation and zoning of the property to CRMU-H and increase the height limit for commercial development on the property from 50 feet to 66 feet. Council indicated that the party involved needs to submit the necessary applications for the matter to be formally considered by the Planning Commission and City Council. This master plan amendment application and the companion rezoning application (REZ#94-09) have been submitted by the applicant for that purpose.

STAFF ANALYSIS

The primary effects of the proposed master plan amendments are: 1) to allow, with an SUP, development in excess of that which is currently permitted under the existing CRMU-M zone, up to the maximum allowed

with an SUP in the CRMU-H zone; and 2) to allow commercial development to be built to a height of 66 feet instead of the current 50 feet.

The applicant's rezoning proffer addresses the first issue. It reads as follows:

> Development without a special use permit shall be limited to that which is permitted by-right in the CRMU-M zone.

Since a neighboring block (Hennage property) is currently zoned CRMU-H, staff believes there is merit for allowing consideration of a CRMU-H development on the subject property. Staff believes the proposed rezoning, as proffered, gives the City the control needed to ensure an acceptable form of development.

The second issue, which involves the building height limitations set forth in the master plan, is of some concern to staff. The existing building height limitation of 50 feet was intended to accommodate roughly a five story commercial building, and was considered the acceptable upper limit for commercial buildings located near low scale (2 and 3 story) residential buildings, such as those on neighboring blocks. Staff does not support the applicant's request to allow commercial buildings up to 66 feet in height.

The applicant has indicated that the existing 50 foot height limit does not permit a five story commercial building, since a commercial building requires a height of 11 feet per floor. Since the existing 50 foot height limit was intended to accommodate roughly a five story building, and given the minor increase (5 feet) needed to accommodate five 11 foot commercial floors, staff would support a building height increase to 55 feet for commercial development.

Staff recommends approval of a change to the land use designation for the subject property from CRMU-M to CRMU-H, subject to approval of the proposed rezoning as proffered, and a change to the height limit for commercial development from 50 to 55 feet. Staff believes such changes are a reasonable basis for settling the law suit.

STAFF: Sheldon Lynn, Director of Planning and Zoning; Kimberley Johnson, Chief, Development; Ronald Yake, Senior Planner.

Attachments:

1. Master Plan Amendment/Rezoning Application.

2. Resolution MPA#94-05.

RESOLUTION NO. MPA#94-05

WHEREAS, under the Provisions of Section 9.05 of the City Charter, the Planning Commission may adopt amendments to the Master Plan of the City and submit to the City Council such revisions in said plans as changing conditions may make necessary; and

WHEREAS, a request for amendments to the **BRADDOCK ROAD METRO STATION AREA SMALL AREA PLAN** section of the 1992 Master Plan was made to the Department of Planning and Zoning in December 1994 in order to change the land use designation and commercial building height limit for the property at 520 North Fayette Street (Tax Map #64.01-02-14); and

WHEREAS, the Department of Planning and Zoning has analyzed the proposed revisions and presented its recommendations to the Planning Commission; and

WHEREAS, a duly advertised public hearing on the proposed amendments was held on February 7, 1995, with all public testimony and written comment considered; and

WHEREAS, the Commission finds that:

1. The amendments as recommended by staff are necessary and desirable to guide and accomplish the coordinated, adjusted and harmonious development of the **BRADDOCK ROAD METRO STATION AREA** section of the City; and

2. The amendments as recommended by staff are generally consistent with the overall goals and objectives of the 1992 Master Plan and with the specific goals and objectives set forth in the **BRADDOCK ROAD METRO STATION AREA SMALL AREA PLAN** section of the 1992 Master Plan; and

3. The amendments as recommended by staff show the Commission's long range recommendations for the general development of the **BRADDOCK ROAD METRO STATION AREA** section of the City; and

4. Based on the foregoing findings and all other facts and circumstances of which the Commission may properly take notice in making and adopting a master plan for the City of Alexandria, adoption of the amendments to the **BRADDOCK ROAD METRO STATION AREA SMALL AREA PLAN** section of the 1992 Master Plan will, in accordance with present and probable future needs and resources, best promote the health,

safety, morals, order, convenience, prosperity and general welfare of the residents of the City;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Alexandria that:

1. The following amendments are hereby adopted in their entirety as amendments to the **BRADDOCK ROAD METRO STATION AREA SMALL AREA PLAN** section of the 1992 Master Plan of the City of Alexandria, Virginia in accordance with Section 9.05 of the Charter of the City of Alexandria, Virginia:

> **Change the land use designation of the property at 520 North Fayette Street (Tax Map #64.01-02-14) from CRMU-M/Commercial Residential Mixed Use-Medium to CRMU-H/Commercial Residential Mixed Use-High, subject to approval of the proposed rezoning as proffered, and increase the commercial building height limit for same property from 50 feet to 55 feet.**

2. This resolution shall be signed by the Chairman of the Commission and attested by its secretary, and a true copy of this resolution forwarded and certified to the City Council.

ADOPTED THE 7TH DAY OF FEBRUARY, 1995.

_____
W. B. Hurd, Chairman

ATTEST: _____
Sheldon Lynn, Secretary

*****END OF STAFF REPORT*****

The second issue, which involves the building height limitations set forth in the master plan, is of some concern to staff. The existing building height limitation of 50 feet was intended to accommodate roughly a five story commercial building, and was considered the acceptable upper limit for commercial buildings located near low scale (2 and 3 story) residential buildings, such as those on neighboring blocks. The applicant indicates that a commercial building requires a height of 11 feet per floor. Because the level of development required to reach the existing 50 foot height limit would require an SUP under the proposed rezoning, staff is willing to recommend an increase in building height over 50 feet up to 55 feet. Such additional height will allow the applicant to build a five story commercial building with 11 foot floors, while the City will have the opportunity to review the proposed building and determine whether it is acceptable. Staff believes that the proposed change is an acceptable basis for settling the law suit.