

Docket Item #2
SPECIAL USE PERMIT #2000-0137

Planning Commission Meeting
January 2, 2001

ISSUE: Consideration of a request for a special use permit for a parking reduction to provide two tandem parking spaces, with a modification of the front yard setback requirement, in conjunction with the construction of a single family dwelling.

APPLICANT: Robert Nichols

LOCATION: 412 East Windsor Avenue

ZONE: R-2-5/Single and two-family

PLANNING COMMISSION ACTION, JANUARY 2, 2001: By unanimous consent, the Planning Commission recommended approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations.

Reason: The Planning Commission agreed with the staff analysis.



SUP #2000-0137

01/02/01



STAFF RECOMMENDATION:

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

1. This special use permit allows a parking reduction to permit two, standard size, tandem parking spaces. (P&Z)
2. The parking reduction and modification permitted pursuant to this permit are permitted if the building proposal is consistent with the application materials submitted, provided that minor modifications to that proposal may be approved by staff. (P&Z)
3. A plot plan showing all improvements/alterations to the site shall be approved before a building permit can be issued. (T&ES)
4. The applicant shall consult with the Crime Prevention Unit of the Alexandria Police Department regarding locking hardware and alarms for the home prior to the commencement of construction. (Police)

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 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

DISCUSSION:

1. The applicant, Robert Nichols, requests special use permit approval for a reduction of off-street parking to provide two tandem parking spaces, with a modification of the front yard setback requirement, in conjunction with the construction of a single family dwelling at 412 East Windsor Avenue.
2. The subject property is one lot of record with 50 feet of frontage on East Windsor Avenue, 115 feet of depth and a total lot area of 5,750 square feet. The site is vacant and is located within the historic Town of Potomac National Historic District.
3. The applicant proposes to construct a two story single family residence (see attached elevations). The house is proposed to be approximately 31 feet in height and will have a net floor area of approximately 2,579 square feet.
4. The applicant requests special use permit approval for a parking reduction to allow two, standard size tandem parking spaces to be accessed from a new curb cut on East Windsor Avenue. Parks and Recreation staff opposed the applicant's original location of the curb cut near the eastern property line because it would require the removal of an existing red maple tree located in the public right-of-way. The applicant revised his plans and proposes to locate the curb cut near the western property line.
5. Pursuant to section 8-200(C) (5) (d) of the zoning ordinance, access to parking within the historic Town of Potomac must be provided from an alley or interior court. No alley or interior court exist in this block of East Windsor Avenue. In such cases, the ordinance allows the applicant to file an application for a new curb cut which must be reviewed and approved by both the Department of Transportation and Environmental Services and the Department of Planning and Zoning. T&ES staff have reviewed this application and have no objection to the applicant's tandem parking design (see attached comments).
6. The applicant's original development plan complied with the 25 foot front yard setback requirement. Staff determined that none of the existing residences along the northern side of the block comply with today's 25 foot requirement and found that the existing setbacks range from 5 to 20 feet, with a majority of the residences set back 10 feet from the front property line. Staff met with the applicant regarding his plan and suggested that he consider moving the footprint of the new residence forward in order to create a consistent development pattern. The applicant agreed to relocate the residence and has submitted a revised plan. A modification of the front yard setback requirement from 25 feet to 10 feet is required.

7. Zoning: The subject property is located in the R-2-5/Single and two-family zone. Section 8-100 of the zoning ordinance allows a parking reduction only with a special use permit.
8. Master Plan: The proposed use is consistent with the Potomac West small area plan chapter of the Master Plan which designates the property for residential use.

STAFF ANALYSIS:

Staff has no objection to the applicant's request for a reduction of off-street parking to provide two, standard size tandem parking spaces, with a modification of the front yard setback requirement, in conjunction with the construction of a new single family residence at 412 East Windsor Avenue.

Staff believes that the applicant should provide the minimum number of parking spaces and agrees with the applicant's assessment that the arrangement of off-street parking spaces in a tandem fashion is consistent with many of the developed lots in this block. In addition, staff notes that on-street parking is not permitted along this side of the block; therefore, the approval of the curb cut will not reduce the amount of available on-street parking.

With regard to the modification of the front yard setback, staff believes that the technical modification is preferable to locating the house further back from the street because doing so will maintain the established development pattern.

Staff recommends approval of the applicant's request for a special use permit.

STAFF: Eileen P. Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Kathleen Beeton, Urban Planner.

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 T&ES has no objection to the tandem parking design to provide parking for the second vehicle.
- C-1 Utilities serving this site shall be placed underground (Sec 5-5-3).
- C-2 Pay Sewer tap fee (Sec 5-6-25).
- C-3 Post bond to insure the installation of the required public improvements (Sec 8-1-17)
- C-4 City Ordinance No. 3176 requires the notification of the adjacent property owners and approval of the director of T&ES for installation of a new d/w apron.
- C-5 Any work in the right-of-way requires a separate permit from T&ES, room 4130 (Sec 5-3-61)
- C-6 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available. (Sec 8-1-22)
- C-7 A design for the control of erosion and sedimentation must be approved by the director of T&ES, installed and maintained during construction activity (sec 5-4-1)
- R-1 A plot plan showing all improvements/alterations to the site must be approved by the department of T&ES before a building permit can be issued.

Code Enforcement:

- C-1 Prior to the issuance of a construction permit, demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-2 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 This project requires a building permit. Four sets of plans must accompany the written application. The plans must include all dimensions, construction details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-4 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-5 A soils report shall accompany the permit application.

Health Department:

- F-1 No comments.

Police Department:

- R-1 The applicant is to consult with the Crime Prevention Unit of the Alexandria Police Department regarding security hardware and alarms for the new home. This is to be completed prior to the commencement of construction.

Historic Alexandria:

- F-1 No comments.

APPLICATION for SPECIAL USE PERMIT # 2000-0137

[must use black ink or type]

PROPERTY LOCATION: 412 E. WINDSOR AVENUE, ALEXANDRIA 22301

TAX MAP REFERENCE: 35.01-09-16 ZONE: R-2-5

APPLICANT Name: ROBERT NICHOLS

Address: 2934 FESSENDEN ST., NW, WASH., DC 20008

PROPERTY OWNER Name: ROBERT NICHOLS

Address: 2934 FESSENDEN ST., NW WASHINGTON, DC 20008

PROPOSED USE: SIDE BY SIDE TWO-STACKED PARKING SPACE

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 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 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 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 Planning Commission or City Council in the course of public hearings 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.

ROBERT NICHOLS
Print Name of Applicant or Agent

[Signature]
Signature

2934 FESSENDEN ST., NW
Mailing/Street Address

202-363-6843 (TTY) 202-363-6844
Telephone # Fax #

WASHINGTON, DC 20008
City and State Zip Code

Oct. 16, 2000
Date

=====DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY=====

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: _____

ACTION - CITY COUNCIL: _____

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (check one) the Owner Contract Purchaser
 Lessee or Other: _____ of the subject property.

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 ten percent.

ROBERT NICHOLS
2934 FESSENDEN ST., NW
WASHINGTON, DC 20008
100% OF OWNERSHIP

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.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

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, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

AFTER I BOUGHT THE 412 WINDSOR AVENUE EAST
LOT, I WILL BUILD A NEW SINGLE FAMILY
HOUSE FOR SELLING ON THE MARKET. A
NEW SINGLE FAMILY SHOULD BE BUILT
WITH TRADITIONALLY MATCHING ~~AND~~ RELATIONSHIP
TO HISTORICAL LANDMARKS AS WELL AS
(VICTORIAN) AND BUNGALOW STYLE ON THE
AVENUE. I HAD AN OPPORTUNITY ON THE
DESIGN REVIEW WITH NEIGHBORS AND
MEMBERS OF DEL RAY CITIZENS ASSOCIATION
WHO GAVE WITH THEIR FEEDBACKS AND
COMMENTS. MOST OF THEM ARE FASCINATED
THE TWO STACKED PARKING SPACES ON SIDE BY
SIDE OF THE LOT, BECAUSE THEY ARE VERY
TIGHT NEIGHBORHOOD AND ARE IMMENSELY
INTERESTED IN DEVELOPMENT IN THE AREA.
ONE OF THE NEIGHBORS IS A MEMBER OF DEL RAY
AND SHE WROTE ABOUT THE NEIGHBORHOOD RELATIONSHIP
TO MY LOT, FOLLOWING ON ATTACHED SHEET:

USE CHARACTERISTICS

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

- a new use requiring a special use permit,
- a development special use permit,
- an expansion or change to an existing use without a special use permit,
- expansion or change to an existing use with a special use permit,

other. Please describe: PARKING REDUCTION

5. Please describe the capacity of the proposed use:

A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

~~_____~~
~~_____~~

B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

~~_____~~
~~_____~~

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

Day:

Hours:

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

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

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

~~_____~~
~~_____~~

B. How will the noise from patrons be controlled?

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

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?

B. How much trash and garbage will be generated by the use?

C. How often will trash be collected?

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

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:

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:

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

ALCOHOL SALES

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

Yes. No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

PARKING AND ACCESS REQUIREMENTS

14. Please provide information regarding the availability of off-street parking:

A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

2 SPACES

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

2 Standard spaces

0 Compact spaces

0 Handicapped accessible spaces.

0 Other.

C. Where is required parking located? on-site off-site (check one)

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

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.

D. 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.

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

A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? _____

B. How many loading spaces are available for the use? _____

C. Where are off-street loading facilities located? _____

D. During what hours of the day do you expect loading/unloading operations to occur?

/

E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

/

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?

/

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? 2,850 square feet.

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

0 sq. ft. (existing) + 2,850 sq. ft. (addition if any) = 2,850 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: _____

PARKING REDUCTION SUPPLEMENTAL APPLICATION

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)
THE TWO STACKED PARKING SPACES
ARE LOCATED ON EAST-SIDE BY SIDE OF THE
LOT 465 & 466, BLOCK 9, FROM SOUTH-EAST CORNER
TO NEAR HALF-WAY.

2. Provide a statement of justification for the proposed parking reduction. THE SIDE
BY SIDE TWO-STACKED PARKING SPACE ARE
PLACED ON PARALLEL AND SIMILAR TO ANOTHER
SIDE BY SIDE PARKING OF THE TWO EXISTING
NEIGHBORS AND THE REST ON WINDSOR AVENUE EAST.

3. Why is it not feasible to provide the required parking? THE NEIGHBORS AND
BOARD MEMBERS OF DEL RAY CITIZENS ASSOCIATION
WHO LIVE AT 410 TO 414 AND 413 TO 417 WINDSOR AVE.
EAST ARE FAVORED TO SUPPORT SIDE BY SIDE PARKING.

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.

Sup 2000-0137

From: esw1@mhg.edu
To: <ndarch@pipeline.com>
Date: Thursday, September 14, 2000 8:58 AM
Subject: East Windsor

I wanted to take a moment to thank you for presenting to the Del Ray group last evening in regards to your plans for the lot on East Windsor. My husband and I live at 417 East Windsor, directly across the street from your lot.

I appreciated having the chance to hear of your plans and to take a peak at your design. I'm sure it felt a little uncomfortable for you to have a room full of people ask so many questions of you. I am writing to you today to again ask that you reconsider your plans for building a duplex.

My husband and I moved into Del Ray just a few months ago and have been so happy in our new neighborhood. Del Ray (as I'm sure you know) is a quaint, eclectic group of homes filled with very caring families. Certainly one the biggest factors in our choosing our home was the block on which it sits. The homes on the 400 block are all single family and are all built in the Victorian/Bungalow style (please excuse my ignorance on architectural design!). Our home was built in the late 1800s and I believe the newest home on the block was built in the 1940s. We were so happy to be able to buy on our block because there were no duplexes and because all of the houses "meshed" so well together. I suppose it may sound elitist, but we feel we live on the most attractive block in Del Ray! I realize that there are duplexes on both of the blocks surrounding us, but frankly, I wish there weren't. I personally feel that they take away from the Del Ray style and charm.

When my husband and I recently heard that a duplex was being built across the street, we were heartbroken. All of the neighbors got together the other night and talked about the prospect, and for what it's worth, we are all very unhappy about it. Obviously, you own the lot and can do with it as you choose. But I do hope you'll take our concerns into account. Please, please reconsider your decision.

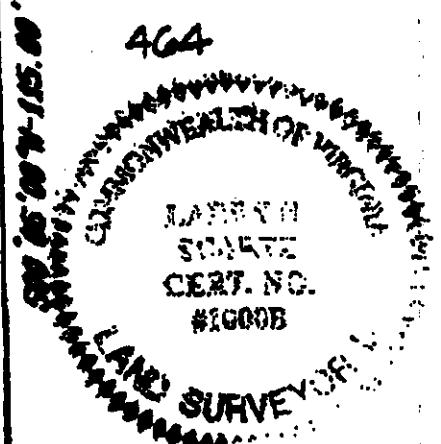
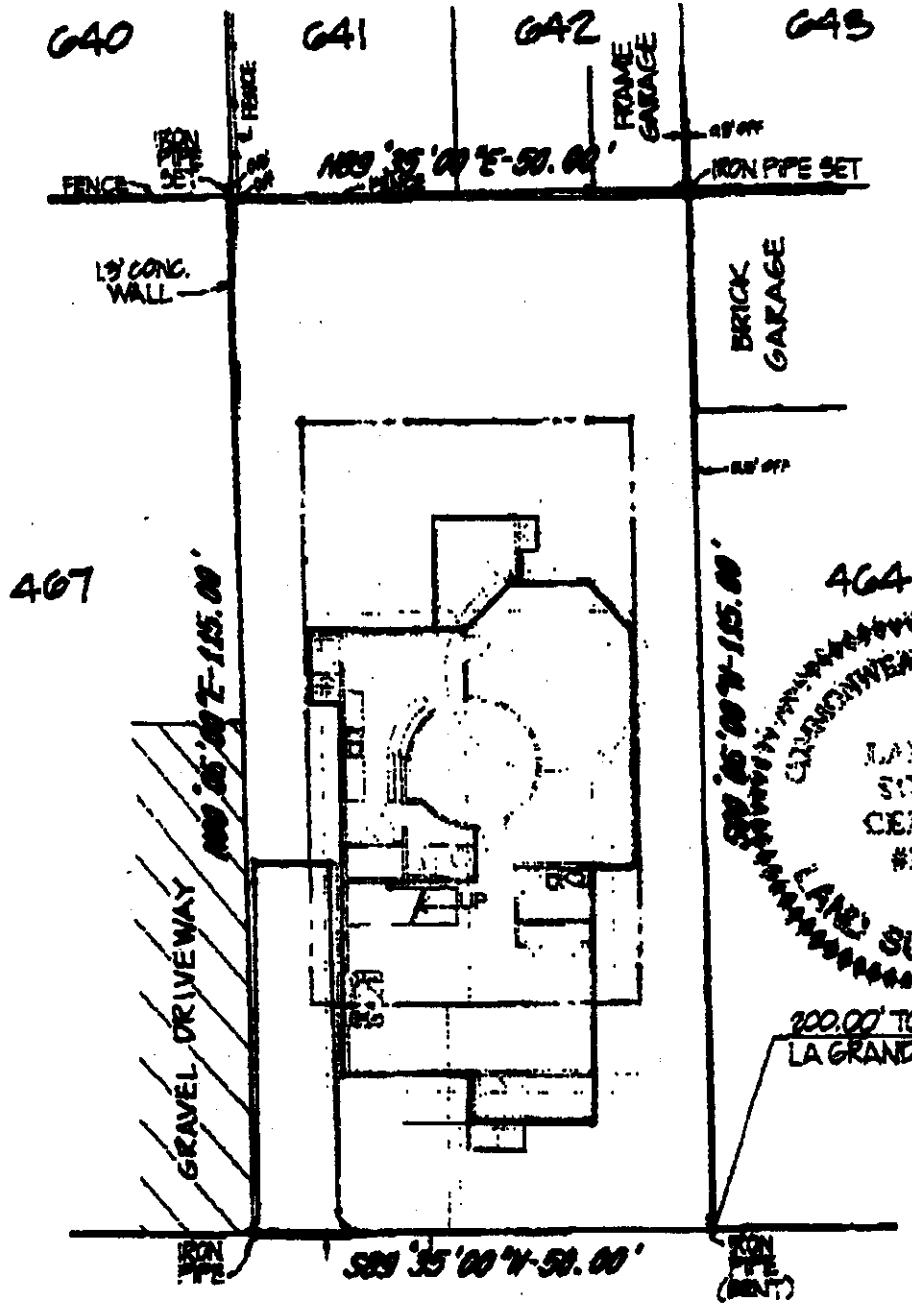
As a new home buyer, I can tell you how difficult it was to buy our home. The Del Ray community is in demand and prices have absolutely skyrocketed in recent months. My husband and I were one of 5 families who bid on our home the day it went on the market. We owned our home 4 hours after the open house began! Del Ray homes are a "hot commodity" and are selling very, very fast. I have no doubt that if you built a single family home in a style similar to other homes on the block that it would sell very quickly at a nice profit for you. In fact, I have plenty of friends who would be thrilled to be able to buy a new home on our block! All of the people I know who want to move into the neighborhood would never consider buying a duplex. It's just not "Del Ray".

In closing, thank you again for allowing us to talk with you candidly about your plans for the lot. I know I speak for all of us on the block when I tell you how thankful we would be if you would reconsider your plans to build a modern-looking duplex. Please allow the integrity of our block to continue.

Liz Wixson

SUP 2000-0137

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WINDSOR AVENUE EAST
40' R/W

PHYSICAL EVIDENCE SURVEY

LOTS 468 & 469, BLOCK 9

DEL RAY

CITY OF ALEXANDRIA, VIRGINIA

The Del Ray Citizens Association

P.O. Box 2233

Alexandria, Virginia 22301

eStablished 1954

To: Honorable Members of City Council
From: Bill Hendrickson, President
Stephanie Sechrist, Co-chair, Land Use Committee
Amy Slack, Co-chair, Land Use Committee
Date: December 26, 2000
Subject: SUP# 2000-0137, 412 East Windsor Avenue, for a parking reduction for tandem parking and a front yard setback modification to permit the construction of a single family home.

The applicant met with the Land Use Committee on two occasions. Both the Land Use Committee and the Executive Committee voted to recommend approval of the SUP request. Both Committees's recognized the need for off-street parking on this block and commended the applicant for choosing to construct a single-family home rather than a duplex.

We request your support for this position and welcome your questions and comments. Please feel free to contact Amy Slack at 703-549-3412 or Stephanie Sechrist at 703-548-0536 and Bill Hendrickson at 703-549-7365 (days), 703-519-9410 (evenings).