

Docket Item #20
SUBDIVISION #2003-0010

Planning Commission Meeting
June 1, 2004

This subdivision would have been automatically approved if not acted on by November 6, 2003, except that the applicant has waived the right to automatic approval.

ISSUE: Consideration of a request for approval to subdivide one lot into two lots.

APPLICANT: KG Development LLC
by Brennan Reilly, Esq.

LOCATION: 2207 Ivor Lane

ZONE: R-8/Residential

PLANNING COMMISSION ACTION, MAY 4, 2004: The Planning Commission noted the deferral of the request.

Reason: The applicant requested a deferral.

PLANNING COMMISSION ACTION, APRIL 6, 2004: The Planning Commission noted the deferral of the request.

Reason: The applicant failed to comply with the requirements for legal notice.

STAFF RECOMMENDATION: Staff recommends **denial** of this application.

I. DISCUSSION

REQUEST

The applicant, KG Development, LLC, requests approval to subdivide one lot at 2207 Ivor Lane into two lots.

SITE DESCRIPTION

The subject property is one lot of record with approximately 130 feet of frontage on Ivor Lane, 175 feet of depth, and a total lot area of over a half acre. The lot is developed with a single family house. Access to the property is from Ivor Lane, which is accessed from Braddock Road.

SURROUNDING USES

The area surrounding the property is occupied by residential uses. To the west of Ivor Lane is a wooded area currently under private ownership by the Seminary Forest Garden Apartments located further west. Although currently under private ownership, the property is designated in the City’s Open Space Plan as a future opportunity for public open space, particularly as a potential “Green Connector” to other public open spaces, such as to Fort Ward Park on the north and the Francis Hammond Middle School property on the south.

PROJECT DESCRIPTION

The applicant proposes to subdivide the property into two lots, demolish the existing house and outbuildings on the property, and develop two new single family homes. The applicant’s proposed plat includes a 3,906 square feet area at the front of the property to be dedicated for right-of-way. Ivor Lane is currently only a 20 foot right of way, with only approximately 10 feet of that paved for vehicular access.

RESIDENTIAL ZONING REQUIREMENTS

The subject property is located in the R-8/Single-family zone. The proposed subdivision complies with the lot requirements of the R-8 zone in the following way:

| | <u>R-8 Reqs</u> | <u>Proposed Lot 501</u> | <u>Proposed Lot 502</u> |
|---------------|-----------------|-------------------------|-------------------------|
| Lot Size: | 8,000 sf | 9,499 sf | 9,475 sf |
| Lot Width: | 65 ft | 65.10 ft | 65.10 ft |
| Lot Frontage: | 40 ft | 65.10 ft | 65.10 ft |

The applicant submitted a footprint and interior layout of the proposed houses, but has indicated that the drawings are only to illustrate that a dwelling could comply with the yard requirements of the zone and are not considered the final design.

SUBDIVISION REGULATIONS

Section 11-1710 (G) of the Zoning Ordinance requires that all new subdivision lots be located on public streets that conform to Section 5-2-4 of the City Code. Section 5-2-4 of the City Code describes the City's street requirements for a number of development scenarios including subdivisions. As applicable to the subject property, the Code requires a minimum width of 50 feet. In that the right of way width at this location is only 20 feet, the proposal does not meet the subdivision regulations.

The applicant is proposing to dedicate the front 30 feet of the properties for right-of-way which would create a 50 foot right-of-way in front of the properties. However, the subject property, even with the increased right of way, does not connect to a 50 foot wide right-of-way, and therefore, does not qualify as a conforming street for subdivision purposes.

EMERGENCY VEHICLE ACCESS

According to Code Enforcement, the subdivision also is deficient in that it lacks appropriate access for fire and emergency vehicles. For example, emergency vehicles require roadway access of a certain width, typically 22 feet, and constructed of sufficient strength to withstand the weight of those large vehicles. In addition, even if there were a sufficiently wide road into the proposed lots, there must be sufficient circulation space for those vehicles to be able to turn around and exit the area. Typically, egress is achieved by a through street connection. Where a street dead ends, if it is longer than 100 feet, there must be a turnaround area for emergency vehicles.

SEWER

The sewer line along Ivor Lane is only a 10 inch lateral line, and may require the installation of a new sewer line. There are no details on the plans regarding the sewer connection, so it is not clear what the plans for sewer connection are proposed to be.

HISTORY

The existing lots were created by subdivision in 1939. Previous to becoming a public street, Ivor Lane was a private outlet road that served the subject and adjacent properties. In 1960 the outlet road was dedicated to the City. At that time, the City considered a concept by which it would use Ivor Lane to connect North Pickett Street to Seminary Road. When the Seminary Forest apartments were constructed, Ivor Lane was widened, but only for the first approximately 200 feet of the street, most likely in anticipation of a future plan to proceed with the street connection. The street connection plan was never implemented, Ivor Lane was never improved, and the City has no plan to build or improve a road here.

MASTER PLAN

The proposed subdivision is located in the Seminary Hill/Strawberry Hill Small Area Plan and is designated for residential use.

II. STAFF ANALYSIS

Staff recommends denial of the proposed subdivision because it does not comply with the requirements for subdivision. Although the proposed lots comply with lot size regulations, the lots are proposed to be added on a substandard street. According to the Zoning Ordinance, new lots must be located on public streets that conform with Section 5-2-4 of the City Code, which requires that the right of way be 50 feet wide. In addition, the applicant has been unable to provide adequate access for fire and emergency vehicles to service the new lots. In an attempt to comply with the requirements, the applicant proposes to dedicate a 30 foot wide area to create a 50 foot wide right-of-way at the front of the property. However, the area to be dedicated does not connect with a right-of-way of a conforming width. The dedication neither meets the requirements of the City Code and zoning ordinance for locating lots on a standard sized street nor does it address the need for adequate fire and emergency vehicle access.

Staff informed the applicant of the above requirements and has discussed the issues with the applicant several times. However, the applicant never submitted any official proposals to solve the problem. The applicant has suggested partial solutions to fire access which, as of this date, have not been perfected. In addition, the applicant has suggested that the dedicated area, while insufficient today, could be used to widen the street in the future if the City widens the entire street. However, the City currently has no plans to widen the street, and any such plan would take substantial coordination with the City and surrounding property owners. In fact, staff has had meetings with owners in the area about the potential for a coordinated development, but no official unified plan that would provide adequate street width for the applicant's proposed subdivision has been submitted to date.

Staff recommends denial of this application because it does not comply with the requirements for subdivision.

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 The subject lot is not currently served by standard design public street as prescribed in Section 5-2-4 of the City Code.
- F-2 The site is located in a marine clay area as delineated on the City map of marine clay areas. A geotechnical report with recommendations from a geotech professional for proposed cut slopes and embankments will be required prior to construction activity.
- R-1 For emergency vehicle access, a roadway at least 22 feet wide is necessary. If the existing roadway grade is greater than 10% applicant must provide a design to meet City standards and must provide an emergency vehicle turnaround to meet City standards.
- R-2 The applicant shall show how the proposed houses will be served by the existing sanitary sewer. Connection to the 10" lateral shall meet City standard design criteria and be to the satisfaction of the Director of T&ES. If this connection can not be made, the applicant must design and construct an extension of the public sanitary sewer south on Ivor Lane to serve the proposed lots. The design shall meet city standard design criteria and be to the satisfaction of the Director of T&ES.
- R-3 Refuse/recycling service is to be provided by the City. Street design shall accommodate solid waste collection including turnaround, if required.
- R-4 Provide a plot plan for review and approval for any future alterations or improvements to the site prior to beginning construction.
- R-5 The project is in the Four Mile Run watershed, Zone A. Provide pre and post 2, 10 and 100 year storm water computations. The developer is to comply with the peak flow requirements of Article XIII of the Alexandria Zoning Ordinance.
- R-6 For any proposed construction activity the applicant must comply with the Chesapeake Bay Preservation Act in accordance with Article XIII of the City's zoning ordinance for storm water quality control.
- R-7 Final subdivision plat shall comply with the provisions of Section 11-1709 of the City's Zoning Ordinance.

Code Enforcement:

- R-1 Due to the increase in density to the proposed area, road improvements are required to meet the increased need for Fire and Emergency Medical Services. Roadway improvements consist of the following:
- Roadway width of a minimum 22 feet.
 - Dedicated emergency vehicle easement for improved roadway.
 - H-20 loading on improved roadway
 - Apparatus turnaround where Emergency Vehicle Easement is a dead end longer than 100 feet in length.
 - Hammerhead turn around pockets shall be 60 foot depth minimum, measured from centerline of roadway
- F-2 Additional hydrants are required within 100 feet of the proposed structures. First Hydrant shall be located at Intersection of N. Pickett St & Ivor Lane on Southwest Side of intersection.
- F-3 Roadway grades shall not exceed 10% grade. Transition grades shall not exceed 6%.
- F-4 A residential sprinkler system is recommended.
- C-1 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps that will be taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.
- C-2 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-3 A soils report must be submitted with the building permit application.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-6 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.

- C-7 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-8 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Police Department:

- F-1 No objections.

REPORT ATTACHMENTS AVAILABLE IN THE PLANNING AND ZONING OFFICE