

Docket Item #6
SUBDIVISION #2003-0010

Planning Commission Meeting
March 1, 2005

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

APPLICANT: KG Development LLC
by Duncan Blair, Esq., attorney

LOCATION: 2207 Ivor Lane

ZONE: R-8/Residential

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

PLANNING COMMISSION ACTION, JUNE 1, 2004: On a motion by Ms. Fossum, seconded by Mr. Komoroske, the Planning Commission voted to defer the subdivision request.

Reason: The applicant requested the deferral.

Speakers:

Duncan Blair, the applicant's attorney, spoke in support of the application and suggested methods of addressing the road issue. Mr. Blair stated that it is the City's obligation to provide a street of standard width, but that the applicant is willing to dedicate property for the street and to provide \$15,000 to go toward street improvements. He also stated that the applicant is willing to provide adequate turnaround for emergency vehicles on the subject property. In addition, Mr. Blair stated that the applicant has been working with the adjacent neighbor for additional land area to dedicate to connect the property to a street of adequate width. Finally, Mr. Blair requested deferral of the application to explore the possibility of applying for a variation to allow a substandard street.

Thomas Shimkin, 2205 Ivor Lane, expressed his satisfaction with Ivor Lane in its current condition and configuration. He discussed his concerns with the applicant's reconfiguring suggestions for the street. In addition, he was concerned about how the proposed development would impact his water line that runs across the subject property to Braddock Road.

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.

SUB #2003-0010
2207 Ivor Lane

Site Graphic
Available in the Planning and Zoning Office

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 22,880 square feet. The lot is developed with a single family dwelling. Access to the property is from Ivor Lane, which is approximately 250 feet south of Braddock Road.

SURROUNDING USES

The area surrounding the property is occupied primarily by residential uses. To the west of Ivor Lane is a wooded area that was formerly part of the Seminary Forest Garden Apartments, which has recently been purchased by the City for use as open space. It was designated in the City’s Open Space Plan as an opportunity site 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 an area of approximately 3,900 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. Emergency vehicles require roadway access of a certain width, typically 22 feet, and constructed of sufficient strength to withstand the weight of 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 lot is part of a subdivision that was created 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.

The proposed subdivision came before the Planning Commission at their meeting on April 6, 2004. The request was deferred to the May 4 Planning Commission at the request of the applicant and again deferred from the June 1, 2004 Planning Commission meeting at the applicant's request. The purpose of the deferrals was to try to resolve outstanding issues relative to the request. To date these issues have not been resolved.

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

Subsequent to the last deferral of this request in June 2004, the applicant was advised on several occasions that there were issues which must be addressed in any revised plan for subdivision of the property. These issues included:

- 1) Providing an adequate turnaround area for emergency vehicles on the proposed lots.
- 2) Providing a 50 foot wide right-of-way, contiguous and appropriately aligned with the existing right-of-way of Ivor Lane, to include a 22 to 30 foot paved area.
- 3) The houses on the proposed lots will need to be located in a manner that will minimize grading and retain the existing mature trees on the site.
- 4) The proposed homes need to provide a shared driveway.
- 5) The homes need to be designed in a high quality manner that will be consistent with other high quality homes in the neighborhood.

The applicant was also advised that they would be responsible for the cost of design and construction of the street and associated utilities in connection with this subdivision.

The applicant's January 2005 revised plan does not meet any of the above requirements.

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. 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.

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.

The siting of the homes on the proposed lots does not appear to retain some of the existing large nature trees. The site layout also does not propose a shared driveway.

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;
Richard Josephson, Deputy Director.

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:

The following comments were provided in response to revised plans submitted January 19, 2005:

- F-1 Due to the increase in density to the proposed area, road improvements are necessary to meet the increased need for Fire and Emergency Medical Services. Roadway improvements consist of the following:
- Roadway width of a minimum 22 feet. - The revision shows a 22 foot right of way for the parcels affected but not the entire roadway connecting up to the parcel. In addition, the use of the term right of way does not appear to mean road improvements.
 - Dedicated emergency vehicle easement for improved roadway. Not provided.
 - H-20 loading on improved roadway. Not provided.
 - Apparatus turnaround where Emergency Vehicle Easement is a dead end longer than 100 feet in length. This has not been met - see next bulleted item.
 - Hammerhead turn around pockets shall be 60 foot depth minimum, measured from centerline of roadway. The property has one half of the hammerhead that meets this requirement but there is no improvement to the main roadway beyond this project to complete the turn around. Therefore this requirement has not been met.
- 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. No hydrant locations have been provided.
- F-3 Roadway grades shall not exceed 10% grade. Transition grades shall not exceed 6%. Roadway grade is shown as 10% but transition grades are not provided. Requirement has not been met.
- F-4 A residential sprinkler system is recommended. No information has been provided by the applicant.
- 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:

- R-1 The applicant is to contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the construction trailers as soon as they are placed on-site. **2/4 - Revised comment.**
- R-2 The house numbers should be clearly displayed on the front of the house. **2/4 - Revised comment.**

Archaeology:

- F-1 This property is situated just outside the line of defenses constructed by the Union Army to the south of Fort Ward to defend the Capital during the Civil War. Although there are no known Civil War sites or encampments in the development area, Union soldiers sometimes set up camps outside the line of defense. It is therefore possible that some evidence of military activity could be discovered when development occurs on this property.

- C-1 To insure that significant information is not lost as a result of the current development project, the applicant must hire an archaeological consultant to complete an Archaeological Evaluation. Contact Alexandria Archaeology to obtain a scope of work for this investigation. If significant resources are discovered, the consultant must complete a Resource Management Plan, as outlined in the *City of Alexandria Archaeological Standards*. Preservation measures presented in the Resource Management Plan, as approved by the City Archaeologist, will be implemented.
- C-2 All archaeological preservation measures must be completed prior to ground-disturbing activities (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of the Zoning Ordinance). To confirm, call Alexandria Archaeology at (703) 838-4399.
- C-3 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- C-4 The General Notes of the Preliminary and Final Site Plans must include the statements in C-2 and C-3 above so that on-site contractors are aware of the requirements. Additional statements to be included on the Final Site Plan will be determined in consultation with Alexandria Archaeology.
- C-5 Certificates of Occupancy will not be issued for this property until the final archaeological report has been received and approved by the City Archaeologist.
- C-6 If warranted by the City Archaeologist, the developer will erect a historic marker on the property according to specifications provided by Alexandria Archaeology. The marker will highlight the historical and archaeological significance of the property.
- C-7 If warranted by the City Archaeologist, the developer will produce a booklet for the public on the history and archaeology of the property, according to specifications provided by Alexandria Archaeology.
- R-1 All archaeological work will be carried out in accordance with the *City of Alexandria Archaeological Standards and is subject to the approval of the City Archaeologist*.
- R-2 The applicant should not allow any other metal detection to be conducted on the property, unless authorized by Alexandria Archaeology.

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Report Attachments
Available in the Planning and Zoning Office