

Docket Item #5 A&B  
SUBDIVISION #2006-0003  
SPECIAL USE PERMIT #2006-0090

Planning Commission Meeting  
December 5, 2006

This subdivision would have been automatically approved if not acted on by September 10, 2006, except that the applicant has waived the right to automatic approval.

**ISSUE:** Consideration of a request to 1) subdivide the subject property into two lots(SUB #2006-0003) and 2) consideration of a special use permit for a reduction of off-street parking (SUP #2006-0090).

**APPLICANT:** Scott W. Cullen

**LOCATION:** 13 & 15 West Groves Avenue

**ZONE:** R2-5/Residential

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**STAFF RECOMMENDATION:** Staff recommends **denial** of the proposed subdivision and special use permit.

SUB #2006-0003  
SUP #2006-0090  
13 & 15 Groves Avenue





## **I. DISCUSSION**

### REQUEST

The applicant, Mr. Scott W. Cullen, requests approval for a re-subdivision of two lots of record and special use permit approval for a parking reduction for the property located at 13 and 15 West Groves Avenue.

### SITE DESCRIPTION

The subject property consists of two lots of record. The lot located at 13 Groves Avenue is vacant and has 25 feet of frontage, 102.5 feet of depth and a total lot area of approximately 2,563 square feet. The lot located at 15 Groves Avenue is developed with a single family detached dwelling and has 50 feet of frontage, 102.5 feet of depth, and a total lot area of approximately 5,125 square feet. Access to both lots is from Groves Avenue. The surrounding area is predominately residential.

### APPLICANT'S PROPOSAL

The applicant proposes to re-subdivide the existing two lots by moving the common property line between the lots approximately 12 feet, six inches to the west, resulting in approximately 1,281 square feet from the property at 15 Groves Avenue (Lot 501) being added to 13 Groves Avenue (Lot 500). The applicant proposes to build a semi-detached dwelling unit on each lot. The proposed subdivision will increase the area of Lot 500 from 2,563 square feet to 3,842 square feet. In addition, it will decrease the area of Lot 501 from 5,125 square feet to 3,842 square feet. In conjunction with this request, the applicant has requested a reduction in the off-street parking requirement to allow tandem parking (SUP#2006-0090).

ZONING REGULATIONS

The property at 13 & 15 Groves Avenue is zoned R2-5. The Zoning regulations allow a semi-detached home to be built in the R2-5 zone. The proposed development complies with the R2-5 requirements as follows:

<b>R2-5 MINIMUM LOT STANDARDS</b>			
	<b>Required</b>	<b>Lot 501</b>	<b>Lot 500</b>
<b>Lot Size</b>	2,500 square feet	3,842 square feet	3,842 square feet
<b>Lot Width/Frontage</b>	37.5 feet	37.5 feet	37.5 feet
<b>Front Yard</b>	25 feet	25 feet	29.8 feet
<b>Side Yard</b>	1:3; minimum 7 feet (9.74 and 9.77 feet)	15.7 feet	15.7 feet
<b>Rear Yard</b>	1:1; minimum 8 feet (22 feet, 2.25 inches)	37.2 feet	32.5 feet
<b>Height</b>	35 feet	29 feet, 2.5 inches	29 feet, 4 inches
<b>FAR</b>	.45 (1,728 maximum sq ft allowed)	.45 (.447) (1,715 sq ft proposed)	.45 (.447) (1,715 sq ft proposed)

Section 8-200(A)(1) of the Zoning Ordinance allows a parking reduction by special use permit if the following criteria are met:

- The applicant can demonstrate that it is not feasible to provide the parking,
- The City Council finds that the reduction will not negatively affect the neighborhood, and
- The reduction will not reduce the number of spaces available below the number of spaces provided at the time of the application.

EXISTING HOUSE

The existing house on Groves Avenue is a freestanding, frame two story side-hall American foursquare with a hipped roof and overhanging eaves. American foursquare homes usually have equal dimensions on all four sides, thus foursquare, and in versions like Groves Street usually with four rooms to a floor, two in front and two in back. The existing house has a one story front porch

that has been slightly altered and a one story rear addition. There is a one story frame automobile garage at the rear of the property with German lap siding that likely matched the house at one time. The house is currently clad in yellow vinyl siding. It retains its original windows. According to City property records, the house was built in 1912, making it 94 years old. If the house was 100 years old, its renovation or removal would require approval by the Old and Historic District Board of Architectural Review.



#### SUBDIVISION STANDARDS

Section 11-1710(B) of the Zoning Ordinance requires a subdivision to meet the following standard:

No lot shall be resubdivided in such a manner as to detract from the value of adjacent property. Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use and structures, lot areas, orientation, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision. In determining whether a proposed lot is of substantially the same character for purposes of complying with this provision, the Commission shall consider the established neighborhood created by the original subdivision, evidence of which may be shown by (1) subdivision plat documents, including amendments to the subdivision over time, as well as the development that has occurred within the subdivision; and (2) land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area.

#### MASTER PLAN DESIGNATION

The subject property is located in the Potomac West Small Area Plan chapter of the Master Plan and is designated for RL/Residential Low use. Single family and semi-detached dwellings are consistent with the Potomac West Small Area Plan.

#### TREES

The subject property has two large maple trees. One of the maple trees, located in the front of the lot, measures 27 inches in circumference and the other maple tree, located at the northeast corner of the lot, measures 15 inches in circumference. The applicant has indicated to staff that he intends to keep the existing trees on the property. According to the City Arborist, the demolition and excavation of the existing home and construction of the new curb cut will impact the critical root

zone of the existing 27-inch maple tree along Groves Avenue and cause severe damage to the tree. Therefore, the City Arborist recommends that this tree be removed.

#### ACCESS & PARKING

Currently, access is only from one curb-cut that is located along Groves Avenue at Lot 501. With the proposed subdivision, an additional curb cut will be required for Lot 500. The applicant has requested a reduction in the residential off-street parking requirement to provide tandem parking spaces for each lot.

#### COMMUNITY MEETING

On September 14, 2006, staff attended the Del Ray Land Use Committee Meeting. Nearby neighbors of the subject property expressed concerns regarding the character and height of the proposed semi-detached dwellings, and parking impacts to the neighborhood. The Land Use Committee supported the subdivision request and added that the applicant should construct the semi-detached dwelling units so that they fit the character of the neighborhood. Subsequent to the Del Ray Land Use Committee meeting, the Executive Board and Del Ray Civic Association voted to recommend denial of the proposal.

## **II. STAFF ANALYSIS**

The applicant's proposal raises a number of questions:

- What impact will the proposed subdivision have on the existing 94 year old home?
- What impact will a parking reduction have on West Groves Avenue?
- What impact will the proposed subdivision have on the existing trees on site?
- Are the proposed lots substantially the same character as to use, lot area, and street frontage as other lots in the original subdivision (which includes development over time)?

#### Impact on Existing Home

The existing structure located on Lot 501 is an American foursquare home that was built in 1912, according to City records. Since the structure is close to 100 years old, staff's first concern was whether the house could be preserved. The architecture of the home as well as other older buildings in the area, have all established the character for homes not only along Groves Avenue, but in most of the Del Ray neighborhood. Renovating the existing structure would allow the neighborhood to maintain the character of this block. Renovation of the existing single-family home would not have

an impact on parking in the community, as it has an existing curb-cut and no other curb-cuts or parking would be required.

Staff cannot compel the property owner to preserve the existing home, as it is not protected by any local ordinances. In discussions with the applicant regarding preserving the existing home, he indicated that this was not considered an option.

Parking Impacts

There is one curb cut and a driveway for the existing property. A detached garage is located in the rear of the property. The proposed subdivision will eliminate one on-street parking space, by adding a new curb cut, and will create the need for two additional parking spaces. Although the applicant is proposing tandem parking spaces for each of the proposed new lots, a configuration which staff generally supports, there will still be an increased parking demand from an additional home on the property. Staff finds the additional demand, along with the removal of an on-street space through the addition of a curb-cut, would negatively affect the neighborhood. As such, staff found that the proposal does not comply with the requirements for approval set forth in the ordinance:

Section 8-200(A)(1) of the Zoning Ordinance allows a parking reduction by special use permit if the following criteria are met:

- The applicant can demonstrate that it is not feasible to provide the parking,
- The City Council finds that the reduction will not negatively affect the neighborhood, and
- The reduction will not reduce the number of spaces available below the number of spaces provided at the time of the application.

Impact on Existing Trees

The subject property contains two large maple trees, one of which is 27 inches in diameter and located at the front of the property. Although the applicant proposed to save the tree, the City Arborist determined that the 27-inch maple will have to be removed because of the amount of disturbance from the proposed development, which includes a new curb cut. The proposed development therefore results in the loss of a very large tree.

Character of Proposed Lots

The proposed lots, while satisfying the minimum lot area for new lots in the R2-5 zone, are substantially less in area and frontage than most other lots along West Groves Avenue and within the immediate neighborhood. Most lots along West Groves Avenue have 50 feet of frontage and are developed with single family detached dwellings. The same is true along West Mt. Ida Avenue and West Uhler Avenue to the south as well as Forrest Street to the north. The proposed subdivision will result in development of two semi-detached dwellings on lots that are 37.5 feet in width, and with 3,840 square feet of lot area. While there are semi-detached dwellings on lots smaller than the proposed subdivision in the area, the character of the lots in the area and their development over time is overwhelmingly of single family homes on lots with 50 feet of frontage.



**Lots with 50 Feet of Frontage or More,  
Occupied by Single-Family Detached Dwelling**

New Semi-Detached Dwelling Units

Staff was very concerned with the design of the dwellings as initially proposed by the applicant. In particular, the mass, scale and height of the proposed dwellings were not proportionate to the existing residences in the area. The proposed height was 37 feet to the peak; the front porch was only partially open, not consistent with the front porches of Del Ray homes; and, the dwellings did not comply with the floor area ratio requirement. In addition, neighbors have shared similar concerns.

The applicant has attempted to address these concerns, and is commended for working with his neighbors and staff regarding the proposed subdivision and development of the subject property. In response to staff's concerns regarding height and massing, he lowered his originally proposed design by two feet, making the current height to the peak of the roof 34 feet and 8.5 inches. Regarding the porch, it is now entirely open. Finally, the proposal now complies with the floor area ratio requirement.

However, staff continues to be concerned about height and massing. Although the proposed height is lower than what is required by zoning, the dwellings are still taller and of a greater mass than many of the homes in the block and neighborhood, many of which are single-story bungalows. Regarding the floor area ratio, although it now complies, the applicant is developing the property at the maximum allowable 45.

Recommendation

The proposed development has some merits, including: compliance with the zoning requirements for lot size, yards, frontage and FAR; architectural details such as the front porch that are consistent with the neighborhood; use of high-quality materials; two distinct units to help break up massing; and tandem parking that preserves the front yard, while accommodating all of the required parking on site.

However, staff cannot support the proposed subdivision for a number of reasons, the foremost of which is that the proposed lots are not in conformance with the subdivision ordinance. The proposed lots are not in keeping with the character of most other lots along West Groves Avenue, and within the neighborhood, with regard to lot area and lot frontage, and development on those lots. As shown in the character of proposed lots graphic earlier in the report, much of the surrounding area is developed with single-family homes on lots with 50 feet of frontage or more.

In addition, the proposed development will also result in the loss of a 94 year old structure and one large maple tree on the property. While both the tree and house could be removed regardless of this application, their removal as a result of the subject request would be unfortunate. Parking along West Groves Avenue will also be negatively impacted, as a new dwelling and curb cut will be added. Although the applicant has reduced the height of the proposed dwellings, it will still be taller than most other homes on the block. In addition, the applicant's proposal maximizes the allowable floor area ratio, with 1728 square feet per dwelling permitted and 1715 square feet per dwelling proposed. Finally, the Del Ray Civic Association and area neighbors continue to be opposed to the project.

While there are merits to the proposal, on balance staff finds that the proposal does not provide benefits beyond what exists if the home were replaced with a new single family home. Denying the application provides the applicant the opportunity to consider a restoration and addition project for the existing home that would not increase parking demand in the area or require the addition of a curb cut or the removal of a significant tree.

If the subdivision and parking reduction are approved by the City Council, staff recommends they are subject to the following conditions, which includes incorporating the proposed tandem parking configuration and house design.

### III. STAFF RECOMMENDATION

Staff cannot support the proposed subdivision and special use permit for the above stated reasons. If the subdivision is approved, it should be subject to compliance with all applicable codes and ordinances and the following conditions:

1. The final subdivision plat shall comply with the requirements of Section 11-1700 of the Zoning Ordinance. (P&Z)
2. Locations of all easements and reservations such as the ingress/egress easement for the alley and all other easements and reservations shall be depicted on the final subdivision plan. (P&Z)
3. A parking reduction of one parking space on Lot 535 and one parking space on Lot 537 shall be granted . The proposed tandem parking configuration shall be installed according to the attached plan. (P&Z)
4. The final plat shall include the Surveyors Certification and plat title to indicate resubdivision of the existing lots as well as a drawing to show the access point to the properties that will not require removal of the potentially impacted tree. (P&Z)
5. The 27-inch maple tree in the front yard shall be removed. (RP&CA)
6. A Red Maple tree, min. 3" caliper in size, shall be planted on Lot 535 to replace the 27" maple recommended for removal. (RP&CA)
7. A PLOT PLAN showing all improvements and alterations to the site shall be approved by T&ES prior to issuance of a building permit. (T&ES)
8. The applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
9. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (T&ES)
10. City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (T&ES)



11. Any development on these lots will have to comply with Article XIII of the City's Environmental Management Ordinance. Careful attention should be paid to the storm water quality management performance requirements and the requirements for an erosion and sediment control plan for any land disturbing activity greater than 2500 square feet. (T&ES)
12. The house numbers are to be placed on the front and back of each home (at least 3 inches high and reflective at night). (Police)
13. The final design of the semi-detached dwellings shall meet the approval of the Department of Planning and Zoning. (P&Z)
14. The final design of the semi-detached dwellings shall not exceed 35 feet in overall height from the ridge line of the roof, to average finished grade. (P&Z)
15. The applicant shall provide complete material and color samples for review and approval and shall only include the following materials for design of the semi-detached dwellings:

Roof- Architectural grade shingles

Siding- Painted Wood or Hardiplank

Trim & Railings- Painted Wood or Synthetic Wood

Windows- Painted Wood or Vinyl Clad Wood (P&Z)

STAFF: Richard Josephson, Acting Director; Department of Planning and Zoning;  
James Hunt, Urban Planner;  
Valerie Peterson, Urban Planner.

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Staff Note: This plat will expire 18 months from the date of approval, unless recorded sooner. 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.

#### IV. CITY DEPARTMENT COMMENTS

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

##### Transportation & Environmental Services:

- R-1 A PLOT PLAN showing all improvements and alterations to the site shall be approved by T&ES prior to issuance of a building permit.
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity.
- R-3 All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design.
- R-4 City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services.
- R-5 Any development on these lots will have to comply with Article XIII of the City's Environmental Management Ordinance. Careful attention should be paid to the storm water quality management performance requirements and the requirements for an erosion and sediment control plan for any land disturbing activity greater than 2500 square feet.
- F-1 Prior to release of the plot plan the applicant shall post an Erosion and Sediment control bond.
- F-2 Prior to release of the plot plan the applicant shall pay the sanitary sewer tap fee in the amount of \$6,885.00 per unit.
- F-3 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on the site.
- F-4 Prior to any land disturbing activity greater than 2500 square feet, an erosion and sediment control plan must be approved by T&ES.

- F-5 T&ES has no objections to the proposed parking reduction as the applicant intends to provide the required number of parking spaces as tandem parking spaces. Staff believes that the request will have a negligible impact on available on-street parking and supports the applicant's request for a parking reduction.
- C-1 All utilities serving this site shall be placed underground. (Sec. 5-3-3)
- C-2 Pay sanitary sewer tap fee prior to release of Plot Plan. (Sec. 5-6-25.1)
- C-3 Any work within the right-of-way requires a separate permit from T&ES. (Sec. 5-3-61)
- C-4 Roof drains and sub-surface drains shall be connected to the city storm sewer system, if available, by continuous underground pipe. (Sec. 8-1-22)
- C-5 Per City Ordinance No. 3176, requests for new driveway aprons, unless approved at public hearing as part of a related item, must be accompanied by an adjacent **Property Owners Acknowledgment** form.
- C-6 Change in point of attachment or removal of existing overhead utility services will require undergrounding or a variance. (Sec. 5-3-3)
- C-7 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials.(Sec. 5-1-99)

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 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-4 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-5 Required exits, parking, and accessibility for persons with disabilities must be provided to the building.
- F-1 Subdivision of this property shall occur after demolition of the existing property, otherwise, the applicant shall modify the existing structure to comply with the USBC as a result of the new interior lot line.

Police Department:

- R-1 The house numbers are to be placed on the front and back of each home (at least 3 inches high and reflective at night).
- F-1 The Police Department has no objections to the subdivision of the land for the purpose of subdividing the property into two semi-detached homes.

Historic Alexandria Commission (Archaeology):

- F-1 Low potential. No Archaeological action required.

Health Department:

- F-1 No Comment

Recreation, Parks & Cultural Activities (Arborist):

- R-1 The demolition and excavation of the existing home and construction of the new curb cut will impact the critical root zone of the existing 27" maple tree along Groves Ave. and cause severe damage to the tree. It is recommended this tree be removed.
- R-2 A Red Maple tree, min. 3" caliper in size, shall be planted on Lot 535 to replace the 27" maple recommended for removal.

SUB #2006-0003  
SUP #2006-0090  
13 & 15 Groves Avenue

**REPORT ATTACHMENTS  
AVAILABLE IN THE PLANNING AND ZONING OFFICE**