

Docket Item #15
VACATION #2006-0005

Planning Commission Meeting
March 6, 2007

ISSUE: Consideration of a request for vacation of a portion of a public right-of-way.

APPLICANT: Meade and Janie Rhoads
by Lonnie Rich

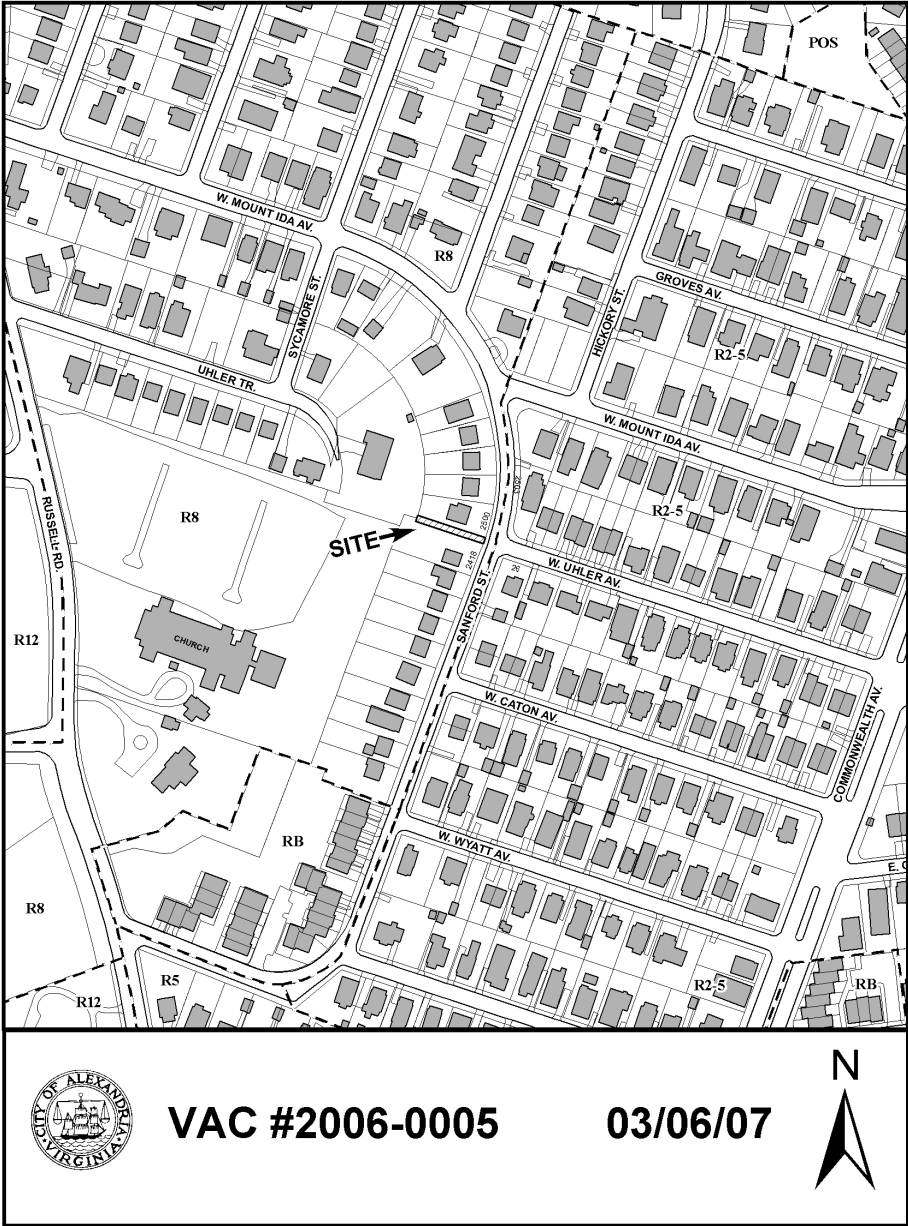
STAFF: James Hunt, Planner
james.hunt@alexandriava.gov

LOCATION: West Uhler Avenue (Parcel between 2418 & 2500 Sanford Ave)

ZONE: R-8/Residential

STAFF RECOMMENDATION: Staff recommends **approval** subject to compliance with all applicable codes and ordinances and the permit conditions found in Section III of this report.

VAC #2006-0005
West Uhler Ave (Parcel Between 2418 & 2500 Sanford Street)



I. DISCUSSION

REQUEST

The applicants, Meade and Janie Rhoads, request the vacation of an area of right-of-way at the terminus of West Uhler Avenue located between 2418 and 2500 Sanford Street.

SITE DESCRIPTION

The subject property is a portion of right-of-way with 10 feet of frontage along Sanford Street, approximately 115 feet of depth, and a total area of 1,158 square feet. The applicant is the owner of the adjacent property at 2418 Sanford Street, which is one lot of record with approximately 57 feet of frontage on Sanford Street, approximately 136 feet of depth, and a total lot area of 7,718 square feet. The property is occupied by a single family home, which is consistent with the surrounding residential uses.



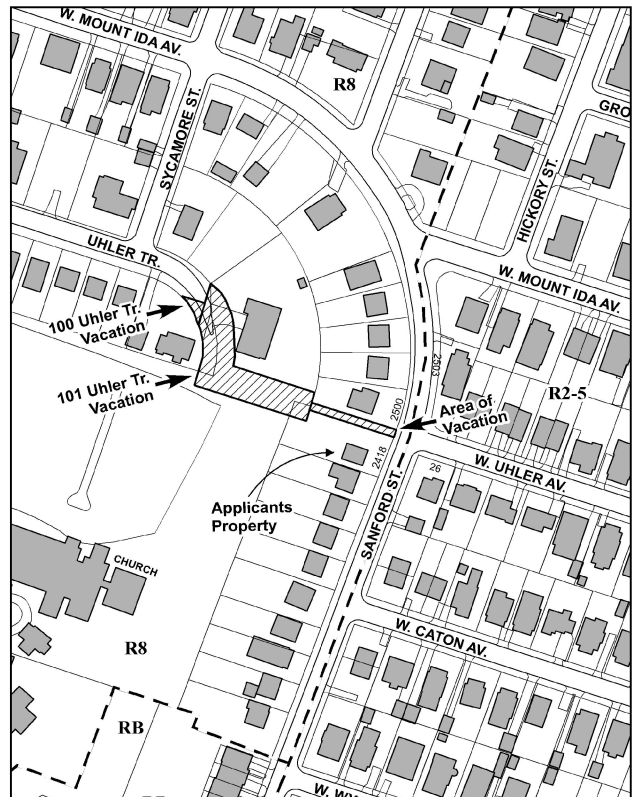
PROJECT DESCRIPTION

The applicants are requesting a vacation of 1,158 square feet of land to consolidate it with the existing property at 2418 Sanford Street (see attached plat). If the vacation request is approved, the applicant's total lot area will be approximately 8,876 square feet.

The subject area to be vacated is located on a hillside, adjacent to 2500 Sanford Street and consists of some vegetation and trees.

BACKGROUND

On October 14, 2000, City Council vacated approximately 8,813 square feet of public right of way at the terminus of Uhler Terrace to the adjacent resident at 101 Uhler Terrace (VAC2000-0006). On April 22, 2006, City Council vacated approximately 692 square feet of public right-of-way at the terminus of Uhler Terrace to the adjacent resident at 100 Uhler Terrace



(VAC2006-0001). These were vacations of the unused extension of Uhler Terrace to facilitate adequate drainage (VAC2000-0006) and to create a more standard lot shape. The topography of the land to be vacated prevents development and use as public right-of-way.

DEVELOPMENT POTENTIAL

According to Section 3-306 (B) of the Zoning Ordinance, the maximum permitted floor area ratio in the R-8 zone is .35. The lot at 2418 Sanford Street now includes 7,718 square feet of land and approximately 931 square feet of building area, resulting in a building with a floor area ratio of 0.12. If the vacation is approved, the applicant will not be able to use the vacated area to meet density (FAR), open space, or setback requirements.

STORM SEWER EASEMENT

There is an existing 10 foot storm sewer easement located to the rear of the subject property, measuring approximately 230 square feet. Approximately 100 square feet of the storm sewer easement is located within the applicant's property.

ZONING / MASTER PLAN

The subject property is zoned R-8/Single-family zone, and is located in the Potomac West Small Area Plan.

II. STAFF ANALYSIS

Staff recommends approval of the request for a vacation of the public right-of-way located adjacent to 2418 Sanford Street. The area to be vacated is on a steep slope and is not programmed for use as a public street. The area to be vacated is also not usable as a public open space because of its topography and location. However, staff feels that the area, if it is to be vacated, should remain open visually and not be encumbered by any building or fencing.

The applicant is agreeable to a condition that specifically prevents the creation of any additional development rights as a result of this vacation. Staff has included a condition requiring an easement for utilities, which includes the existing storm sewer easement. With these conditions, staff recommends approval.

III. STAFF RECOMMENDATION:

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

1. The property owners may not construct any buildings, or improvements, including driveways, parking spaces, on the vacated area and may not use the vacated land area to derive any increased development rights for the lands adjacent to the vacated area, including increased floor area, subdivision rights or additional dwelling units. This restriction shall appear as part of the deed of vacation and shall also appear as a note on the consolidation plat, both of which shall be approved by the Director of Planning and Zoning prior to recordation. (P&Z)
2. The vacated right-of-way shall be consolidated with the adjoining lot, and the plat of consolidation filed with the Departments of Planning and Zoning and Transportation and Environmental Services. (T&ES) (P&Z)
3. The applicant shall pay fair market value for the area to be vacated as determined by the Director of Real Estate Assessments. (T&ES)
4. Easements must be reserved for all existing public and private utilities within the area to be vacated (storm sewer easement).
5. The vacated area must remain as natural open space in perpetuity; no building or development of the area shall be permitted. (RP&CA)

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

CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 The applicant shall pay fair market value for the area to be vacated as determined by the Director of Real Estate Assessments.
- R-2 Easements must be reserved for all existing public and private utilities within the area to be vacated (storm sewer easement).
- R-3 The vacated right-of-way shall be consolidated with the existing lot.
- F-1 T&ES has no objections to the request to vacate excess right-of-way.

Code Enforcement:

- F-1 No Comment

Recreation, Parks & Cultural Activities (Arborist):

- F-1 In accordance with the goals of the City of Alexandria Open Space Master Plan, the Department of Recreation, Parks and Cultural Activities does not support the vacation of right-of-ways currently providing open space.
- R-1 If approved, the vacated area must remain as natural open space in perpetuity; no building or development of the area shall be permitted.

Real Estate Assessments:

- F-1 Real Estate comments are pending.

Police:

The Police Department has no objection to the vacation.