



Subdivision #2024-00007
415 East Nelson Avenue

Application	General Data	
Request: Public hearing and consideration of a request for a subdivision with variations to re-subdivide an existing lot into two lots.	Planning Commission Hearing:	September 5, 2024
	Approved Plat must be Recorded By:	March 5, 2026
Address: 415 East Nelson Avenue	Zone:	RB/Townhouse zone
Applicant: OCH at Nelson LLC, represented by Duncan Blair, attorney	Small Area Plan:	Potomac West

Staff Recommendation: APPROVAL subject to compliance with all applicable codes, ordinances, and recommended conditions found in Section III of this report.

Staff Reviewer: Catie McDonald, catherine.mcdonald@alexandriava.gov
 Sam Shelby, sam.shelby@alexandriava.gov

PLANNING COMMISSION ACTION, SEPTEMBER 5, 2024: On a motion by Vice Chair McMahan, seconded by Commissioner Lyle, the Planning Commission moved to approve SUB #2024-00007 with staff’s recommended change to condition #2. The motion carried on a vote of 7 to 0.

Chair Macek asked staff if any Zoning for Housing policies affected the subdivision request. Staff explained that these policies did not affect the subdivision request.

Commissioner Brown asked staff to provide background information on the alley abutting the subject property. He also asked if the alley had any bearing on the subdivision request. Staff replied that City records show the alley runs from Dewitt Avenue to Mount Vernon Avenue but that it is not fully improved along the entire length. The Zoning Ordinance neither requires nor precludes the use of the alley by the subject property and has no bearing on the subdivision request. Commissioner Brown also asked if the alley could be used for construction access. Staff explained that construction access would be reviewed under the grading plan process. Commissioner Brown also stated that he was pleased that the existing tree in the subject property’s front yard could be preserved.

Chair Macek asked staff to explain how the alley could be recorded and shown on the preliminary plat but not improved. He asked staff if this is a common occurrence. Staff explained that it’s common throughout the City for alleys to be dedicated and recorded but not improved. Often, they

contain fences constructed by adjacent neighbors. Chair Macek confirmed with staff that the alley would be unaffected by the subdivision approval.

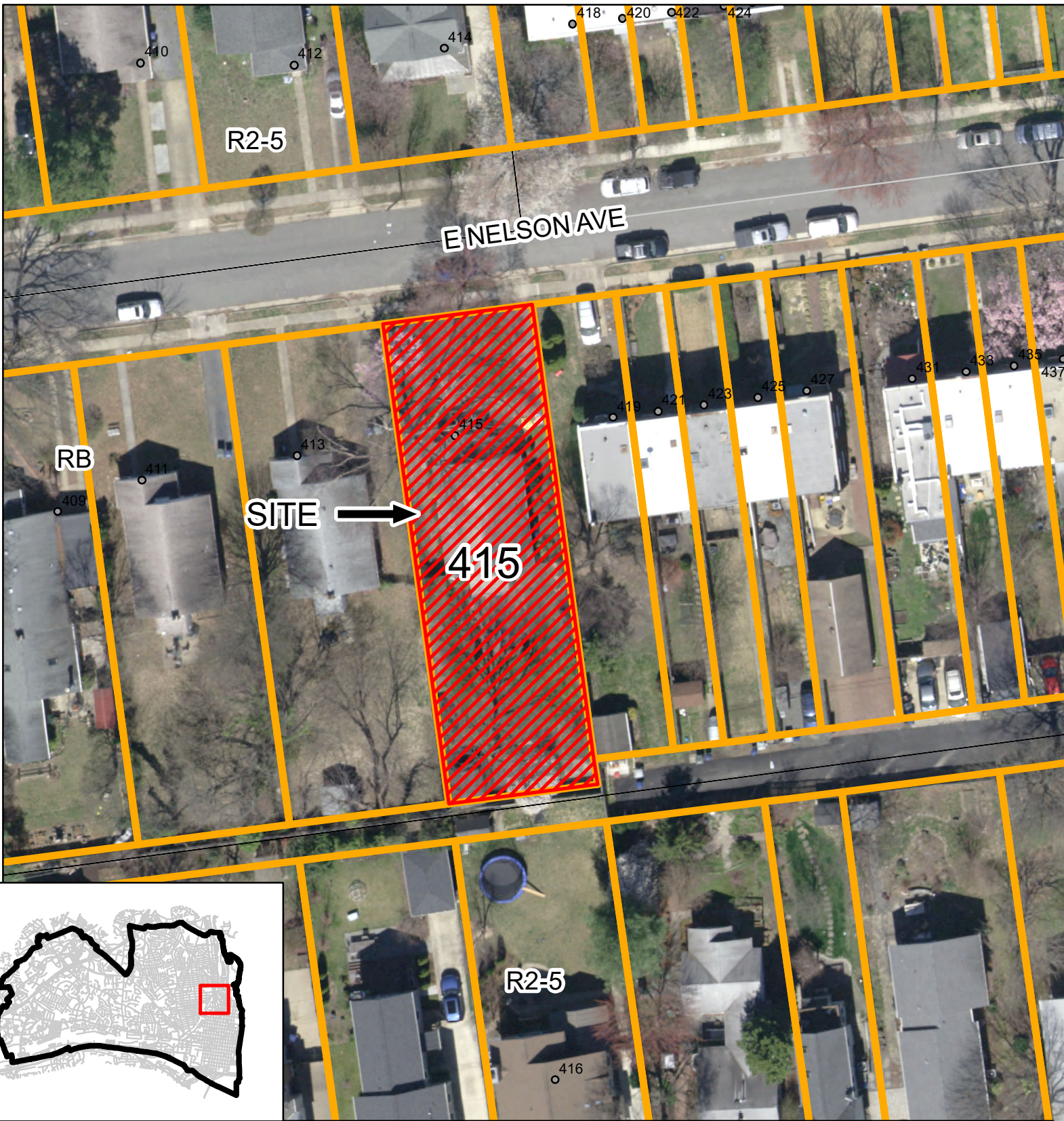
Vice Chair McMahon confirmed with staff that the subject property is zoned RB. She explained that the proposal was not enabled by the Zoning for Housing. Vice Chair McMahon spoke in support of the request explaining that it would be consistent with the neighborhood development pattern.

Speakers:

Vicky Garrett, 427 East Nelson Avenue, provided further background on the alley abutting her property and the subject property. She stated that the alley was dedicated to the City and that it's used for trash collection, to provide access for the fire department, and for residents to access off-street parking. Ms. Garrett was unopposed to the subdivision request but had concerns about the applicant or future owners using the alley for construction access.

David Detlef, 419 East Nelson Avenue, also provided further background on the alley and explained that it is largely unimproved.

Duncan Blair, attorney representing the applicant, explained that the subject property is platted as a City-owned alley but that it has not been improved by the City. Mr. Blair explained that his client would explore preserving the tree.



SUB#2024-00007
415 E Nelson Avenue



I. DISCUSSION

The applicant, Old Creek Homes, LLC, represented by Duncan Blair, attorney, requests approval to subdivide an existing lot at 415 East Nelson Avenue into two lots. Staff recommends approval of the subdivision request.

SITE DESCRIPTION

The subject property, featured in Figure 1, below, contains one rectangular lot of record, located at 415 East Nelson Avenue. The property has a lot size of 7,891 square feet, a lot width of 50 feet, and a lot frontage of 50 feet. Townhouse, two-unit, and single-unit dwellings surround the subject property. A single-unit dwelling currently occupies the subject property.



Figure 1 – Subject property (outlined in blue)

SUBDIVISION BACKGROUND

The subject property was created with a subdivision of the Edward Duncan property on May 4, 1935. At the time, East Nelson and Monroe Avenues were named Linden and Washington Avenues, respectively.

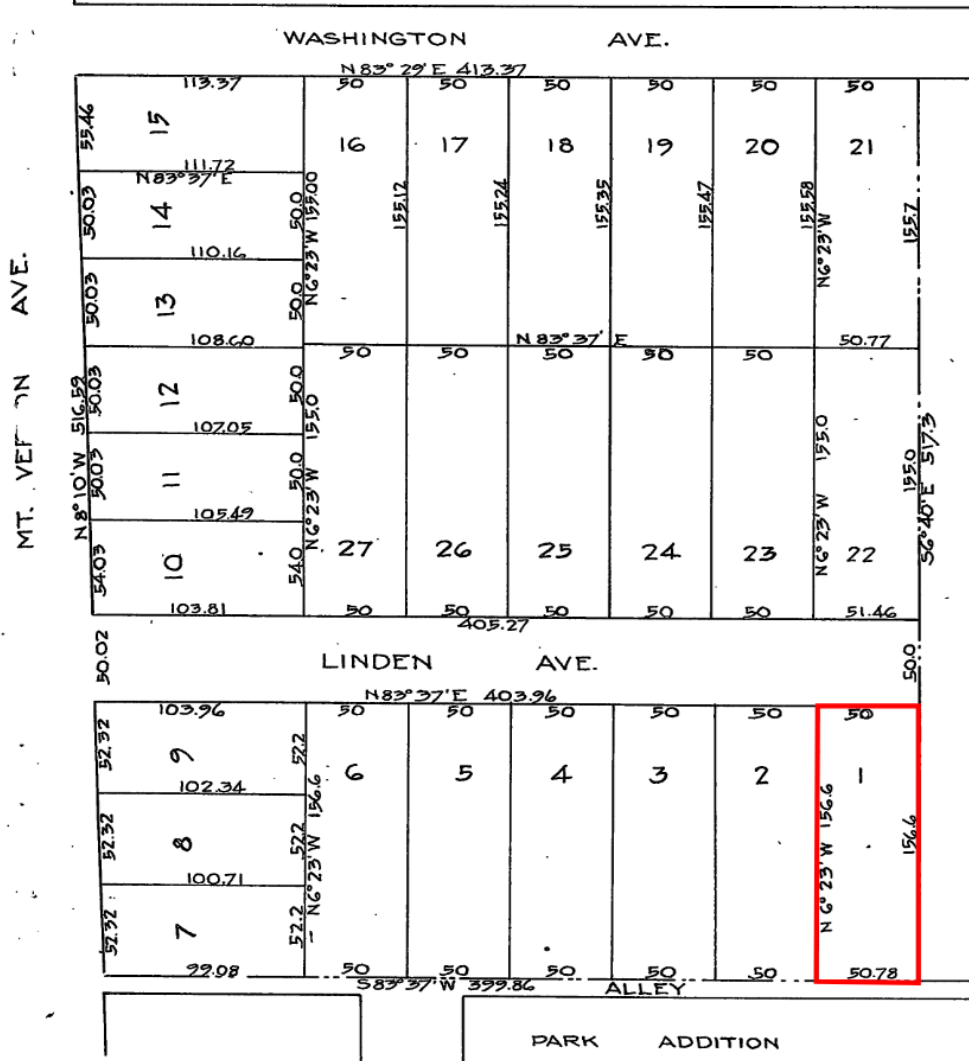


Figure 2 – Original 1935 Edward Duncan Subdivision (subject property in red)

Between 1950 and 1988, Planning Commission approved several re-subdivisions within the original subdivision area. Of note, lots 8, 9, and 20 were re-subdivided into smaller lots. The current configuration of all lots within the original subdivision area is shown in figure 3, below. The subject property remains in its original configuration.



Figure 3 – Original subdivision area (outlined in black, subject property outlined in red, re-subdivisions outlined in green)

PROPOSAL

The applicant requests approval to subdivide Existing Lot 1 into two lots. Each lot would be 25 feet wide and would provide 25 feet of frontage along East Nelson Avenue. Proposed Lot 501 would have a lot size of 3,976 square feet. Proposed Lot 502 would have a lot size of 3,915 square feet. Both lots would be rectangular in shape. The existing dwelling would be demolished. The existing and proposed lots are shown in Figures 4 and 5, below.

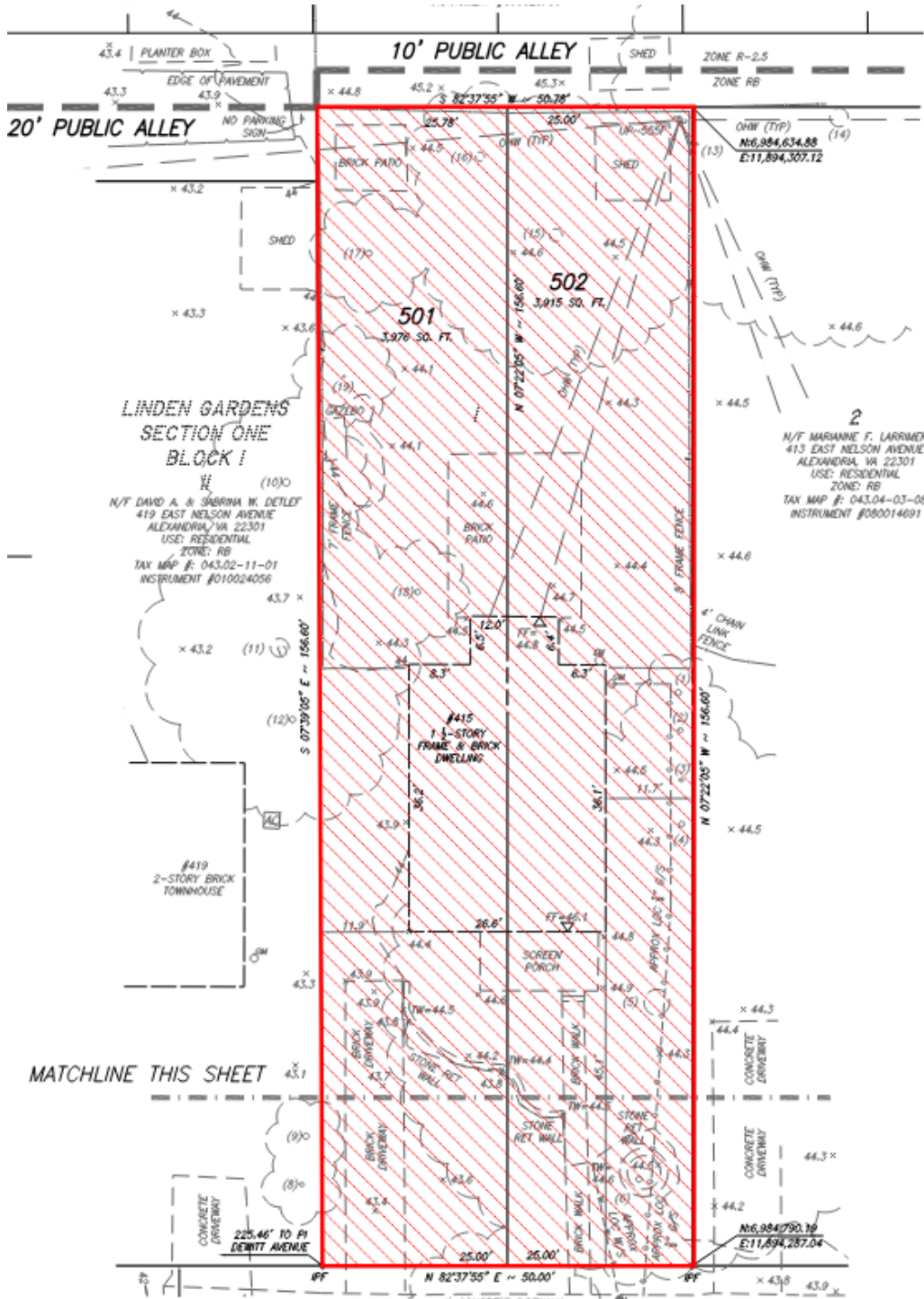


Figure 4 – Existing Lot 1

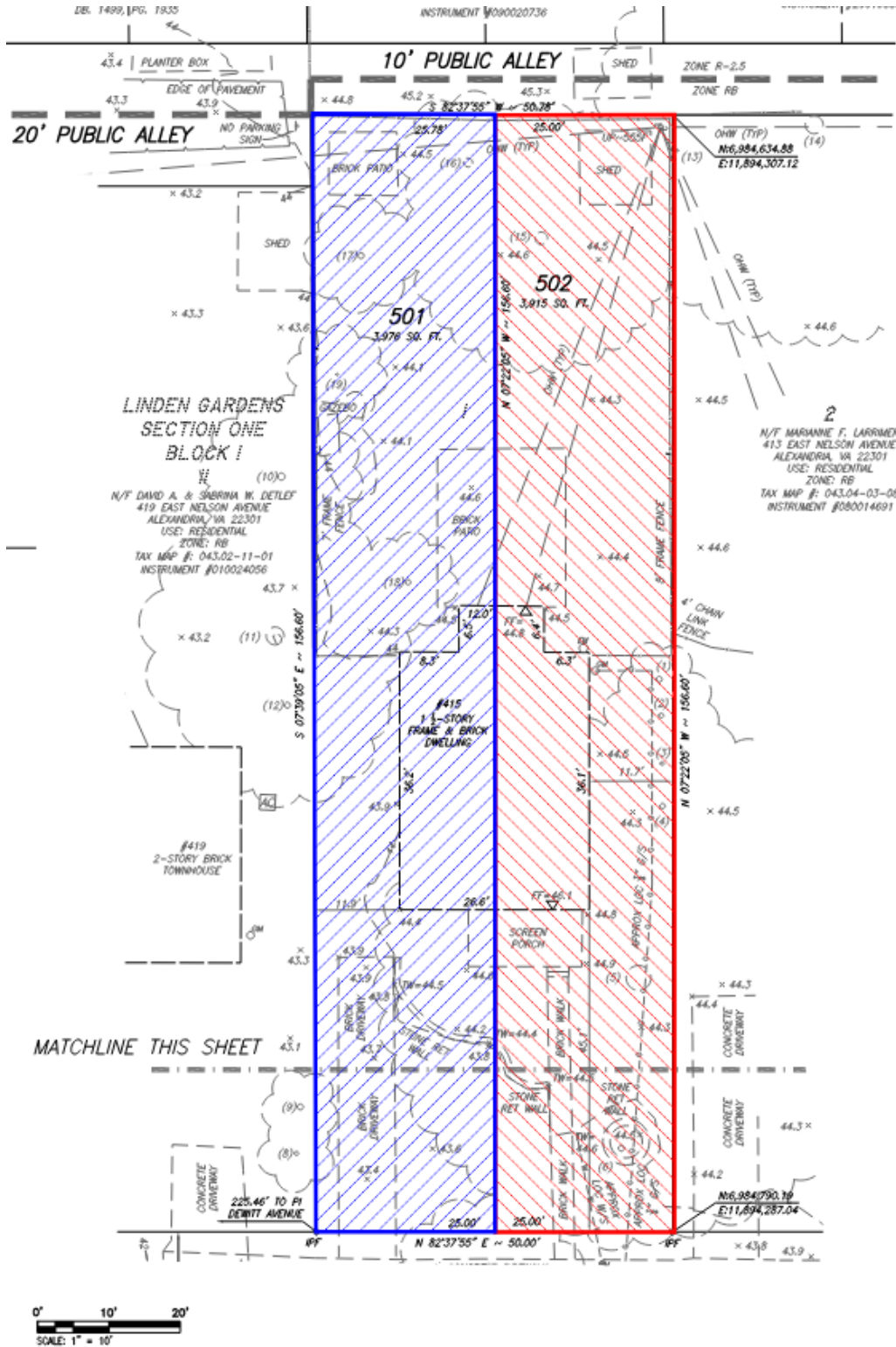


Figure 5 – Proposed Lots (Lot 501 in blue, Lot 502 in red)

ZONING/ MASTER PLAN DESIGNATION

The subject property is zoned RB/Townhouse and both proposed lots would comply with all lot

requirements for a two-unit semi-detached dwelling as shown in Table 1. Any future development would be required to comply with all applicable provisions of the Zoning Ordinance.

Table 1 – RB Zoning Requirements

	Required/Permitted	Existing	Proposed	
		Lot 1	Lot 501	Lot 502
Lot Size	1,980 Sq. Ft.	7,891 Sq. Ft.	3,976 Sq. Ft.	3,915 Sq. Ft.
Width	25 Ft.	50 Ft.	25 Ft.	25 Ft.
Frontage	25 Ft.	50 Ft.	25 Ft.	25 Ft.
Front Yard	20 Ft.	45.1 Ft.	Future development required to comply with all bulk and open space provisions.	
Side Yard (East)	8 Ft.; 1:3 ratio	11.9 Ft.		
Side Yard (West)	8 Ft.; 1:3 ratio	11.7 Ft.		
Rear Yard	8 Ft.; 1:1 ratio	68.7 Ft.		
Floor Area	0.75	~0.16		
Open Space	2,761 Sq. Ft. (35% of lot area)	~6,500 (~83%)		

The property is located within the Potomac West Small Area Plan Chapter of the Alexandria Master Plan, which designates the property for medium-density residential uses consistent with the RB zoning regulations. The proposed lots would comply with the Potomac West Small Area Plan as they would be suitable for medium-density residential uses and would comply with all RB zoning requirements.

II. STAFF ANALYSIS

Staff recommends approval of the applicant’s subdivision request. The proposal would create lots that comply with all RB zoning and subdivision requirements. The proposed lots would be substantially the same character as the lots in the Edward Duncan Subdivision and the adjacent Linden Gardens Subdivision in terms of lot shape, area, width, and frontage, as required by Section 11-1710(B). Staff analysis follows.

COMPLIANCE WITH SUBDIVISION REQUIREMENTS GENERALLY

Staff determined that proposed re-subdivision would meet all subdivision requirements established by [section 11-1710](#). Both lots would be suitable for residential uses and structures permitted by the RB zone except for single-unit dwellings. Given that the RB zone requires a minimum lot width of 50 feet for single-unit dwellings and the proposed lots would be 25-foot-wide, single-unit dwellings would not be permitted.

COMPLIANCE WITH SUBDIVISION CHARACTER REQUIREMENTS

Several lots within the original subdivision have been re-subdivided since 1935. These re-subdivisions created lots with smaller sizes, widths, and frontages than those of the original lots. These approvals allowed for these lots to be developed with two-unit and townhouse dwellings.

In particular, the re-subdivision of lot 20, shown in figure 6, below, almost directly mirrors the applicant's request. Lot 20 was also a "similarly situated lot" to the subject property in that it's rectangular, has a width of 50 feet, and is an interior lot.

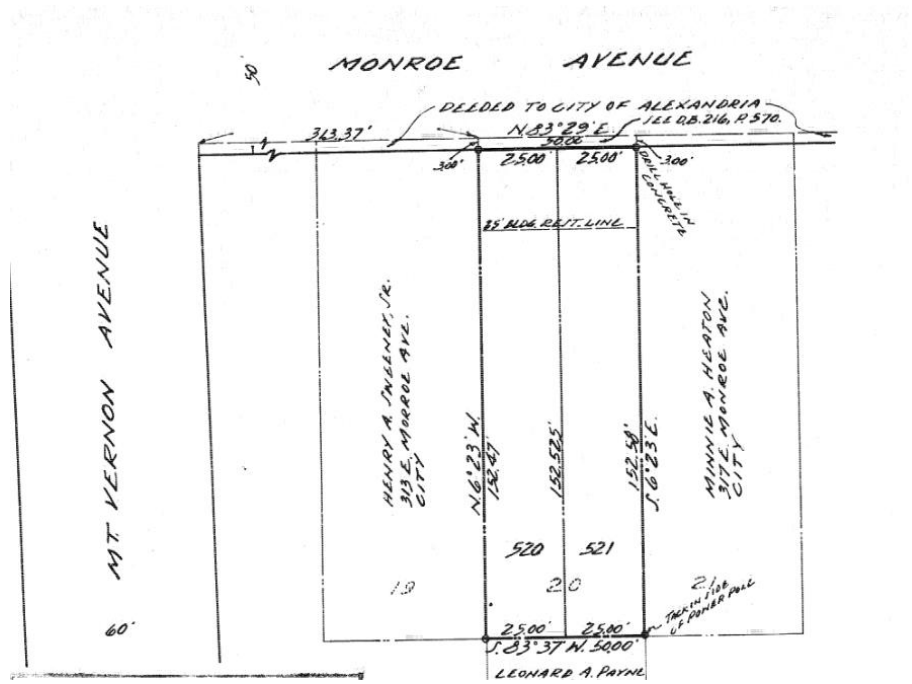


Figure 6 – Re-subdivision of lot 20

LOT ANALYSIS

Staff's lot analysis includes all lots within the boundaries of the original subdivision except the commercially-zoned properties along Mount Vernon Avenue. Table 2 below shows how the proposed lots compare to these lots in terms of width, frontage, and size.

Table 2 – Lot Analysis

Address	Width	Frontage	Area
Proposed Lot 501	25 Ft.	25 Ft.	3,976 Sq. Ft.
Proposed Lot 502	25 Ft.	25 Ft.	3,915 Sq. Ft.
1415 Mount Vernon Ave.	41.63 Ft.	41.63 Ft.	4,176 Sq. Ft.
401 E. Nelson Ave.	18 Ft.	18 Ft.	1,879 Sq. Ft.
403 E. Nelson Ave.	18 Ft.	18 Ft.	1,879 Sq. Ft.
403-A E. Nelson Ave.	26.33 Ft.	26.33 Ft.	2,749 Sq. Ft.
404 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
405 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.
406 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
407 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.
408 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
409 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.

410 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
411 E. Nelson Ave.	50 Ft.	50 Ft.	7,830 Sq. Ft.
412 E. Nelson Ave.	50 Ft.	50 Ft.	7,750 Sq. Ft.
413 E. Nelson Ave.	50 Ft.	50 Ft.	7,800 Sq. Ft.
414 E. Nelson Ave.	51.94 Ft.	51.94 Ft.	6,912 Sq. Ft.
309/311 E. Monroe Ave.	50 Ft.	50 Ft.	7,600 Sq. Ft.
313 E. Monroe Ave.	50 Ft.	50 Ft.	7,600 Sq. Ft.
315 E. Monroe Ave.	25 Ft.	25 Ft.	3,800 Sq. Ft.
315 ½ E. Monroe Ave.	25 Ft.	25 Ft.	3,800 Sq. Ft.
317 E. Monroe Ave.	50 Ft.	50 Ft.	8,707 Sq. Ft.

The proposed lots would have similar orientations and suitability for residential uses and structures as all other lots in the original subdivision. They would also have the same width and frontage as the properties located at 315 and 315 ½ East Monroe Avenue. These lots are the most similarly situated to the proposed lots. As such, the proposal would be substantially compatible with established neighborhood character as required by section 11-1710(B). Further, the proposed lots would comply with the RB zone requirements for a two-unit semi-detached dwelling. The RB zone’s minimum lot size and width requirements ensure that properties within the zone are suitable for medium-density residential uses as required by the Potomac West Small Area Plan Chapter of the City’s Master Plan.

NEIGHBORHOOD OUTREACH AND COMMENTS

Staff notified the Del Ray Citizens Association (DRCA) on July 15, 2024. DRCA confirmed receipt but has not provided comments.

III. CONCLUSION

In summary, the proposal would adhere to all subdivision requirements. Subject to the conditions contained in Section II of this report, staff recommends approval of the re-subdivision request.

IV. RECOMMENDED CONDITIONS

Staff recommends **approval** subject to compliance with all applicable codes, 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. **CONDITION AMENDED BY PLANNING COMMISSION:** The applicant shall covenant that the existing dwelling shall be demolished prior to: (a) City approval of any building permits to construct any new dwellings or structures on the subject property or (b) sale of the subdivided lots to individual owners. This covenant shall expire when the subdivided lots are consolidated or the existing dwelling is demolished. This covenant shall be included in the recorded deed of subdivision and the final subdivision plat. (PC) ~~The single unit dwelling currently occupying the subject property shall be demolished prior to final plat approval. (P&Z)~~

STAFF: Catie McDonald, Urban Planner
Tony LaColla, AICP, Division Chief, Land Use Services
Sam Shelby, Principal Planner

Staff Note: This plat will expire 18 months from the date of approval (December 5, 2022) unless recorded sooner.

V. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

R-1 Please include a new, unique subdivision name. “Lots 500 and 501- Bluestone Addition to Rosemont-being a subdivision of Lot 26.....” is a possibility and the example format to follow, with the exact (new) name largely up to the owner. (Survey)

Code Enforcement:

No comments.

Fire:

No comments.

Recreation, Parks & Cultural Activities:

No comments.

Police Department:

No comments received.

Archaeology:

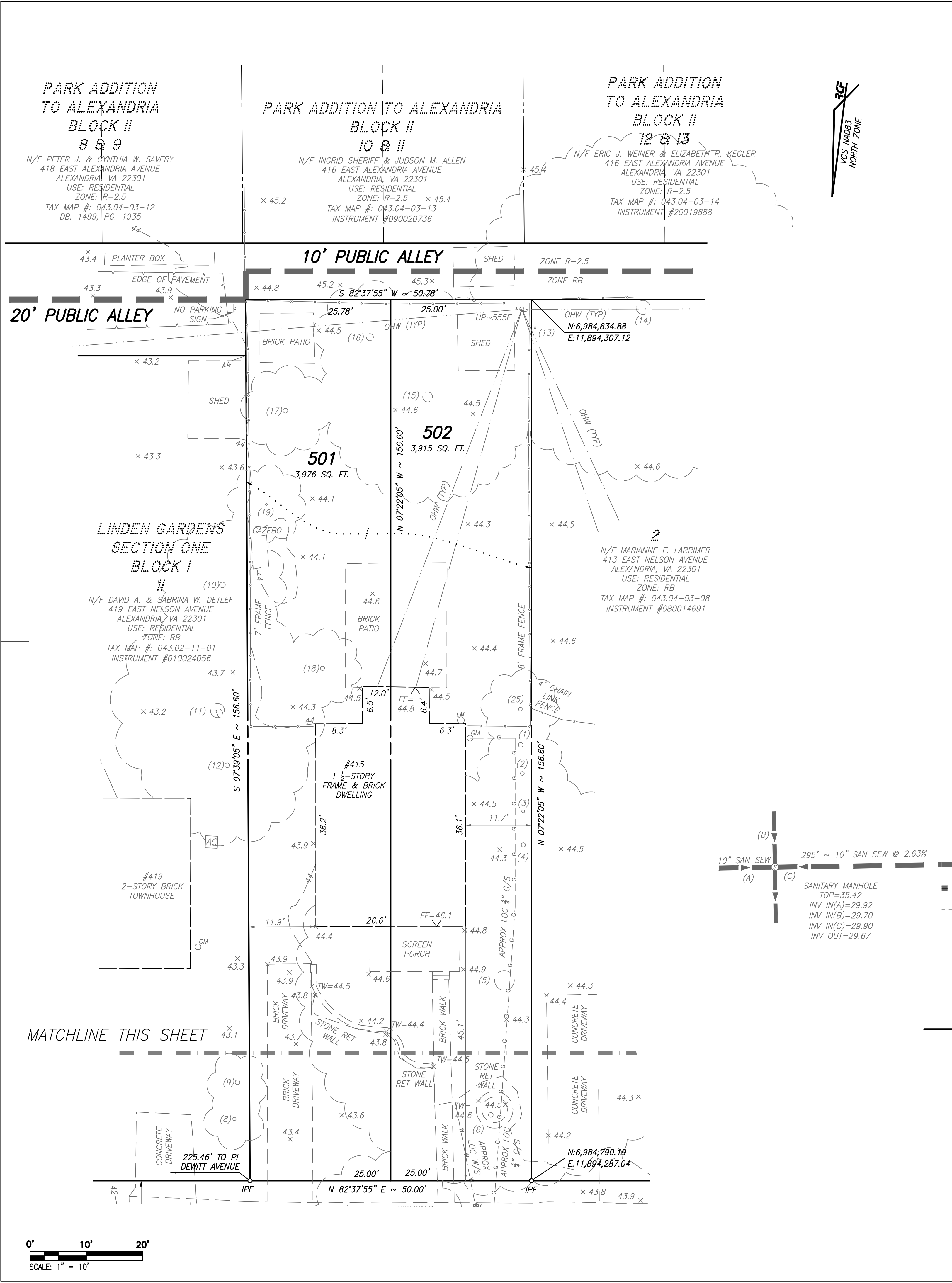
No comments.

Geographic Information Systems (GIS):

No comments.

Code Administration:

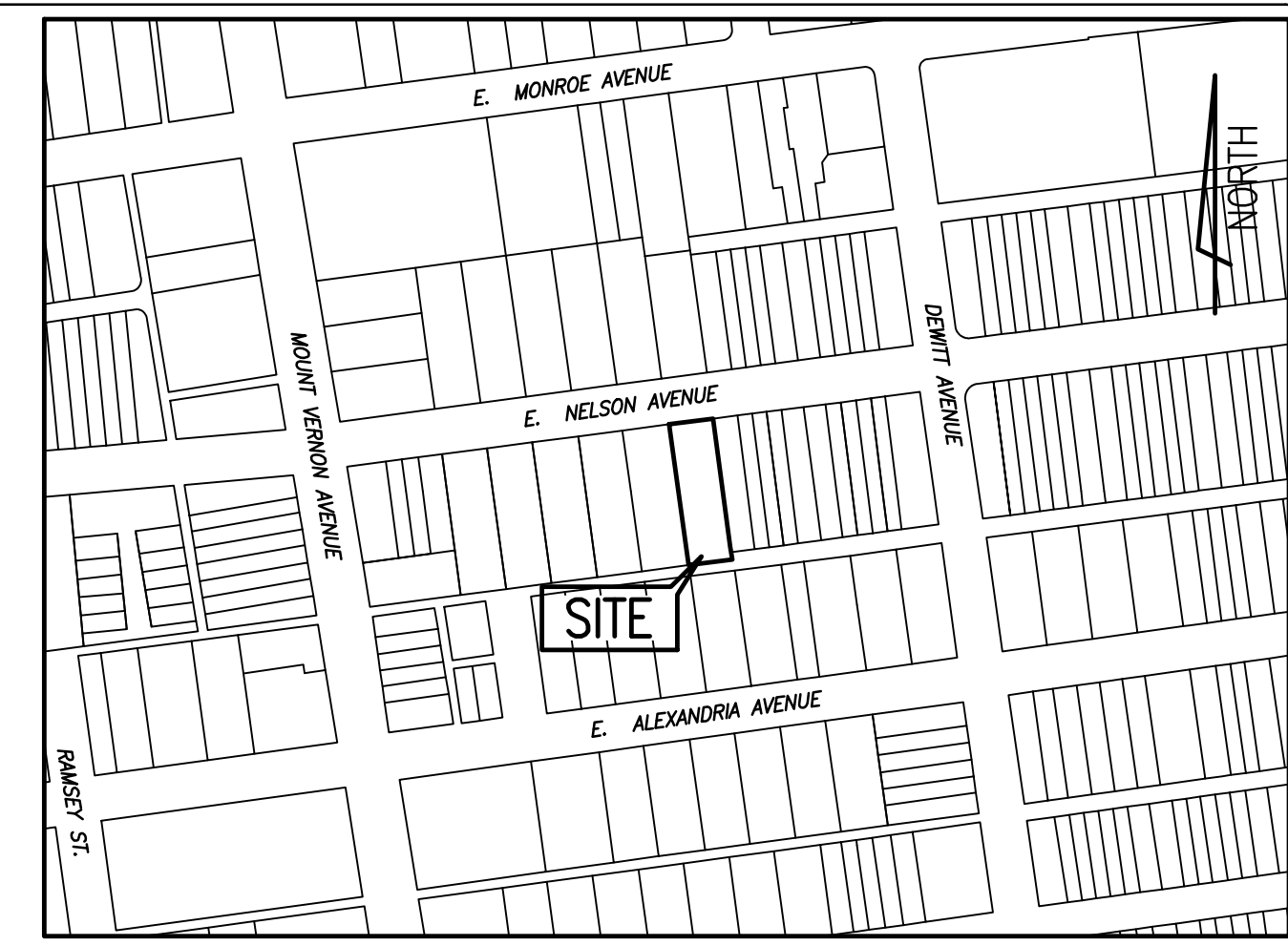
R-1 A building permit is required.



- GENERAL NOTES:**
- TAX ASSESSMENT MAP #043.04-03-09
 - ZONE: RB
 - OWNER/APPLICANT: OCH AT NELSON, LLC
2235 SOUTH WASHINGTON STREET, SUITE B30
ALEXANDRIA, VA. 22314
INSTRUMENT #240003794
 - SITE AREA = 7,891 SQ. FT. OR 0.1812 ACRES.
 - TOPOGRAPHIC SURVEY WAS RUN BY THIS FIRM. VERTICAL DATUM USED = NAVD '88, PER FIELD GPS DATA REFERENCED TO THE RTK NETWORK LEICA, SMARTNET.
 - THE PROPERTY SHOWN HEREON IS REFERENCED TO THE VIRGINIA COORDINATE SYSTEM OF 1983 (VCS 83), NORTH ZONE, US SURVEY FOOT UNITS AS COMPUTED FROM A FIELD RUN BOUNDARY AND HORIZONTAL CONTROL SURVEY THAT TIES THIS BOUNDARY TO THE RTK NETWORK OF LEICA SMARTNET.
 - PLAT SUBJECT TO RESTRICTIONS OF RECORD.
 - A TITLE REPORT WAS NOT FURNISHED, THUS ALL EASEMENTS MAY NOT BE SHOWN.
 - THESE LOTS SHALL UTILIZE THE PUBLIC SANITARY SEWER AND WATER ADJACENT TO THE PROPERTY.
 - THIS LOT IS IN ZONE X (UNSHADED) OF THE FEMA FLOOD INSURANCE RATE MAP #5155190033F.
 - THERE ARE NO KNOWN GRAVE SITES OR OBJECTS MARKING A PLACE OF BURIAL ON THIS SITE.
 - THIS SITE CONTAINS NO KNOWN CONTAMINATED SOILS, TOXIC OR HAZARDOUS MATERIALS, UNDERGROUND STORAGE TANKS OR AREAS WITH THE POTENTIAL TO GENERATE COMBUSTIBLE GASES AND IS NOT KNOWN TO BE WITHIN 1,000 FEET OF A FORMER SANITARY LANDFILL, DUMP OR DISPOSAL AREA.
 - STORMWATER MANAGEMENT AND RUNOFF FROM THIS PROPOSED LOT WILL BE PROVIDED TO THE SATISFACTION OF THE DIRECTOR OF TRANSPORTATION AND ENVIRONMENTAL SERVICES. THERE ARE NO CHANGES IN DRAINAGE PATTERNS PROPOSED WITH THIS PLAT.
 - THERE ARE NO FLOODPLAINS OR RESOURCE PROTECTION AREAS (RPA) LOCATED ON THIS PROPERTY.

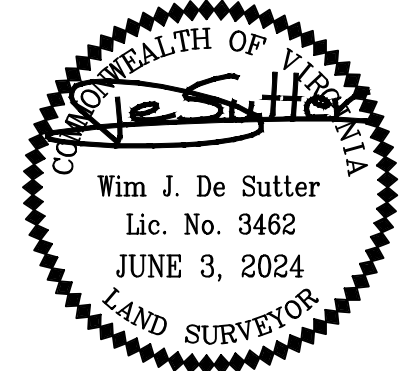
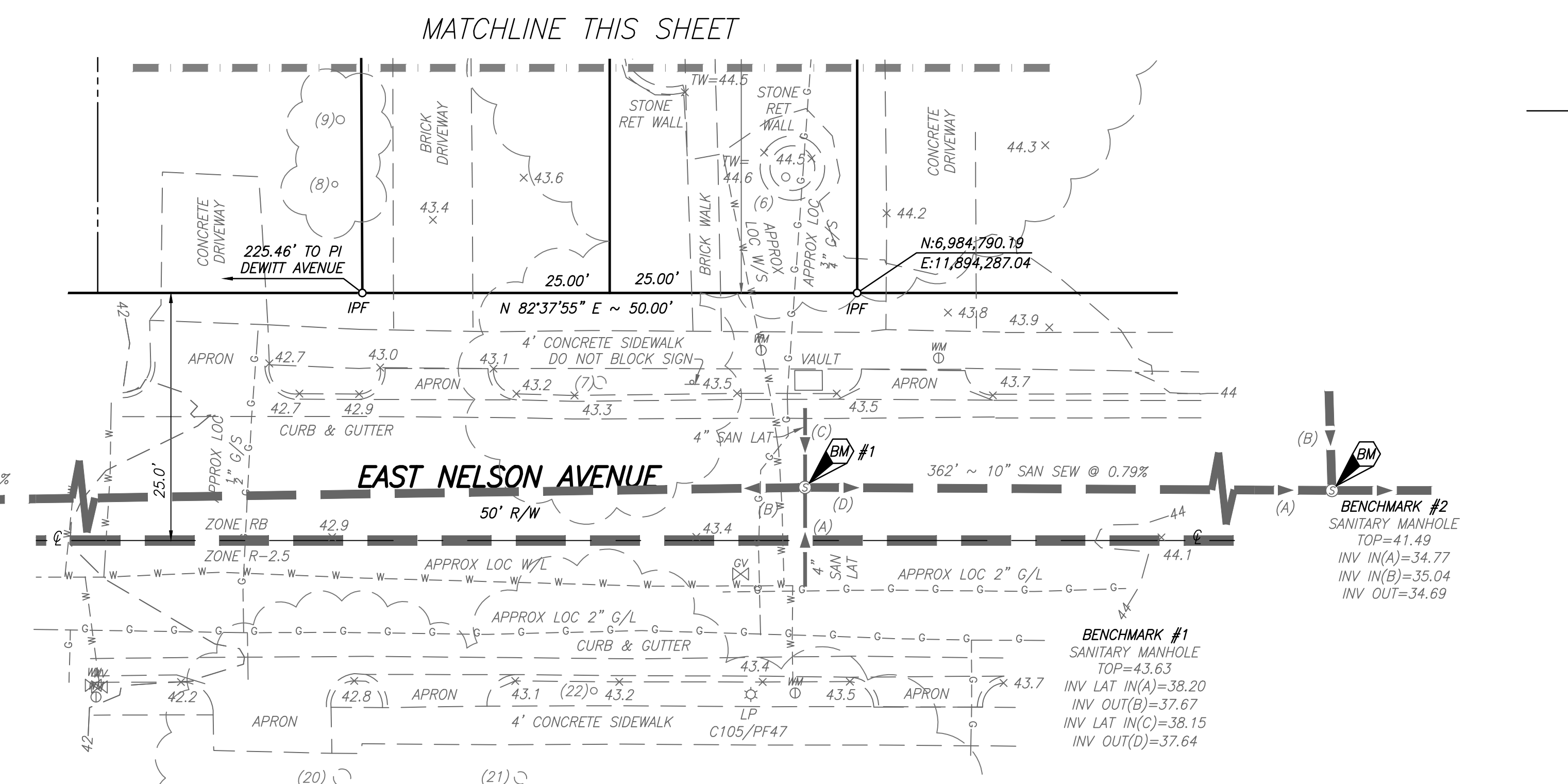
LOT TABULATION (ZONE RB)

TOTAL SITE AREA (LOT 1)	7,891 SQ. FT. OR 0.1812 ACRES
EXISTING NUMBER OF LOTS	2
PROPOSED NUMBER OF LOTS	2
MIN. LOT AREA REQUIRED	1,600 SQ. FT. OR 0.0367 ACRES
MIN. LOT AREA PROVIDED (LOT 501)	3,976 SQ. FT. OR 0.0913 ACRES
MIN. LOT AREA PROVIDED (LOT 502)	3,915 SQ. FT. OR 0.0899 ACRES
MINIMUM LOT WIDTH REQUIRED	25'
LOT WIDTH PROVIDED (LOT 501)	25.15'
LOT WIDTH PROVIDED (LOT 502)	25.00'
MINIMUM LOT FRONTAGE REQUIRED	25'
LOT FRONTAGE PROVIDED (LOT 501)	25.00'
LOT FRONTAGE PROVIDED (LOT 502)	25.00'



- TEXT LEGEND:**
- | | | |
|----------------------------|----------------------------|-----------------------|
| AC = AIR CONDITIONING UNIT | IPF = IRON PIPE FOUND | SEW = SEWER |
| APPROX = APPROXIMATE | LOC = LOCATION | SQ. FT. = SQUARE FEET |
| CL = CENTERLINE | LP = LIGHT POLE | TW = TOP OF WALL |
| EB = ELECTRICAL BOX | N/F = NOW OR FORMERLY | TYP = TYPICAL |
| FF = FINISH FLOOR | OHW = OVERHEAD WIRE | UP = UTILITY POLE |
| G/L = GAS LINE | PI = POINT OF INTERSECTION | W/L = WATER LINE |
| GM = GAS METER | RET = RETAINING | WM = WATER METER |
| G/S = GAS SERVICE | R/W = RIGHT-OF-WAY | R/S = WATER SERVICE |
| GV = GAS VALVE | SAN = SANITARY | WV = WATER VALVE |

- EX TREE TABLE:**
- | | | |
|-----------------|-------------------|----------------------|
| 1) 10" CRAPE | 9) 10" CEDAR | 17) 10" CREPE |
| 2) 8" CRAPE | 10) 12" MAGNOLIA | 18) 9" FIG |
| 3) 6" CRAPE | 11) 30" BIRCH | 19) 4" HIBISCUS |
| 4) 9" CRAPE | 12) 10" ELM | 20) 21" TREE |
| 5) 42" BIRCH | 13) 4" TREE | 21) 15" TREE CLUSTER |
| 6) 10" SWEETBAY | 14) 30" TREE TWIN | 22) 8" TREE |
| 7) 15" MAPLE | 15) 21" MAPLE | 23) 8" TREE CLUSTER |
| 8) 7" TREE | 16) 15" MAGNOLIA | 24) 18" TREE |



SURVEYOR'S CERTIFICATE
I, WIM DE SUTTER, HEREBY CERTIFY THAT I HAVE CAREFULLY SURVEYED THE PROPERTY DELINEATED BY THIS PLAT, AND THAT IT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT IT IS A SUBDIVISION OF THE LAND CONVEYED TO OSCH AT NELSON LLC, DATED MAY 2ND, 2024 AND RECORDED AMONG THE LAND RECORDS OF THE CITY OF ALEXANDRIA AT INSTRUMENT #240003794, AND IS WITHIN THOSE BOUNDARIES; AND THAT ALL REQUIRED MONUMENTS HAVE BEEN INSTALLED WHERE INDICATED EXCEPT THOSE THAT WILL BE INSTALLED AT A LATER DATE BUT BEFORE THE COMPLETION OF THE PROJECT. IRON PIPES MARKED THIS ○ WILL BE SET AS INDICATED. GIVEN UNDER MY HAND THIS 3RD DAY OF JUNE, 2024.

RC FIELDS & ASSOCIATES, INC.
ENGINEERING • LAND SURVEYING • PLANNING
700 S. Washington Street, Suite 220
Alexandria, Virginia 22314
(703) 549-6422
www.rcfields.com

PRELIMINARY SUBDIVISION PLAT
SHOWING LOTS 501 & 502, RESUBDIVISION OF LOT 1
PART OF THE PROPERTY OF
EDWARD DUNCAN
DEED BOOK 121, PAGE 259
(415 EAST NELSON AVENUE)
CITY OF ALEXANDRIA, VIRGINIA

DATE	REVISION

DRAWN: KKH
SCALE: 1" = 10'
DATE: 06/03/2024

PRELIMINARY SUBDIVISION PLAT

SHEET 1 OF 1
FILE: 24-082

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Tue Jun 25 2024 - 3:28:38pm



APPLICATION

SUBDIVISION OF PROPERTY

TBD	Filing Fee
6 27 24	Filing Deadline
9 5 24	Planning Commission Hearing

REQUIREMENTS FOR MAILING NOTICES:

Applicants must send written notice to all abutting property owners. See detailed instructions on "Notice Requirements."

Mail certified or registered notice of hearings between 8 15 and 8 26 2024.

Return notice materials to Department of Planning & Zoning by 8 26 2024.

WAIVER REQUIRED FOR EARLY SUBMISSIONS:

For any subdivision application submitted 45 days or more prior to the hearing date, the applicant must sign a "Waiver of Right to Automatic Approval" or wait to file the application after the 45-day time limit.



APPLICATION

SUBDIVISION OF PROPERTY

SUB # _____

PROPERTY LOCATION: 415 E. Nelson Avenue, Alexandria, Virginia

TAX MAP REFERENCE: 43.04 03 09 **ZONE:** RB

APPLICANT: OCH at Nelson LLC, a Virginia limited liability company.
Name: _____

Address: 228 S. Washington Street, Ste B30, Alexandria, Virginia 22314.

PROPERTY OWNER: OCH at Nelson LLC, a Virginia limited liability company.
Name: _____

Address: 228 S. Washington Street, Ste B30, Alexandria, Virginia 22314.

SUBDIVISION DESCRIPTION Resubdivision of the existing RB compliant lot into two new RB complaint lots.
The new lots are substantially of the same character as to suitability for residential use and structures, lot areas, orientation, street frontage and alignment to streets of lots in the original subdivision.

THE UNDERSIGNED, hereby applies for Subdivision in accordance with the provisions of Section 11-1700 of the 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 staff and Commission Members to visit, inspect, and photograph the building premises, land etc., connected with the application.

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, also attests that all of the information herein provided and specifically including all surveys, drawings, etc., required of the applicant are true, correct and accurate to the best of his/her knowledge and belief.

Duncan W. Blair, Attorney-Agent

Print Name of Applicant or Agent
524 King Street

Mailing/Street Address
Alexandria, Virginia 22314

City and State Zip Code

Signature
703 836 1000 703 549 3335

Telephone # Fax #
dblair@landcarroll.com

Email address
6 14 2024

Date

ALL APPLICANTS MUST COMPLETE THIS FORM.

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 three percent.

OCH at Nelson LLC is a Virginia limited liability company. The sole member

and manage if the limited liability company is Old Creek Homes LLC, a Virginia limited liability Company. Matt Gray is the sole member of Old Creek Homes LLC. 228 S.

Washington Street, Ste B30, Alexandria, Virginia 22314 is the mailing address for the limited liability companies and Matt Gray.

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.

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. 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 three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. OCH at Nelson, LLC	228 S. Washington Street, Ste B30 Alexandria, Virginia 22314	100%
2. Old Creek Homes LLC	228 S. Washington Street, Ste B30 Alexandria, Virginia 22314	100% of OCH at Nelson LLC
3. Matt Gray	228 S. Washington Street, Ste B30 Alexandria, Virginia 22314	100% of Old Creek Homes

2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 115 East Nelson Ave., Alexandria, Virginia 22314 (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.

Name	Address	Percent of Ownership
1. OCH at Nelson, LLC	228 S. Washington Street, Ste B30 Alexandria, Virginia 22314	100%
2. Old Creek Homes LLC	228 S. Washington Street, Ste B30 Alexandria, Virginia 22314	100% of 115 a Nelson LLC
3. Matt Gray	228 S. Washington Street, Ste B30 Alexandria, Virginia 22314	100% of Old Creek Homes LLC


3. Business or Financial Relationships. Each person or entity indicated above in sections 1 and 2, with an ownership interest in the applicant or in the subject property are require to disclose any business or financial relationship, as defined by [Section 11-350 of the Zoning Ordinance](#), existing at the time of this application, or within the 12-month period prior to the submission of this application with any member of the Alexandria City Council, Planning Commission, Board of Zoning Appeals or either Boards of Architectural Review. **All fields must be filled out completely. Do not leave blank. (If there are no relationships please indicated each person or entity and "None" in the corresponding fields).**

For a list of current council, commission and board members, as well as the definition of business and financial relationship, [click here](#).

Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)
1. OCH at Nelson, LLC	NONE	
2. Old Creek Homes LLC	NONE	
3. Matt Gray	NONE	

NOTE: Business or financial relationships of the type described in Sec. 11-350 that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings.

As the applicant or the applicant's authorized agent, I hereby attest to the best of my ability that the information provided above is true and correct.

6 14 24	Duncan W. Blair, Attorney Agent	
Date	Printed Name	Signature

WAIVER OF RIGHT TO AUTOMATIC APPROVAL

**SUBMITTED TO
THE DEPARTMENT OF PLANNING & ZONING
CITY OF ALEXANDRIA, VIRGINIA**

PROJECT NAME: 115 E. Nelson Ave.

PROJECT ADDRESS: 115 E. Nelson Ave., Alexandria, Virginia

DESCRIPTION OF REQUEST:
Resubdivision of the existing RB compliant lot into two new RB compliant lots.

THE UNDERSIGNED, hereby waives the right to the 45 day automatic approval provision of Section 11-1708 (B)(2) of the Zoning Ordinance of the City of Alexandria, Virginia, for the application stated above. This waiver is limited to the number of days between the filing date deadline of 2/27/24 and the hearing date of 9/5, 2024 in excess of 45 days.

Date: 6/14/2024

Applicant

Agent

Signature: 

Duncan W. Blair

Printed Name: _____



2024 City of Alexandria Business License

Finance Department, Revenue Administration Division, City of Alexandria
301 King Street, Room 1700, Alexandria, VA 22314
Phone: 703.746.4800 <http://www.alexandriava.gov/>

License Number: 110827-2024
Account Number: 110827
Tax Period: 2024
Business Name: Land, Carroll & Blair PC
Trade Name: Land, Carroll & Blair PC
Business Location: 524 KING ST
Alexandria, VA 22314

LAND, CARROLL & BLAIR PC
524 KING ST
Alexandria, VA 22314-3104

License Classification(s):

Professional Occupations/Businesses
9-071-007
Attorney-At-Law

January 23, 2024

Dear Taxpayer:

This is your 2024 City of Alexandria Business License. The bottom portion of this page is perforated to allow you to tear off and post the business license in your establishment.

If you paid for your business license via check, please be aware that if your check is not honored by your financial institution, this business license shall be invalid.

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City of Alexandria Business License

Revenue Administration Division, City of Alexandria, 301 King Street, Room 1700, Alexandria, VA 22314



License Number: 110827-2024
Account Number: 110827
Tax Period: 2024
Business Name: Land, Carroll & Blair PC
Trade Name: Land, Carroll & Blair PC
Business Location: 524 KING ST
Alexandria, VA 22314

This license has been issued by the Revenue Administration Division of the City of Alexandria and is granted to:

Land, Carroll & Blair PC
524 KING ST
Alexandria, VA 22314

License Classification(s): Professional Occupations/Businesses
9-071-007
Attorney-At-Law

From: [Sarah Haut](#)
To: [PlanComm](#)
Subject: [EXTERNAL]Planning Commission. - SUP application 2024-00007
Date: Thursday, August 29, 2024 6:16:28 PM

Planning Commisioners,

I am writing to request that you deny the subdivision request at 415 E Nelson Avenue. I also ask that you pull this from the consent calendar to give neighbors the opportunity to weigh in. I am disheartened to see another sweet house torn down in the name of zoning for housing. The point of zoning for housing was to increase the stock of affordable housing. With a sale price of \$935,000, this home will be demolished and two semi-detached units will be constructed in its place. There is no doubt that the asking price for each will be in excess of \$1 million in order to ensure maximum profit for the developer. Obviously, this is not affordable.

There is a lovely tree on the property that will likely be cut down in order to allow maximum use of the land. I also wonder how or if they will provide off street parking. Nelson Ave is an area that has a high demand for on street parking. Adding another house will make this worse.

Please deny this request.

Thank you,

Sarah Haut

From: [Vmail account](#)
To: [PlanComm](#); CouncilComment@alexandriava.gov
Subject: [EXTERNAL]OCH at Nelson, LLC Subdivision #2024-0007 - 415 E. Nelson Avenue
Date: Monday, September 2, 2024 7:56:42 PM

t

As a neighboring homeowner, we are writing to express our thoughts on the request for subdivision of the property at 415 E. Nelson Avenue.

We do not have any issue with the property being subdivided and a duplex built where there is currently a single family house, if it is being built as in the documents filed which shows front off street parking driveways for each house, which appear to accommodate two vehicles.

We do however, want to speak to the notice that was posted in the rear alley behind our houses, the row houses of the block beside this property. We have lived at our home, 427 E. Nelson, for 47 years. The alley in back of these two rows of houses dead ends at the side of the rear yard of 415, the property in question. There has always been a fence at the back of that yard which prohibited any access from the alley to the single family homes. Their trash pickup has always been at the curb on E. Nelson. This alley was dedicated by the owners of the row houses to the City for trash removal and fire and emergency use and access for the homeowners to park in the rear of our houses, which is currently 14 parking places. The City installed NO PARKING IN ALLEY SIGNS many years ago. The alley, over time, deteriorated and it took many years of us calling the City to have it repaired. Finally, we got it replaced and do not want it destroyed by heavy equipment or trucks which have full access to the property from the front on East Nelson.

My point in this is to have a stipulation on this building permit that the alley will not be used as access to this property or for construction workers during the new building process, but that the alley will remain in tact as it is now.

With the opening of new restaurants on Mt. Vernon Avenue at E. Nelson, street parking almost does not exist for homeowners some days, so the alley is very important for us.

To add to this, we had a kitchen fire some 30 years ago and the fire department had to get to us from the alley. Our trash is picked up weekly from the alley.

We very much respect owners' rights and have no problem with them changing their property as long as it does not interfere with us or our neighbors rights to use and enjoy our property.

Respectfully submitted,
William & Vicky Garrett
427 East Nelson Avenue
Alexandria, VA 22301

From: [Dave Hellman](#)
To: [PlanComm](#)
Subject: [EXTERNAL]Writing In Support of Subdivision of Lot at 415 E. Nelson Ave
Date: Tuesday, September 3, 2024 5:22:52 PM

Dear Alexandria Planning Commission,

We are writing in support of proposed subdivision #2024-00007. We live four houses away from the property at 407 E. Nelson Ave and have a vested interest in its future.

We have lived off and on in Del Ray since 1982, and most recently, we have been homeowners at 407 E. Nelson since 2011. Over the last forty-plus years, we have seen a lot of change in Del Ray. Most would argue that these changes are for the better. Our community is as vibrant, healthy, and safe as it has ever been.

However, one exception to this trend of positive change is the loss of cultural and economic diversity. Del Ray has become too expensive and gentrified. The city recognizes this issue, which is a driving force behind the Zoning for Housing initiative.

Subdividing the lot at 415 E. Nelson Ave is a small step toward increasing the inventory of homes in our community. Based on basic economic principles, this should make home ownership more attainable for more people.

We understand that some may worry about how changes like this proposal could alter the character of the immediate neighborhood. However, we see more benefits than downsides. The property in question is already adjacent to a series of multifamily row houses, so subdividing this lot will not significantly change the neighborhood's character. Furthermore, if approving this proposal means enriching the diversity of the street, that is a change we fully embrace.

In closing, we reiterate our support for the subdivision of this property and urge the Planning Commission to approve it.

Respectfully,
Mr. and Mrs. David Hellman

407 E. Nelson Ave.
Alexandria, VA 22301

PlanComm

From:
Sent: Thursday, September 5, 2024 4:32 PM
To: PlanComm; CouncilComment@alexandriava.gov
Subject: [EXTERNAL]Public Hearing and consideration of a request for a Subdivision to re-subdivide an existing lot into two lots; Zoned: RB at 415 E Nelson Ave by applicant OCH at Nelson LLC.

September 5, 2024

To: Alexandria Planning Commission and Alexandria City Council

Re: Public Hearing and consideration of a request for a Subdivision to re-subdivide an existing lot into two lots; Zoned: RB at 415 E Nelson Ave by applicant OCH at Nelson LLC.

I am resident, owner, and taxpayer since 1995 of the single-family home at 409 E Nelson Ave. I object to this request on the following grounds:

1. The city is being sued by a group of citizens over the changes that would be wrought by the "Zoning for Housing" effort passed in 2023. In August 2024, that lawsuit was cleared to proceed and has yet been heard, let alone decided. The planning commission should wait until a judgement is made in that case before allowing ANY increased density on ANY lots that hold single-family homes (SFH), as 415 E. Nelson Ave. has since the mid-1930s when that SFH (and all others on the block) were built.

2. While the odd-numbered street-address side of the 400 block of E. Nelson Ave. is zoned RB, which allows SFHs and up to "two-unit dwellings" per the city's zoning documentation, the even-numbered side of the same block holds the exact same number of SFUs, exactly opposite the street from those on the odd-numbered side, yet that side is zoned R2-5. **Why is the odd-numbered side of the block zoned RB while the even-numbered side containing the same number of SFHs directly opposite those on the even-numbered side is zoned R2-5?** This is reflected on the city's zoning map and seems to either be an oversight made in years past (unlikely, as the SFHs on the block have been here for 90 years) or (most likely) an amendment made at the request of some developer in the 1980s to allow the demolition of a SFH that existed at 401 E. Nelson Ave. to make way for the construction of four townhouses that were built on that lot then. **Which is it?**

3. Regarding the disingenuous "Zoning for Housing/Housing for All" effort, frankly, I'm still stunned such a myopic and misguided proposal passed.

a. Has anyone in city government considered that the changes this would bring to established desirable neighborhoods like Del Ray will irrevocably change the tenor that makes these places desirable in the first place? The 415 E. Nelson Ave. lot is perfectly landscaped, with a huge mature birch tree and a tulip magnolia in the front yard. These are landmarks on the block, and they will be removed (and this entire lot entirely denuded) by the developer seeking this change. **If such aesthetic changes aren't being considered by the planning commission or city council, then those bodies are derelict in their duty to existing, longtime tax-paying homeowners. What exactly is the city's responsibility to us?**

b. My husband and I bought in Del Ray in 1996 because we could afford to buy here. We spent years of effort and money improving our home, this block, and Del Ray itself. Certainly, we have been amply rewarded, aesthetically by living in a great neighborhood (that often was called "sketchy" when we bought) and financially by seeing the increased value of our home. Now, 30 years later, "everyone" wishes they could live in Del Ray (or Old Town or Beverly Hills, etc.). **But just because someone wants something doesn't mean they can have it.** I'd love to live in in Kalorama or Georgetown or even many parts of Old Town for that matter, but I can't afford to and certainly wouldn't suggest that others

should suffer such drastic changes for the sake of perhaps/maybe/not really making anything "more affordable" in this city to satisfy my selfishness. **A letter-writer to the Washington Post in August said it better than I can: "I can't imagine living in a neighborhood that I loved...maybe spent decades in...invested all of my income into my home...and then being told that the City has decided there will be an apartment building next door. How perfectly awful."** There are other neighborhoods in the city that are affordable now and would benefit greatly by people buying and investing in them, as we did in Del Ray over the past 30 years. I don't expect selfish people desperate to live in a "cool" neighborhood to consider that, but I do expect the city to. **Does it?**

c. "Affordability" is thrown around like it's a fait accompli that this zoning change will provide. However, anyone with any knowledge knows that developers don't build tenements--they build as big and "luxury" as they can so they can charge as much as they can, and they alone will benefit from this zoning change. **What is the city's regulatory framework that will ensure that whatever developers build on lots that succumb to this zoning change actually will be "affordable"?**

d. And a final thought on "affordability": The underlying belief of this zoning change is that more units will make housing cheaper in the city. **On the flip side, is the city's true aim to lower the value of my SFH?**

I am a city resident and taxpayer for over 30 years, and I expect a response to questions I've posed herein.

Thank you.

Pete Lundgren
Stan Bondurant
409 E. Nelson Ave
Del Ray

PlanComm

From: Eric Weiner <ejw77@me.com>
Sent: Thursday, September 5, 2024 9:23 PM
To: PlanComm; Lanning J Blaser
Subject: [EXTERNAL]Subdivision: #2024-00007 Hearing to consider request to re-subdivide existing lot into two lots; zoned RB.

Follow Up Flag: Follow up
Flag Status: Flagged

Dear planning commission members,

Subdivision of the existing lot into two lots may add one more house to the area but it will not make the neighborhood a nicer place to live.

Increasing housing density in Del Ray is going to destroy what makes this neighborhood special = More does not = better.

The area behind 415 E Nelson Ave is adjacent to our back yard and it is prone to persistent flooding. Any development MUST be required to divert rain and gutter water into the sewer system on Nelson Ave and not into the back yard.

Where can we find details of the planned construction?

Eric Weiner & Leah Kegler

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