

Duncan Blair

13
1-24-15



January 23, 2015

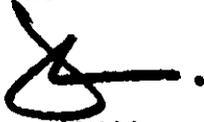
Mr. Duncan Wardman Blair, Esquire
Land, Carroll, & Blair, PC
524 King Street
Alexandria, Virginia 22314

**Re: Properties located at
#200 & 212 Lloyds Lane
Alexandria, VA 22314**

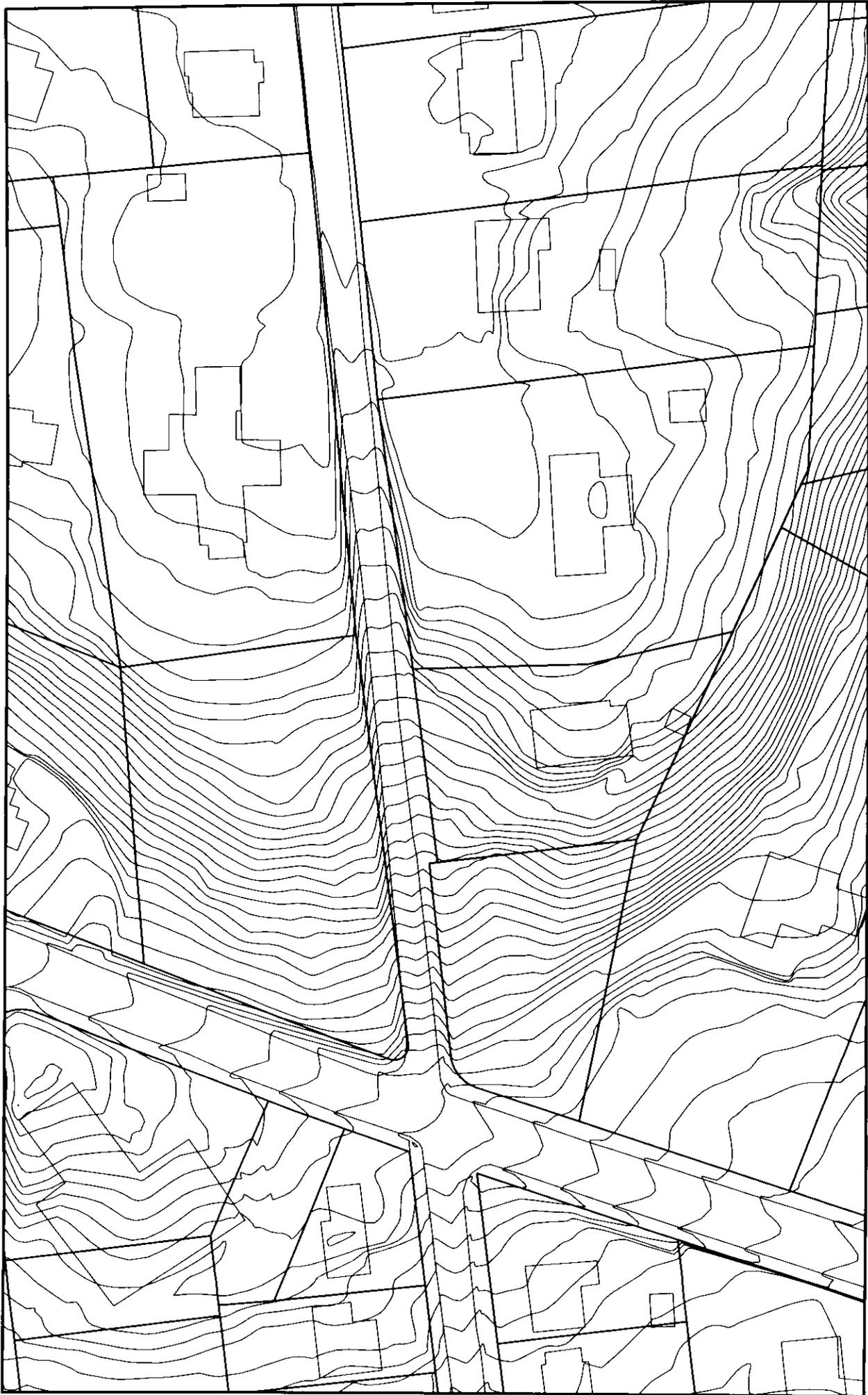
Dear Mr. Blair:

This letter is in reference to the viability of dwelling construction on the above reference properties due to the presence of "hilly slopes". It is the opinion of this firm that through proper engineering techniques that two (2) additional homes can be appropriately and responsibly built without threat or detriment to the surrounding properties/community, soil instability, excessive tree removal, or harm to the overall public welfare. We believe these homes can exist on these parcels and contribute to the overall community in many positive ways.

Respectfully,
R.C. FIELDS & ASSOCIATES, INC.



Paul Wilder
Principal

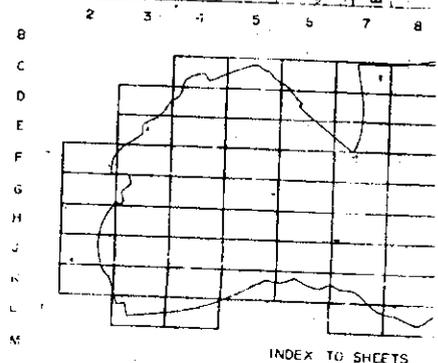




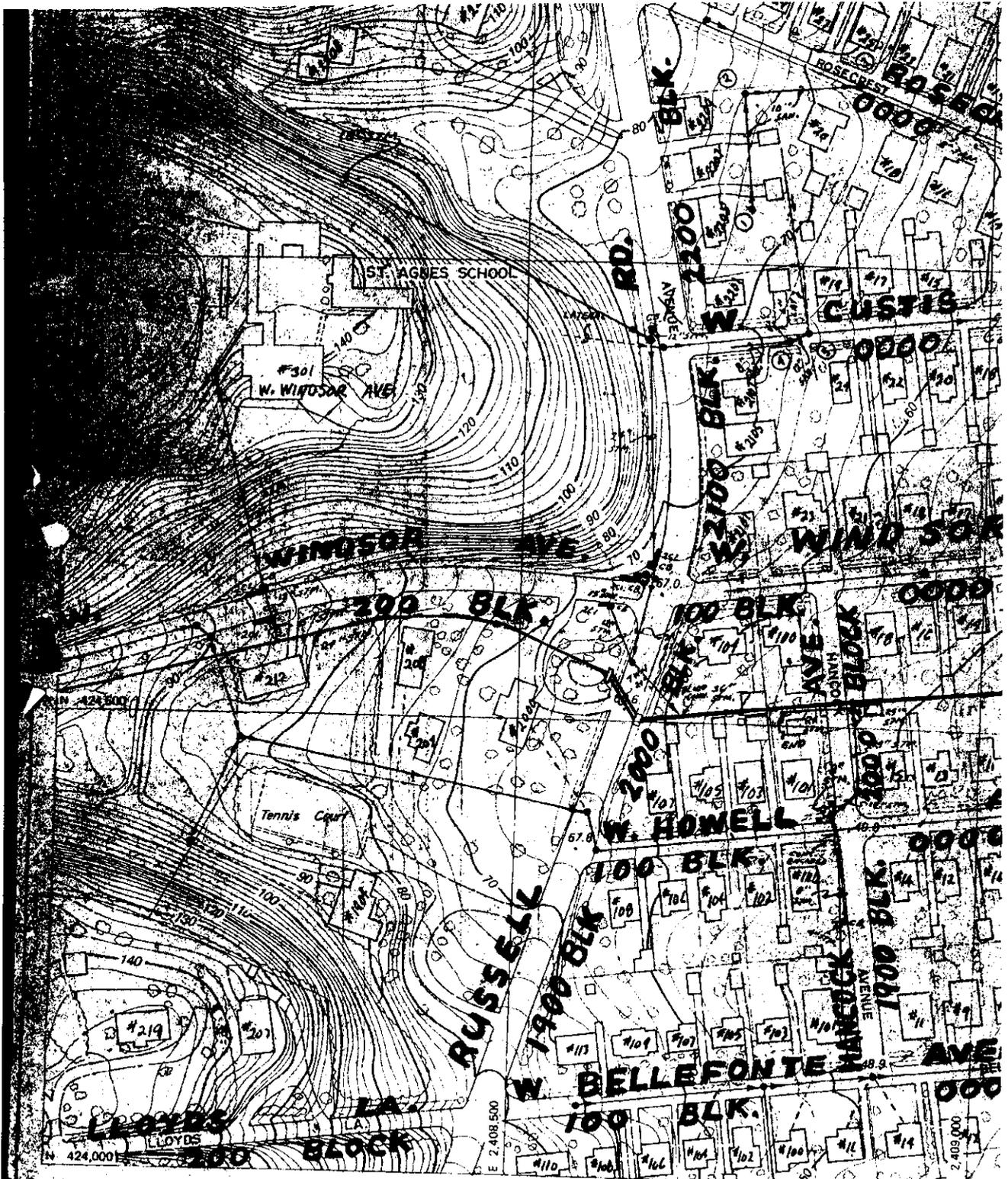
PREPARED BY
PHOTO SCIENCE, INC.
 MONTGOMERY COUNTY AIRPARK, GAITHERSBURG, MD.

UTILIZING STEREOPHOTOGRAMMETRIC METHODS
 FROM PHOTOGRAPHY DATED MARCH 2, 1973

HORIZONTAL DATUM TAKEN FROM
 VIRGINIA STATE PLANE COORDINATE SYSTEM
 VERTICAL DATUM IS MEAN SEA LEVEL OF 1929



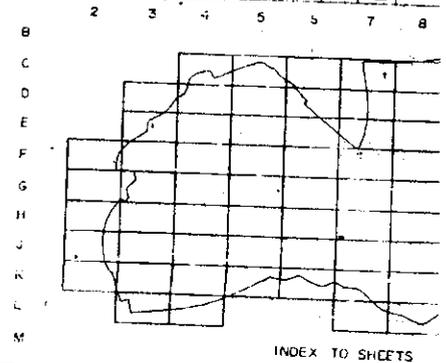
INDEX TO SHEETS



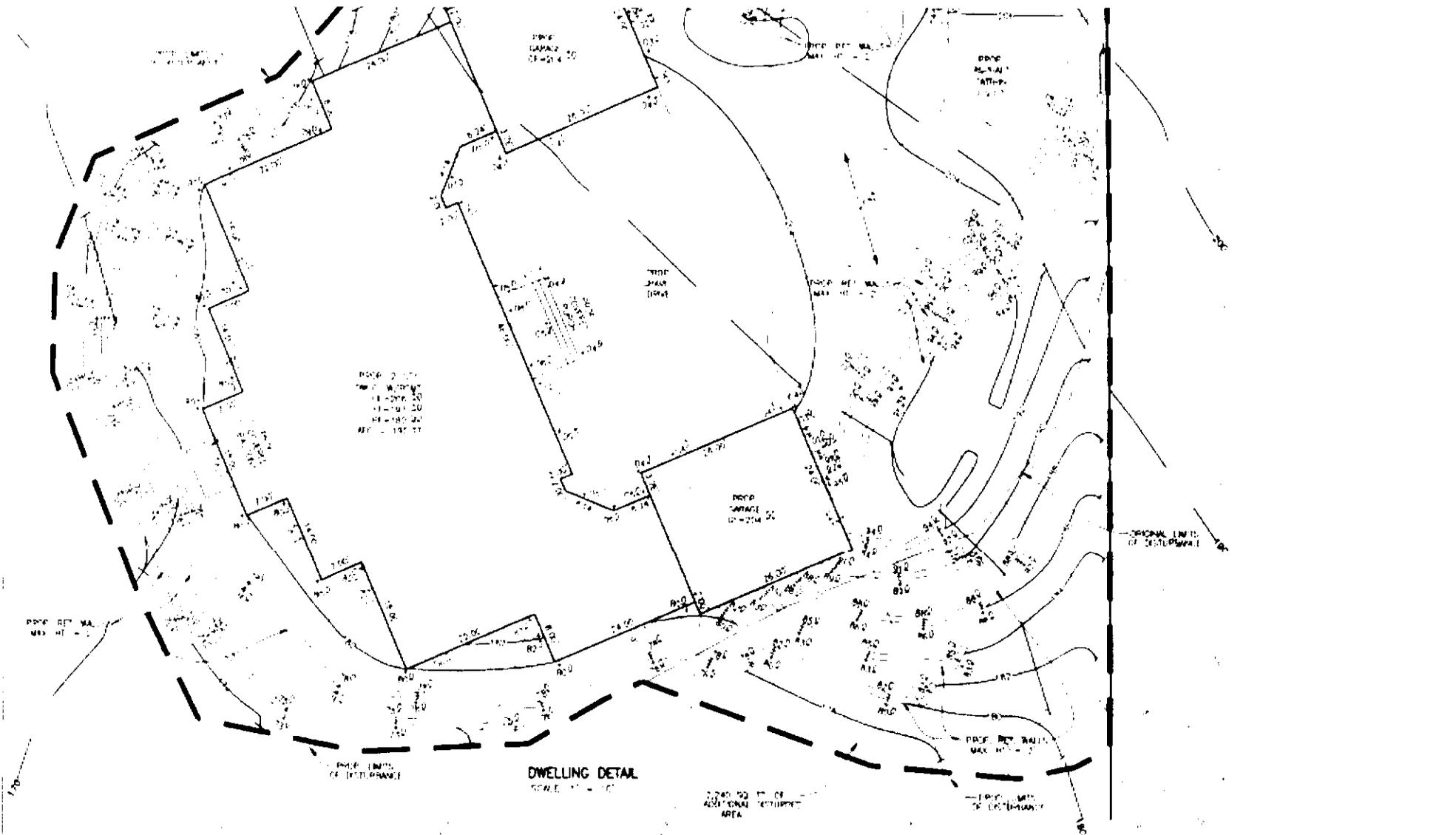
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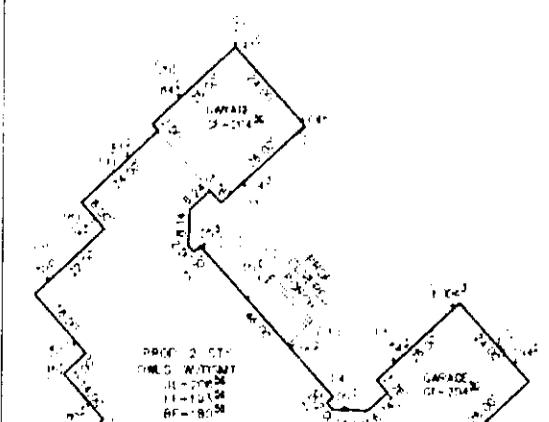


DWELLING DETAIL
SCALE 1" = 10'

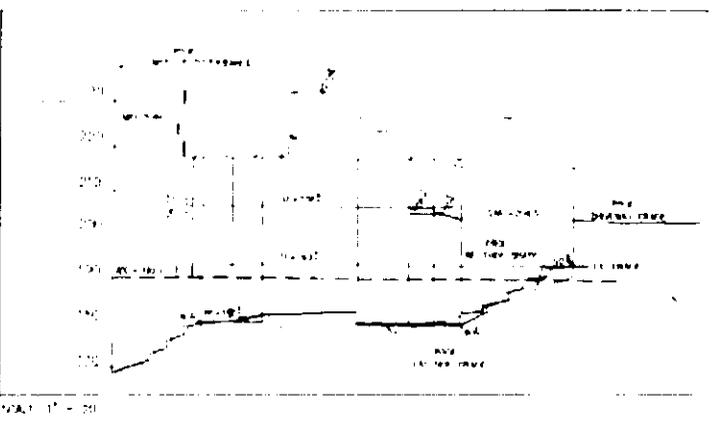
BUILDING HEIGHT CERTIFICATE MAP 1" = 20'

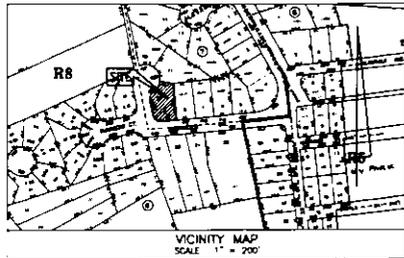
LEGEND

ITEM	SYMBOL	DESCRIPTION
TRIP & CENTER	[Symbol]	[Description]
DRIVE WALK	[Symbol]	[Description]
WALKWAY	[Symbol]	[Description]
WATER MAIN	[Symbol]	[Description]
SEWER LINE	[Symbol]	[Description]
UTILITY	[Symbol]	[Description]



HEIGHT	AREA
10	100
11	100
12	100
13	100
14	100
15	100
16	100
17	100
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100	100





GENERAL EROSION SEDIMENT CONTROL NOTES:

THE DEVELOPER AND CONTRACTORS ARE TO KEEP EXPOSED AREAS TO A MINIMUM. AN EROSION AND SEDIMENT CONTROL PLAN IS REQUIRED WITH THESE FINAL PLANS FOR APPROVAL BY TAES FOR REVIEW BY THE EROSION AND SEDIMENT CONTROL PERMIT. ALL EROSION / SEDIMENT CONTROL MEASURES WILL CONFORM TO THE CURRENT STANDARDS OF THE CITY OF ALEXANDRIA AND THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.

UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS (BANCRO-30) EROSION AND SEDIMENT CONTROL REGULATIONS.

TAES MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION. CERTIFIED RESPONSIBLE LAND DISTURBER (CRLD) IS REQUIRED TO ATTEND PRE-CONSTRUCTION MEETING.

ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING. AN INSPECTION BY THE CITY OF ALEXANDRIA IS REQUIRED AFTER INITIAL INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES AND BEFORE ANY CLEARING OR GRADING CAN BEGIN.

A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE MAINTAINED ON THE SITE AT ALL TIMES.

PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN THOSE INDICATED ON THESE PLANS INCLUDING, BUT NOT LIMITED TO, OFF-SITE DOWNHILL OR WINDY AREAS, THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE CITY OF ALEXANDRIA.

ALL DISTURBED AREAS OF THE SITE NOT TO BE WORKED FOR SEVEN OR MORE CALENDAR DAYS MUST BE STABILIZED.

ALL TEMPORARY EARTH BARRIERS, DIMENSIONS AND SEDIMENT CONTROL DAMS SHALL BE SEEDED AND MULCHED OR OTHERWISE STABILIZED AS SOON AS POSSIBLE BUT NO LATER THAN 48 HOURS AFTER GRADING.

ALL DISTURBED AREAS ARE TO BE DAMN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT LIFE. FINAL STABILIZATION IS TO BE ACHIEVED.

DURING SEEDING OPERATIONS, WATER WILL BE PUMPED THROUGH AN APPROVED FILTERING DEVICE.

THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES DAILY AND AFTER EACH RAINFALL-PRODUCING WINDFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.

PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO EXPOSED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADING IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO EXPOSED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN EXPOSED FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.

ANY STOCKPILED MATERIAL WHICH WILL REMAIN IN PLACE LONGER THAN 10 DAYS IS TO BE SEEDED FOR TEMPORARY VEGETATION AND MULCHED WITH PINE MULCH OR OTHERWISE STABILIZED.

THE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES AS NECESSARY TO PREVENT EROSION AND SEDIMENTATION AND AS DETERMINED BY THE CITY OF ALEXANDRIA.

ANY EXPOSED SLOPES, OTHER EXPOSED OR CREATED BY THIS PLAN THAT EXCEED 25% ARE TO BE SOULDED AND PRESSED FOR STABILITY AND EROSION CONTROL.

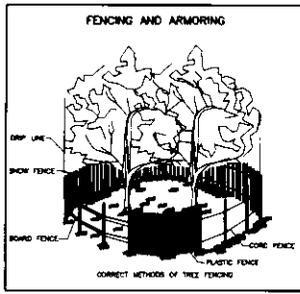
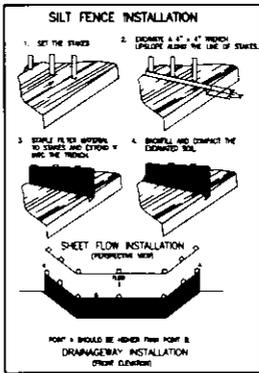
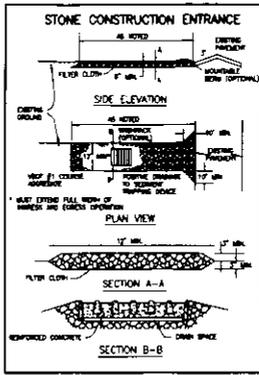
TO THE EXTENT POSSIBLE, ALL TREE PROTECTION SHALL BE INSTALLED AT THE DRIP LINE OF THE TREE(S).

AT THE COMPLETION OF THE PROJECT AND PRIOR TO THE RELEASE OF THE BOND, ALL DISTURBED AREAS SHALL BE STABILIZED AND ALL TEMPORARY EROSION AND SEDIMENT CONTROL SHALL BE REMOVED.

KEY DESCRIPTIONS
VIRGINIA UNIFORM CODING SYSTEM

SE - SILT FENCE
ST - TEMP SEED
TP - TREE PROTECTION
CD - CONSTRUCTION ENTRANCE

LIMITS OF CLEARING AND GRADING



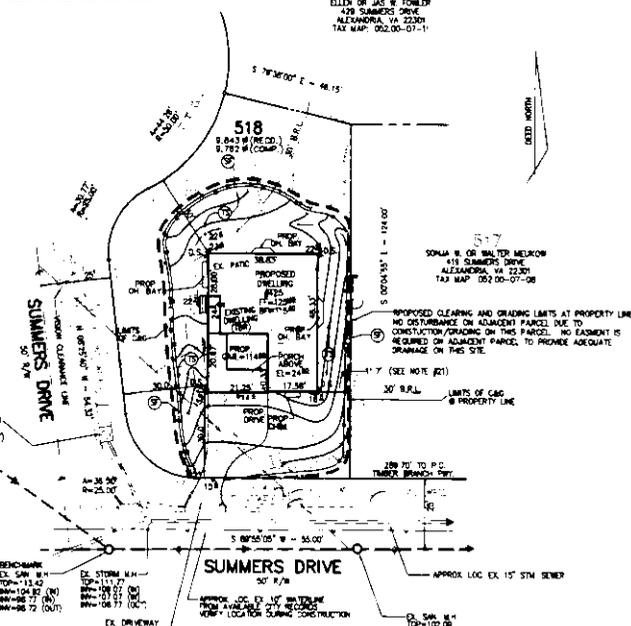
SEE SHEET 2 FOR TEMPORARY SEEDING REFERENCE GUIDE

PROJECT NARRATIVE:

THE PROPOSED DEVELOPMENT IS FOR THE CONSTRUCTION OF A SINGLE-FAMILY DWELLING ON A 5762 SQ. FT. PARCEL LOCATED ON SUMMERS DRIVE. AN EXISTING DWELLING CURRENTLY OCCUPIES THE PROPERTY WHICH WILL BE REMOVED. THE EXISTING UTILITY SERVICES FROM THE EXISTING DWELLING WILL BE USED FOR THE PROPOSED DWELLING.

GENERAL NOTES:

- TAX MAP # 052-00-07-08
- ZONE: R-8
SETBACKS:
F= 30 FEET
S= 1/2 BUILDING HEIGHT, 8 FEET MINIMUM
R= BUILDING HEIGHT, 8 FEET MINIMUM
- OWNER: JACKSON G. ROBERT
425 SUMMERS DRIVE
ALEXANDRIA, VA 22304
O.B. 754, P.G.
- TOPOGRAPHIC SURVEY WAS RUN BY THIS FIRM ON JUNE 22, 2001
- TITLE REPORT NOT FURNISHED
- PLAT SUBJECT TO RESTRICTIONS OF RECORD
- BUILDING HEIGHT NOT TO EXCEED 35'
- EXISTING IMPERVIOUS AREA = 1,176 SQ. FT. @ 0.0270 AC
(SEE W/NER LETTER)
PROPOSED IMPERVIOUS AREA = 2,463 SQ. FT. OR 24.6%
TOTAL DISTURBED AREA = 6,850 SQ. FT. OR 0.1527 AC
- TOTAL SITE AREA = 8,843 SQ. FT. OR 0.2256 ACRES (RECORDED)
= 8,762 SQ. FT. OR 0.2241 ACRES (COMPUTED)
- ALL CONSTRUCTION SHALL CONFORM TO THE VIRGINIA STATEWIDE BUILDING CODE.
- ALL EROSION/SEDIMENT CONTROLS ARE TO BE PLACED AND MAINTAINED IN ACCORDANCE WITH THE STANDARDS AND SPECIFICATIONS OF THE CITY OF ALEXANDRIA AND/OR THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.
- PROPOSED UTILITIES ARE UNDERGROUND. (SEE ARCHITECTURAL PLANS FOR DETAILS OF PROPOSED ELECTRICAL SERVICE).
- (1.85) DENOTES TO BE SAVED
(1.8) DENOTES TO BE REMOVED
- CALL ALEXANDRIA ARCHAEOLGY IMMEDIATELY (703-336-4399) IF ANY BURIED STRUCTURAL REMAINS (WALL FOUNDATIONS, WELLS, PIPES, CISTERNS, ETC.) OR CONCENTRATIONS OF ARTIFACTS ARE DISCOVERED DURING DEVELOPMENT. WORK MUST CEASE IN THE AREA OF THE DISCOVERY UNTIL A CITY ARCHAEOLOGIST VISITS THE SITE AND RECORDS THE FINDS.
- THIS LOT IS IN A NON-BONDED SUBDIVISION.
- APPLICANT SHALL BE RESPONSIBLE FOR REPAIRS TO THE ADJACENT RIGHT-OF-WAY IF DAMAGED DURING CONSTRUCTION ACTIVITY AS DETERMINED BY THE DIRECTOR OF T & ES.
- THE EXISTING DOMESTIC WATER SERVICE & SAN LATERAL WILL BE UTILIZED FOR THE PROPOSED DWELLING. IF DEEMED ADEQUATE UPON INSPECTION DURING CONSTRUCTION, LOCATION OF SERVICES TO BE WORKED AT THE TIME OF CONSTRUCTION.
- THE EXISTING DRIVEWAY CURB CUT WILL BE UTILIZED FOR THE PROPOSED DWELLING DRIVEWAY ENTRANCE CONDITION TO BE INSPECTED DURING CONSTRUCTION AND TO BE REPLACED AS DETERMINED NECESSARY BY THE DIRECTOR OF TAES.
- THE EXISTING DRIVEWAY WILL BE USED AS THE CONSTRUCTION ENTRANCE. ALL VEHICLES WILL BE CLEARED PRIOR TO ENTERING INTO SUMMERS DRIVE. THE EXISTING DOMESTIC WATER SERVICE WILL BE UTILIZED TO CLEAN CONSTRUCTION VEHICLES LEAVING THE SITE. A VARIANCE FROM THE REQUIRED 75' LENGTH OF STANDARD CONSTRUCTION ENTRANCE IS BEING REQUESTED WITH THIS PLAN. THE EXISTING DRIVEWAY LENGTH IS 40'.
- THE AVERAGE FINISHED GRADE ALONG THE EAST SIDE YARD OF THE PROPERTY IS 20.5 FT. THE HEIGHT FROM AVERAGE FINISHED GRADE TO THE GUTTER LINE (4" ROOF) IS 23.4 FT. THEREFORE, THE SIDE SETBACK REQUIREMENT OF 1/2 THE BUILDING HEIGHT IS 11.7 FT. THIS COMPLIES WITH THE R-8 ZONING REQUIREMENT. SEE ARCHITECTURAL PLANS FOR DETAILS RELATED TO BUILDING CONSTRUCTION.
- FLOOR AREA RATIO ALLOWED: 0.35
9762 SQ. FT. (SITE AREA) X 0.35 = 3418 SQ. FT.
FLOOR AREA RATIO PROPOSED: 0.35
9762 SQ. FT. PROPOSED
SEE ARCHITECTURAL PLANS FOR DETAILS OF ANY DEDUCTIONS.
- TREE PROTECTION TO BE PROVIDED WHERE SILT FENCE IS NOT ADEQUATE. CONSULT INSPECTOR AT BEGINNING OF CONSTRUCTION.
- BECAUSE THE SITE IMPERVIOUS AREA IS INCREASED TO 24.6% OF THE SITE AREA, A BARRIER OF WATER QUALITY TREATMENT REQUIREMENT IS BEING SUBMITTED WITH THIS PLAN. A MITIGATION MEASURE BEING PROVIDED AS A JUSTIFICATION FOR APPROVAL IS TO ALLOW THE WATER FROM THE DOWNSPOTS TO SURFACE FLOW THROUGH VEGETATED SWALES LOCATED OFFSITE. BECAUSE OF THIS, THE DOWNSPOTS WILL NOT BE TIED TO THE STORM SEWER LOCATED IN SUMMERS DRIVE. THIS HAS BEEN APPROVED BY TAES. SEE APPROVA LETTER, SHEET 2.
- PROPERTY DRAINS TO HOOT'S RUN
- CONTRACTOR TO ENSURE NO DISTURBANCE OCCURS ON ADJACENT PROPERTY



E/S CONTROL NARRATIVE:

PROJECT DESCRIPTION
THIS PROJECT PROPOSES THE DEVELOPMENT OF EXISTING LOT 518 (AND SUMMERS DRIVE), A 2-STORY DWELLING WITH AN OVERHEAD GARAGE TO BE CONSTRUCTED ON THE 5762 SQ. FT. PARCEL. THE DWELLING IS TO BE OWNED BY PUBLIC SEWER AND WATER. THIS LOT IS LOCATED IN ZONE R-8.

EXISTING CONDITIONS
THE SITE IS CURRENTLY OCCUPIED, AND THE EXISTING BUILDING WILL BE DEMOLISHED BEFORE CONSTRUCTION OF THE PROPOSED DWELLING. SEWER LINES ARE DEPTH AND WILL BE PRESERVED TO THE MAXIMUM EXTENT POSSIBLE.

CRITICAL AREA
THE CRITICAL AREA ON SITE IS LOCATED ON THE EAST SIDE OF THE PROPERTY ADJACENT TO LOT 517. ALL GRADING FROM THIS SITE WILL BE ON SITE. OPTION ZONE SHALL BE TAKEN TO ENSURE NO DISTURBANCE OF GRADING OCCURS ON ADJACENT PARCEL. THE RAINFALL GENERATED FROM THIS SITE WILL BE DIRECTION THROUGH ON SITE SWALES. THE ADEQUACY OF RAINFALL ON THE ADJACENT PARCEL WILL BE REVIEWED DUE TO THE DEVELOPMENT.

MAINTENANCE PROGRAM
THE SITE SUPERINTENDENT, OR REPRESENTATIVE, SHALL HAVE A VISUAL INSPECTION OF ALL MECHANICAL CONTROLS AND NEWLY STABILIZED AREAS (I.E. SEEDER AND MULCHED AND/OR SOULDED AREAS) ON A DAILY BASIS, ESPECIALLY AFTER A HEAVY RAINFALL, EFFORT TO DETERMINE THAT ALL CONTROLS ARE MAINTAINED AND PROPERLY FUNCTIONING. ANY DAMAGED CONTROLS SHALL BE REPAIRED PRIOR TO THE END OF THE WORK ON INCLUDING REPAIRING AND MULCHING OF RE-SEEDING IF NECESSARY.

- SEEDING CONTROL MEASURES:**
- ALL AREAS WILL BE CLEARED BEFORE ENTERING ONTO PUBLIC RIGHT-OF-WAY.
 - WHEN PERMITTER CONTROLS ARE IN PLACE AND CLEARING MAY BE DONE, DUE TO THE SMALL SIZE OF AREA BEING DISTURBED, SEEDMENTS FROM DISTURBANCE WILL BE CONTAINED WITHIN THE SITE.
 - ONCE UTILITIES ARE INSTALLED, GRADING IS PERFORMED FOR TEMPORARY VEGETATION STABILIZATION OF ALL EXPOSED AREAS. SEE NOTE REGARDING EROSION CONTROL PROGRAM.
 - AFTER CONSTRUCTION OPERATIONS HAVE ENDED AND ALL EXPOSED AREAS HAVE BEEN STABILIZED, ALL CONTROLS SHALL BE REMOVED AND THE GRADING PERMANENTLY STABILIZED WITH VEGETATION AS APPROVED BY THE CITY OF ALEXANDRIA INSPECTOR.

LEGEND

ITEM	EXISTING	PROPOSED
CURB & GUTTER	---	---
CONC. WALK	---	---
FIRE HYDRANT	---	---
STRUCTURES	---	---
WATER MAINS	---	---
GAS MAINS	---	---
TELEPHONE LINES	---	---
STORM SEWER	---	---
SANITARY SEWER	---	---
FENCING	---	---
PLANTINGS	---	---
POWER LINES	---	---
SOFT ELEVATIONS	+124.5	+124.2
CONTOURS	-124	-124

CERTIFIED RESPONSIBLE LAND DISTURBER

NAME	JAMES AGOSTA
ADDRESS	P.O. BOX 88 ALEXANDRIA, VA 22304
PHONE	(703) 535-5000
CERTIFICATION	11298
EXPIRATION DATE	9/18/2004

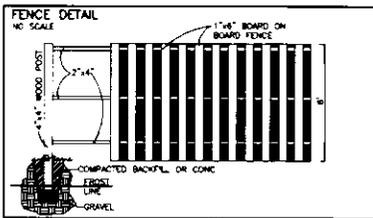
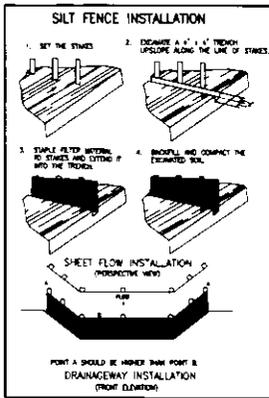
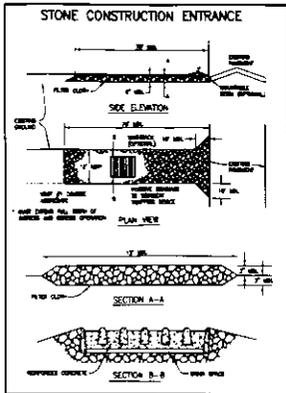
THIS DRAWING IS A SERVICE DOCUMENT OF R.C. FIELDS, JR. & ASSOC. P.E. AND MAY NOT BE USED OR REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER AND /OR LAND SURVEYOR.
EXISTING UTILITIES SHOWN ON THIS PLAN TAKEN FROM AVAILABLE RECORDS AND/OR FROM FIELD OBSERVATIONS FOR EXISTING UNDERGROUND UTILITIES. DESIGN "MISS" UTILITY AT 11-800-257-7777, 172 HOURS BEFORE THE START OF ANY EXCAVATION OR CONSTRUCTION.
LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION. INTERFERENCE OR DISRUPTION OF SAME WILL NOT BE THE RESPONSIBILITY OF THIS OFFICE.
ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF CITY OF ALEXANDRIA, VIRGINIA. ©2002, R.C. FIELDS, JR. & ASSOC.

R.C. FIELDS, JR. & ASSOCIATES
LAND SURVEYING • SITE PLANNING • SUBDIVISION DESIGN
715 Jefferson Street, Alexandria, Virginia 22314 (703) 549-6422

COMMONWEALTH OF VIRGINIA
R.C. FIELDS, JR.
LICENSE NO. 1748 & 1749
LAND SURVEYOR

PLOT PLAN
LOT 518
DIVISION OF VILLA SITES 13 & 14
SOUTH BRADDOCK HEIGHTS
CITY OF ALEXANDRIA, VIRGINIA

DESIGN: RMA
DRAWN: RAW
SCALE: 1" = 20'
DATE: 8/13/02
SHEET 1 OF 2
FILE 02-33



TREE PROTECTION NOTE:

TREE PROTECTION FENCING TO BE PLACED TO PROVIDE THE MAXIMUM PROTECTION AND COVERAGE OF THE AREA UNDER THE DISTURBANCE. TREE PROTECTION FENCING MAY NEED TO BE MANIPULATED DURING CONSTRUCTION TO FACILITATE SITE WORK. ALL FENCE TO BE REPLACED AT THE END OF WORK OPERATIONS.

E/S CONTROL NARRATIVE:

PROJECT DESCRIPTION:
THIS PROJECT PROPOSES THE DEVELOPMENT OF TWO EXISTING LOTS (6011 & 515 N. HENRY STREET) AS A 2-1/2 STORY DWELLING WITH A FRONT PORCH AND DECK PROPOSED ON EACH OF THE DWELLINGS SHALL BE SERVED BY PUBLIC SEWER AND WATER THESE LOTS ARE LOCATED IN PINE 5E

EXISTING CONDITIONS:
THE SITE IS CURRENTLY BARE. THERE IS SEWER, WATER & GAS LOCATED WITHIN NORTH HENRY STREET.

EROSION CONTROL PROGRAM:
SITE CLEARING AND LAND DISTURBANCE IS TO BE KEPT TO A MINIMUM. TEMPORARY SEEDING AND MULCHING ARE TO BE APPLIED TO ANY AREA ON-SITE NOT CONTINUOUSLY WORKED FOR 7 DAYS AFTER CLEARING AND MOUND-BUILDING.

SEDIMENT CONTROL PRACTICES:

1. ALL VEHICLES WILL BE CLEANED BEFORE ENTERING ONTO PUBLIC RIGHT-OF-WAY.
2. INSTALL SILT FENCE & TREE PROTECTION WHERE APPLICABLE. WHEN PERMITTED CONTROLS ARE IN PLACE ANY CLEANUP NOT BE DONE. DUE TO THE SMALL SIZE OF AREA BEING DISTURBED, SEDIMENTS FROM DISTURBANCES WILL BE CONTAINED WITHIN THE SITE.
3. ONCE UTILITIES ARE INSTALLED, GRADING IS PERFORMED FOR TEMPORARY VEGETATIVE STABILIZATION OF ALL DENuded AREAS. SEE NOTE REVEGETATION EROSION CONTROL PROGRAM.
4. AFTER CONSTRUCTION OPERATIONS HAVE ENDED AND ALL DISTURBED AREAS HAVE BEEN STABILIZED, ALL CONTROLS SHALL BE REMOVED AND THE GRADING PERMANENTLY STABILIZED WITH VEGETATION AS APPROVED BY THE CITY OF ALEXANDRIA INSPECTOR.

MAINTENANCE PROGRAM:
THE SITE SUPERVISOR/OWNER OR REPRESENTATIVE SHALL MAKE A VISUAL INSPECTION OF ALL MECHANICAL CONTROLS AND MULCH/SEEDING AREAS (I.E. SEEDED AND MULCHED AND/OR SOODED AREAS) ON A DAILY BASIS, ESPECIALLY AFTER A HEAVY RAINFALL EVENT TO ENSURE THAT ALL CONTROLS ARE IMPROVED AND PROPERLY FUNCTIONING. ANY DAMAGED CONTROLS SHALL BE REPAIRED PRIOR TO THE END OF THE WORK DAY INCLUDING RESEEDING AND MULCHING OR RE-SOODING IF NECESSARY.

GENERAL EROSION SEDIMENT CONTROL NOTES:

THE DEVELOPER AND CONTRACTORS ARE TO KEEP DENuded AREAS TO A MINIMUM. AN EROSION AND SEDIMENT CONTROL PLAN IS INCLUDED WITH THESE FINAL PLANS FOR APPROVAL BY THE CITY OF ALEXANDRIA. THE EROSION AND SEDIMENT CONTROL MEASURES WILL CONFORM TO THE CURRENT STANDARDS OF THE CITY OF ALEXANDRIA AND THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.

UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS (645CM-30) EROSION AND SEDIMENT CONTROL REGULATIONS.

NOTES MUST BE NOTICED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION.

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A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE MAINTAINED ON THE SITE AT ALL TIMES.

PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN THOSE INDICATED ON THESE PLANS (INCLUDING, BUT NOT LIMITED TO, OFF-SITE EROSION OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE CITY OF ALEXANDRIA.

ALL DISTURBED AREAS OF THE SITE NOT TO BE WORKED FOR SEVEN OR MORE CALENDAR DAYS MUST BE STABILIZED.

ALL TEMPORARY SEEDING, DIMENSIONS AND SEDIMENT CONTROL DAMS SHALL BE SEEDING AND MULCHED OR OTHERWISE STABILIZED AS SOON AS POSSIBLE BUT NO LATER THAN 48 HOURS AFTER GRADING.

ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED.

DURING DETERMINING OPERATIONS, WATER WILL BE PUMPED THROUGH AN APPROVED FILTERING DEVICE.

THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES DAILY AND AFTER EACH WEATHER-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.

PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENuded AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENuded AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.

ANY STOCKPILED MATERIAL WHICH WILL REMAIN IN PLACE LONGER THAN 10 DAYS IS TO BE SEEDING FOR TEMPORARY VEGETATION AND MULCHED WITH STRAW MULCH OR OTHERWISE STABILIZED.

THE CONTRACTOR IS RESPONSIBLE FOR THE INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES AS NECESSARY TO PREVENT EROSION AND SEDIMENTATION AND AS DETERMINED BY THE CITY OF ALEXANDRIA.

ANY DENuded SLOPES, EITHER DISTURBED OR CREATED BY THIS PLAN THAT EXCEED 25% ARE TO BE SOODED AND PLOTTED FOR STABILITY AND EROSION CONTROL.

TO THE EXTENT POSSIBLE ALL TREE PROTECTION SHALL BE INSTALLED AT THE DRP LINE OF THE TREES.

AT THE COMPLETION OF THE PROJECT AND PRIOR TO THE RELEASE OF THE BOND ALL DISTURBED AREAS SHALL BE STABILIZED AND ALL TEMPORARY EROSION AND SEDIMENT CONTROL SHALL BE REMOVED.

City of Alexandria, Virginia
DEPARTMENT OF PLANNING AND ZONING
1111 North Henry Street, Suite 110
Alexandria, Virginia 22304
703-688-6200
FAX: 703-688-6292
Date: November 17, 2003

Location: 513-515 North Henry Street Alexandria, Virginia

Dear Mr. Paul:

It is to advise you that on November 8, 2003, the Alexandria Board of Zoning Appeals took the following action on case No. BZA 0231-0055 and BZA 0231-0054:

GRANTED AS REVISED GRANTED WITH CONDITIONS
(see explanation below)

DENIED

EXPLANATION:

The Board of Zoning Appeals has reviewed the application for a Certificate of Compliance for the proposed development and has determined that the proposed development is in compliance with the City's Comprehensive Zoning Ordinance. The Board has approved the application for a Certificate of Compliance for the proposed development.

Any person who is not satisfied with the Board's decision may appeal the Board's decision to the Board of Zoning Appeals within 30 days of the date of the Board's decision. (Zoning Ordinance Section 22.1-100.1)

Sincerely,
Paul J. Pappas
Principal Planner
Zoning Administrator

TRANSPORTATION & ENVIRONMENTAL SERVICES
P.O. Box 173
Alexandria, Virginia 22304
703-688-6200
FAX: 703-688-6292

Client: 513-515 North Henry Street
Project: 513-515 North Henry Street
Date: 11/17/03

Dear Mr. Paul:

The City has received your check for \$8,255.00 for Compliance with the City's Comprehensive Zoning Ordinance as required by Article VIII of the City Zoning Ordinance. The payment is made in full of the amount of the City's Zoning Ordinance. The payment will be applied to the City's Environmental Remediation project and releases the developer from further responsibility regarding maintenance or control of environmental remediation of this site. You will be required to meet the stormwater management area reduction on-site and be responsible for this payment.

This payment does not waive the developer's other environmental responsibilities, including, but not limited to, State or Federal regulations (e.g., contaminated land regulations) or local CC's, ordinances (e.g., stormwater management) regulations.

Your receipt is enclosed with this letter. This receipt should be included and referenced in your final plan submission to the City as evidence of your compliance with the City's Comprehensive Zoning Ordinance.

Sincerely,
Emily A. Baker, P.E.
City Engineer

CERTIFIED RESPONSIBLE LAND DISTURBER

NAME	R.C. FIELDS JR.
ADDRESS	R.C. FIELDS JR. & ASSOCIATES
PHONE	(703) 548-6422
CERTIFICATION	1616 B LAND SURVEYOR
EXPIRATION DATE	DECEMBER 31, 2003

LEGEND

ITEM	EXISTING	PROPOSED
CLUBS & GUTTER	---	---
CONCRETE WALK	---	---
FIRE HYDRANT	---	---
STRUCTURES	---	---
WATER MAINS	---	---
GAS MAINS	---	---
TELEPHONE LINES	---	---
STORM SEWER	---	---
SANITARY SEWER	---	---
PAVING	---	---
FENCES	---	---
POWER LINES	---	---
SPOT ELEVATIONS	+124.5	+124.3
CONTOURS	-124-	+24-

DATE: 7/17/03
REVISION: 01
COMMENTS:

THIS DRAWING IS A SERVICE DOCUMENT OF R.C. FIELDS JR. & ASSOC. P.C. AND MAY NOT BE USED OR REPRODUCED WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER AND/OR LAND SURVEYOR.

EXISTING UTILITIES SHOWN ON THIS PLAN TAKEN FROM AVAILABLE RECORDS AND/OR FROM FIELD OBSERVATIONS. FOR EXACT LOCATIONS OF EXISTING UNDERGROUND UTILITIES, REFER TO THE UTILITY AT 1-800-257-7777, 72 HOURS BEFORE THE START OF ANY EXCAVATION OR CONSTRUCTION.

LOCATION AND DEPTH OF ALL EXISTING UNDERGROUND UTILITIES TO BE VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION. INTERFERENCE OR DISRUPTION OF SAME WILL NOT BE THE RESPONSIBILITY OF THIS OFFICE.

ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF ALEXANDRIA, VIRGINIA.

DESIGN: RMA
DRAWN: RMA
SCALE: N/A
DATE: MAY 1, 2002
SHEET 2 OF 2
FILE 01-53

R.C. FIELDS JR. & ASSOCIATES
LAND SURVEYING • SITE PLANNING • PROFESSIONAL CORPORATION
718 Jefferson Street
Alexandria, Virginia 22314
(703) 548-6422



NARRATIVES AND DETAILS
ON THE PROPERTIES LOCATED AT
#513 & 515 N. HENRY STREET
CITY OF ALEXANDRIA, VIRGINIA

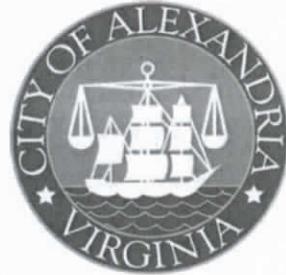
Schmitted for Paul record
by Duncan Blair

Case: 200 + 219 Lloyd Lane
1/24/15 City Council Public Hearing



RESIDENTIAL INFILL DEVELOPMENT IN ALEXANDRIA

13
1-24-15



**Department of
Planning & Zoning**
Eileen Fogarty, Director



**Planning Commission
Work Session
March 9, 2006**

I. SUMMARY OF FINDINGS AND RECOMMENDATIONS

The issue of residential infill development, or mansionization – the building of houses that are out of scale and character with a neighborhood – is not unique to Alexandria. Established communities across the country and the region are experiencing similar development problems as builders and property owners use every last bit of land and build large houses to support 21st century living styles in 20th century neighborhoods. Market forces in the Washington, D. C. region have raised property values, and the trend in modern living is toward larger houses. High property values support larger houses on less land, especially for close in single-family neighborhoods, such as in Alexandria, Arlington, and Chevy Chase.

No simple solutions

This infill development report is the product of several months of analysis and work by a large group of planning staff. While it would be satisfying and helpful to present a single and simple conclusion, staff found that the issue in Alexandria is multifaceted and complex and defies a “one size fits all” solution. The infill issue involves the application of technical and detailed zoning regulations and, *at the same time*, matters of design and subjective taste. It is also contextual, so that what is perceived as appropriate construction in one neighborhood will not be deemed compatible with another. Cities evolve over time: staff found a newspaper article from the 1890s outraged at the onslaught of then new and large Victorian homes which today are held up as models for others to emulate. Thus, what staff is presenting is a “good news – bad news” message on infill in Alexandria:

Importance of site and building design and land preservation for residential neighborhoods

First, Alexandria’s older residential neighborhoods are a critical component of the City’s identity. When a new, out of scale home is built in an older neighborhood, long time residents are understandably concerned. On the other hand, Alexandria appears to have fewer controversial infill cases than some other local jurisdictions, such as Arlington. One emphatic conclusion in staff’s analysis is that the single most important factor in the success of new construction in a residential neighborhood is the *design* of the construction. Another is that more problematic to a neighborhood than an oversized house may be the painful loss of critical land, often green area with trees, to new construction. Therefore, the infill issue is important to the City but it is key to consider not only size of individual buildings but also the use of land in construction in residential areas.

Alexandria’s infill approach

Second, Alexandria’s zoning ordinance and development review process has long included more attention to the specific details of infill development than many other jurisdictions. City staff and local architects and builders have been trained and attuned to recognize the importance of detailed decisions in development. The City’s decision makers – the Planning Commission, Boards of Architectural Review, Board of Zoning Appeals and City Council – all do a very good job of deciding individual cases, with extensive attention to the nuances of development and its affect on the surrounding neighborhood. On the other hand, staff feels strongly that it would be unwise to require discretionary review for every new or expanded single-family house.

Alexandria's regulatory tools could be improved

As relatively successful as the City has been with infill development to date, it is clear that some of the City's regulatory tools are difficult to apply well and fairly, and could be improved. Many of the individual achievements in the City's recent history are a result of staff and board efforts to persuade builders to consider alternative approaches to building. Staff and City board members spend an enormous amount of time attempting to achieve reasonably designed construction that fits in well with an established neighborhood. Developers and landowners need to have a clear picture of what is allowed and what specific rules will permit. Staff, board members and applicants often struggle to find solutions to the details of development that could be better managed if the City made some refinements to its approach to infill development.

Staff recommendations

Specifically, staff is recommending that:

- four specific regulatory areas be studied for potential amendment to the zoning ordinance:
 - ▶ steep slope restrictions
 - ▶ subdivision regulations
 - ▶ lot coverage limitations
 - ▶ floor area ratio calculations

- the City create a residential conservation design pattern book with design guidelines for builders and architects on infill projects.

The goal of this paper is to frame the infill issue, provide background information, and begin discussion among the City's professional planning staff, residents, landowners, builders and developers, and its decision makers, including the Planning Commission, Board of Zoning Appeals, Boards of Architectural Review and City Council. Ultimately, the City may choose to adopt new or amended regulations to address modern building in its already developed neighborhoods. Nevertheless the discussion needs to balance the harm that infill building can create against the burden of over regulation on individual homeowners.

II. DEFINING THE INFILL ISSUE IN ALEXANDRIA

When a large new house is built on an already developed street, or when a long undeveloped corner is suddenly graded and staked for new houses, the result may be a traumatic change for an established neighborhood. In Alexandria, the infill issue is typically experienced in one of the following ways:

Tear downs. A vacant single-family lot in Alexandria may actually be more valuable than the same lot with an older house on it. Therefore, a savvy builder may purchase a lot, demolish the existing house and build a new house on the lot. Even if the new house complies with technical zoning and building requirements, it may be much larger than the other houses on the block. Many communities across the country are experiencing the tear down phenomenon. In Alexandria, new homes that comply with zoning regulations only need an administrative plot plan and building permit for approval.

Building additions. Alexandria has not experienced as many “tear downs” as other close-in D. C. suburbs. More typical here is financial investment in an existing home by constructing a building addition. Where houses are smaller than the maximum allowed by zoning, only a building permit is required to expand the house. Whether it is a second floor over the entire house, a large addition in the rear, or an expanded attic and dormer, the result can be a radical change for the neighborhood.



The trend in modern living is toward larger houses. The National Association of Home Builders has noted that the average size of a house has grown from 983 square feet in 1950 to more than 2,200 square feet in 2000. A 1998 American Housing Survey noted that the median size of a detached home in the Washington area was 2,315 square feet. No matter how you count it, there is a trend.

Residential building additions often add significant mass to what had been a small house; some double the size of the original house. Some of these projects are developed at a scale consistent with the original development, incorporating design elements sensitive to the established neighborhood, and others have an opposite effect, creating a new style all their own within the neighborhood. Citizens have expressed concern over a variety of specific building elements including: mass and scale overshadowing smaller neighbors; interruption of established setbacks; inconsistent design and architectural elements (such as front-loaded garages); excessive paved surfaces; oversized accessory structures; and removal of mature trees and open space.

New subdivisions. Throughout Alexandria, there are parcels of land that were never developed, either because they are steeply sloped or otherwise difficult to develop, or because they have been enjoyed as excess land associated with an existing house. With the escalating value of land, builders are now willing to build on difficult properties, and landowners are sometimes willing to sell extra land. Another example of re-dividing land occurs when an existing house is built on a double lot; the house may need to be removed to allow construction on the two lots that zoning permits on the land. From the neighborhood perspective, these leftover lands often define a neighborhood; typically offering green relief or treed areas, and their loss can create a dramatically different neighborhood environment. When the extra land is the equivalent of a zoning lot, then only a plot plan and building permit is required to develop the site. If there is sufficient land for two or more lots, then a subdivision application is required.

Consolidation of lots. Although Alexandria has yet to experience this phenomenon on a large scale, other communities have seen real estate developers purchase a series of lots, a whole block, or even a series of blocks, and propose to redevelop the area, sometimes re-subdividing the land into more modern building lots. The result can lead to significant changes in the City as a whole and can displace households. Staff notes that, given the value of land in Alexandria, and its close in location, at some point the rebuilding of familiar but modest neighborhoods may be attractive to builders.

III. HOW ALEXANDRIA REGULATES INFILL DEVELOPMENT

The Alexandria Zoning Ordinance is the principal tool for determining how much land is required for a house and how large houses can be in specific locations in the City. The ordinance contains a series of provisions addressing the basic form of residential development as well as the details of individual house sites in the City.

Single-family zoning

The great preponderance of land in the City is zoned for single-family development. The single-family zones, R-20, R-12, R-8, R-5, and R-2-5, are similar in content, but the rules vary as to lot size, height, setbacks and house size. These regulations define the legal building area on a property. In order to build a single family house in one of these zones, or to construct a building addition, only a building permit, plus an administrative plot plan in some cases, is required if the zoning regulations are met. For the vast majority of the City, there is no prohibition against demolishing a house and no discretionary review to assure that the design of the house is compatible with its neighbors or that consistency with neighborhood character is achieved.

The one area where the City exercises its authority to regulate design and character is within the Old and Historic Alexandria or Parker Gray Historic Districts; the residential land in the districts is zoned RB and RM. In the historic districts, every new house and every visible building addition is reviewed for its architectural consistency with the original structure as well as with the character of the district as a whole. In addition, demolition is not permitted without Board of Architectural Review approval. Although the City also has several National Register historic

districts, such as Rosemont, Town of Potomac, and Park Fairfax, design compatibility is not locally regulated in those areas.

For any land in the City, should a homeowner wish to build a house or an addition larger than the zoning allows, then a variance may be granted by the Board of Zoning Appeals, which is charged with considering, whether the proposed variance creates harm for an adjacent property owner or the neighborhood. In fact, the BZA hears approximately 75 cases each year and nearly 90% of those cases involve single-family house additions.

Subdivision review and approval by the Planning Commission is required to divide land into building lots or to change lot lines (although not to consolidate lots). As discussed further below, lots must be in character with nearby lots, but the architecture and eventual improvements to those lots is beyond the scope of Commission review.

Beyond the basics of residential zoning, it is also important to recognize those aspects of Alexandria's approach to single family building that are unique. The following circumstances and regulations are not typically found in other jurisdictions and affect the infill issue in both positive and negative ways.

Overzoning

Many of the City's established single family neighborhoods, including Old Town, Parker Gray, Rosemont, Del Ray and parts of North Ridge, were built prior to 1952 when the modern forerunner of the existing zoning ordinance was adopted. Many of the houses and blocks in those neighborhoods were built at the same time, often by a single builder, and thus share a common design and character. Moreover, many of these single family areas are actually "underbuilt," or "overzoned." In other words, the zoning regulations allow a larger or taller house, or one on less land, than has long existed in the neighborhood. As a consequence, a new house proposed for an existing lot on an established block may be legally built to a size not in harmony with the original houses on the block.

Infill Zoning Regulations

Alexandria, with its older neighborhoods, has long recognized the impact that infill development can create and its zoning ordinance incorporates discretionary review of certain special circumstances in residential building in order to protect established neighborhoods. The following are examples of regulations in the zoning ordinance that are not typical in zoning ordinances elsewhere, that attempt to modulate the impacts of residential building on a neighborhood, and that are actually longstanding Alexandria "infill" regulations.

Developed front setback. Recognizing the problem of neighborhoods that preexisted the zoning requirements, Section 7-1000 of the zoning ordinance generally requires that, where a block has been built to a different front setback than the applicable zone has set, a new house or front addition will have to respect the developed setback line. For example, a new house built in a zone that requires a 25 foot setback may be allowed to locate the house only 15 feet from the front lot line if that is the developed setback on the block.

Substandard Lots. Through the SUP process, certain lots that are smaller in size or width than the zoning allows may be developable if a neighborhood study demonstrates that the lot is similar in size to the way other lots on the block have historically been developed. SUP review is required to ensure that the character and scale of the proposed new house will not negatively affect adjacent property or the established neighborhood.



The Commission and Council have seen a number of these cases in recent years. At 29 East Walnut, the approved new house design incorporated a large front porch, massing, scale, and roof pitch, tandem parking, and tree preservation, all consistent with its Rosemont neighbors. Another recent example is located at 500 East Howell Avenue. While it is a large home, its design mimics that of an existing home listed on the National Register of Historic Places on the same street. Design elements such as the front porch

are consistent with the historic fabric of the neighborhood. Large trees were able to be saved as part of the project, and the curbcut was reduced to a single cut allowing for tandem parking. The lot size was consistent with other developed corner lots in the immediate area. These considerations are specific to the special use permit process.

Character language in subdivision regulations. It is a significant feature of the City's subdivision regulations that the Commission is required to review new lots for their consistency with the adjacent properties, and the remainder of the subdivision. This issue is discussed in more detail in Section VII below but is a striking example of an atypical regulation designed specifically to address neighborhood infill issues.

Special exception. In addition to the variance procedures at the Board of Zoning Appeals, which requires a homeowner to show an economic hardship supporting relief, the BZA has adopted an additional technique, the special exception, to address typical cases that come before it and that should require design and neighborhood compatibility review for approval. Under the special exception review, the BZA considers whether a request to alter the zoning, typically for an addition to a single family house, will alter the essential character of the neighborhood, harm adjacent properties, and be compatible with other development in the surrounding neighborhood. Currently applicable only to exceptions to the rules for corner lot fences and yard and setback requirements, the BZA is also considering allowing special exceptions for front yard porches and similar projections.

Floor area ratio regulations. Although the FAR rule is the subject of some debate, it is notable that Alexandria has long included an FAR limitation to govern the overall size of individual houses in the single-family zones. The details of the FAR computation are explained below in Section VII. Many jurisdictions have not included that type of zoning rule in their ordinances for single-family construction. Interestingly, some jurisdictions, such as Winnetka, Illinois, have recently adopted FAR rules as a way to address infill issues and mansionization.

Unusual Circumstances/Exceptional Design in RA and RB Zones. The minimum lot size for residential dwellings in the RA and RB zones is 1,980 square feet, except that the lot size may be reduced with SUP approval to as small as 1,600 square feet – in the case of *unusual circumstances or exceptional design.*

This flexible zoning regulation, with design review, recognizes that, while lot size is a critical component of neighborhood compatibility, design is also important. An example of development under this regulation is a single-family house built at 1000 Princess Street, at the southwest corner of Princess and N. Patrick Streets, which was also subject to another layer of design review at the Parker-Gray Board of Architectural Review. The new house is large, but includes several elements to blend in with the mass, scale and character of the neighborhood, including a consistent setback and architectural style, as other buildings on the Patrick Street frontage.



Curb cuts. Alexandria recognizes the damage curb cuts can create in older neighborhoods through a complex set of regulations balancing the need for parking against the negative impacts on neighborhood character and the pedestrian experience. Curb cuts are prohibited in Old Town, require BAR approval in Parker-Gray, and, depending on the circumstances, may require additional approvals in the historic areas of Rosemont and the Town of Potomac. At a minimum, under the City Code, all curb cuts are reviewed for their consistency with neighborhood character at the administrative level.

Parking reductions. In order to reduce paving, accommodate new construction and balance the effect of construction on existing neighborhood conditions, an application for a parking reduction SUP may accompany an infill residential building plan. The design of parking on a residential lot can radically affect the design and compatibility of new residential construction and a request to reduce the number of parking spaces, or more typically to allow tandem or reduced size spaces, can greatly improve the design of a new house site, and brings



the development before the Planning Commission and Council for review. The home at 518 East Howell Avenue is a good example because, as originally proposed, garage parking created a “snout” house, with jutting garage; working with staff and the Commission the landowner accommodated tandem parking for two spaces on the lot, and achieved a neighborhood compatible house site design.

Lots without frontage. In order to ensure that new residential development follows the traditional model of blocks, grid streets, and generally rectangular lots oriented toward a street, the zoning ordinance requires SUP approval to create a lot that does not front on a public street. The new home approved at the rear of 219 North West Street is an example of a new lot without street frontage.

Paving restricted to 50% of yard. Section 7-1005 of the zoning ordinance limits the area that may be used for parking, whether paved or not paved, on a residential lot, to a maximum of 50% of a *required* yard, allowing excess land on a lot to be paved. Fairfax County recently adopted a similar rule in order to promote green areas and reduce the number of cars on residential lots.

Height limit depends on roof type and orientation. In certain zones in the City, such as the RM zone, increased height is allowed if the ridge line of the roof runs parallel to the street and if the slope of the roof is compatible with neighboring buildings.

Private drives not included in lot area. Several years ago, the City amended the zoning ordinance by prohibiting the land used for alleys or drives to count as part of residential lot area. Although the purpose of the new rule was to ensure sufficient land for open space on residential lots, staff has found that the rule has an unanticipated negative effect on infill development. Specifically, on small infill parcels, builders have no incentive to design townhouses with rear parking and garages, because it requires less land area, paving, and construction costs to put the garages on the front of the buildings, where they detract from the street, the architecture and the ability of the new project to be compatible with its surroundings. While builders may be willing to change their design at staff’s urging, they will not agree to lose units, which the current rule would require, to do it.

IV. INFILL CASE EXAMPLES

In order to assess the problem of infill development in Alexandria, planning staff performed an in-depth study of several dozen cases from the last ten years. Cases studied include those that were significantly troublesome at the BZA, BAR and Planning Commission, examples which generated citizen complaints, and those which staff on its own found to be technically problematic. The review included a large number of individual houses, subdivision cases, and cases where citizens were upset at intruding additions, the removal of trees, and setback and design issues. Staff inspected neighborhoods, and reviewed building plans, applications for approval, and citizen concerns; it recalculated dimensions and FARs and assessed board and administrative decisions.

Although staff set out to find common problems with the zoning rules or system that lead to larger houses and neighborhood problems, it discovered that each case includes individualized circumstances and so many variables that there were few common problems. The following case examples are instructive:

2412 Crest Street

The current construction on Crest Street is a typical infill case and a good example of a large house renovation project in an underbuilt neighborhood. The new house complies with zoning in all respects and did not require any special approval, only a building permit.



The Crest Street neighborhood, close to Braddock Road and adjacent to Blessed Sacrament church, is zoned R-8. Each house is required to have an 8,000 square foot lot, a maximum height of 40 feet and a maximum FAR of .35. The lot at 2412 Crest contains 10,000 square feet, allowing a maximum of 3550 square feet of floor area. The builder is maximizing the floor area in the reconstructed home, which includes 3520 square feet. The height and yards comply with zoning rules.

The new house is much larger than the remaining homes on this block, which are fairly regular in size and style. Although the lot is 10,000 square feet and the zone only requires 8,000 square feet, four of the seven lots on that blockface are 10,000 square feet or larger.

The project involves a large addition which essentially adds a second floor and front porch to what had been a one story, rambler. The preexisting style had been consistent with its neighbors; the new house design resembles a different, farmhouse era. The project has raised great concern

with some neighborhood homeowners, although others, including the immediately adjacent homeowners support the project.

Staff believes that, while well designed, the new construction is completely out of harmony with the homes in the neighborhood, although in another Alexandria context, perhaps only a few blocks away, the size of the house would be in character with the neighborhood.

2714 Hickory Street

This house, remodeled by a second floor addition in 2000 is included because it is an example of modern architecture on a street that is more traditional in architectural style. Again, the house meets all zoning rules and the reconstruction work required only a building permit under the zoning ordinance. Nevertheless, it is unusual and arguably out of harmony with its neighbors. Outside of the regulated historic districts, however, Alexandria does not regulate the design and architectural style of houses.



19 Sunset Drive and 217 East Del Ray Avenue

At 19 Sunset Drive, a single family home was demolished and redeveloped with a three-story duplex. The property was already served by two curb-cuts, which accommodated the four required parking spaces for the two dwellings allowed in the R-2-5 zone. While the development complies with zoning, it is arguably out of scale with adjacent dwellings.



Front



Back

Especially as seen from the rear, from Commonwealth Avenue, the building is much larger than its neighbors. The large rear addition, so much larger than the rear of its neighbors' homes, changes the rear building line of homes on the block radically.

A similar instance occurred at 217 East Del Ray Avenue, which was reconstructed with a large addition a few years ago.



In both cases, the new homes complied with zoning. The Del Ray house is on an extra wide lot. The Sunset Drive house is a two family duplex structure. We cite them together however to show the difference that design can achieve with large houses in established neighborhoods. In the Del Ray example, the overall design and especially the front of the house, with its porch and use of materials, are very good example of classic Del Ray architecture. Thus, although a very long house, and deeper than its neighbors, the Del Ray house is compatible with the neighborhood in terms of appearance.

On the other hand, in the case of the Sunset Drive house, its architecture, with its blank walls and front facade garage doors is unappealing. Furthermore, it lacks favorable design elements, such as front porches found in the older dwellings on the street. The Sunset Drive house is also an example of an unsuccessful effort by staff to negotiate design solutions with the developer of the lot. Originally an application for subdivision which staff could not support because of the front-loaded garages, the applicant was not amenable to staff's alternative parking designs, because they required a parking reduction SUP, even though staff would have supported the SUP.

These and other cases confirm staff's understanding of the development process and the City's infill regulations: Whatever regulations are in place, design is a key ingredient in determining what creates a successful infill project. Although required design review is one solution, voluntary design achievements are often equally successful, as with the well designed home at 217 East Del Ray Avenue. Even in the case of 2412 Crest Street, while larger than its modest neighbors, the new house is well designed; under the city regulations, it could easily have been built as a large brick box; the builder chose to create an appealing house design with porches, dormers and gables.

V. WHAT REGULATIONS HAVE OTHER JURISDICTIONS ADOPTED THAT AFFECT INFILL PROJECTS

Regulations on infill development throughout the country range from strict regulation with design criteria to encouragement and education strategies through guidelines and other reference materials. Given the complexity of the issue of infill, jurisdictions across the country have incorporated various regulations and guidelines to achieve compatibility with established neighborhoods.

Regional Solutions: Zoning Regulations

Arlington County

Over the past few years, Arlington County has studied the infill problem, especially as it relates to building height, setbacks and pipe-stem lots. In November 2005, the County adopted changes to the zoning ordinance to decrease the amount that a residential lot that can be covered by houses, accessory buildings and driveways, known as "lot coverage." A lot coverage rule specifies how much of a lot can be covered by the footprint of structures and hard surfaces such as driveways. It is the ratio of the occupied area (buildings and driveways) to the total area of a lot. For example, if the occupied area is 2,400 square feet and the total lot area is 6,000 sq. ft., coverage would then be equal to 40%.

Arlington studied the issue for two years to determine reasonable coverage limits that would protect neighborhoods from very large houses in the future while still allowing reasonably sized houses. Historically, zoning in Arlington allowed homeowners to cover 56% of a lot's total area with a main building, garage and driveway. The new regulations apply to the County's single-family residential districts, and provide a detailed sliding scale approach to the amount of lot coverage based on the size of the lot. The larger the minimum lot size, the smaller the percentage of lot coverage. Generally speaking, the new provisions allow the main house to occupy between 16% and 34% of the lot area, depending on the size of the lot, and provide incentives for front porches and detached garages in the rear yard. The changes do not affect existing houses; however, large additions (50% or more) or redevelopment that constitutes "reconstruction" triggers the new requirements.

Montgomery County

Like Arlington, Montgomery County, Maryland, has experienced significant infill disruption in its close-in, older residential areas. In assessing their infill problem and comparing it to their zoning, and after studying the issue for more than a year, Montgomery County determined that the most problematic aspect of new infill development was the height of homes. To address the height issue, the County lowered the height limits in some zoning districts. It also made a series of technical changes to the method by which height is measured, including the point to which and from which height is measured.

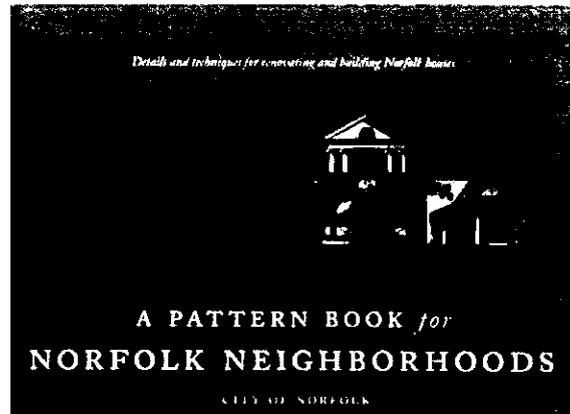
Fairfax County

Because of the scope and size of the Fairfax County residential community, with its vast acreage and large number of residential zones, Fairfax planning staff has been studying the infill issue for several years. Their work continues as the County looks at a series of potential changes to its zoning, particularly with regard to lot coverage and methods of measuring height. In addition, the County is also looking at the potential for a neighborhood conservation overlay district and form based coding. Final proposals are not anticipated for another year or so.

Norfolk: Education, Outreach, and Assistance

Specific regulations may not be the answer to every infill issue. Strategies of encouragement and education may be considered either on their own or in conjunction with regulations. Just last year, the City of Norfolk established the Neighborhood Design and Resource Center (NDRC), offered through the Department of Planning and Community Development. The office provides a setting and a program to address neighborhood and housing design issues for the City. Its services include: professional expertise in strategic neighborhood planning, revitalization and design, preliminary architecture and design services for residents, renovation advisory services, education and outreach to raise public awareness about good design, access to financial assistance, infill development consultation, and more. The office is staffed by planners, architects, and housing specialists, and reviews all building permits related to infill development, providing comments and recommendations. Although the design comments from the office are not required by regulation, many builders incorporate some or all recommendations into final designs.

Norfolk has a number of neighborhoods developed between 1850 and 1950 that are known for their significant history and architecture. As a reference for area builders and homeowners, the City of Norfolk prepared a pattern book on architecture, character and design in its older residential neighborhoods (see attached book). The book is not a regulatory tool, although some of the areas within the neighborhoods covered in the book are in designated historic districts with a formal review process. The book includes detailed guidelines on neighborhood patterns, architectural patterns, and landscape patterns. The more detailed contents of each section include the following:



Neighborhood Patterns: This section includes information on lot sizes and setbacks, accessory structures, streetscape, and landscape character.

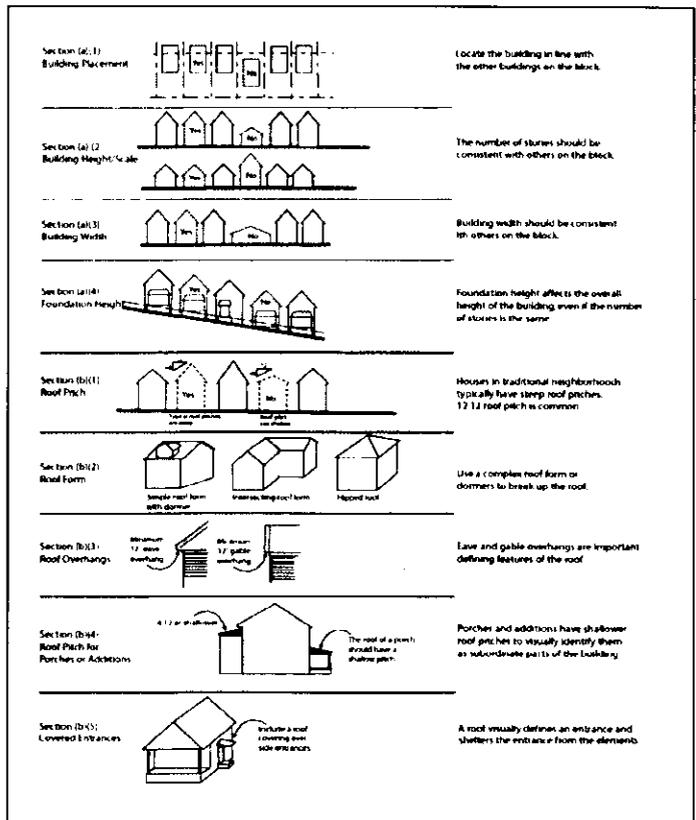
Architectural Patterns: The architectural patterns section discusses style, massing and composition, floor-to-floor heights, door and window composition, porches, roof pitches, cladding, and other elements.

Landscape Patterns: The landscape section includes information on foundation planting, sidewalk edging, hedges, sidewalk paving and driveway paving surfaces, garden features, and other elements.

This comprehensive outreach and education strategy provides resources to the community resulting in a greater consciousness of design issues. The hope is that, with greater community understanding, voluntary implementation will lead to creative design strategies by the building industry.

Roanoke:
Neighborhood Conservation District

Another strategy for design control in older neighborhoods is establishing a Neighborhood Conservation District. A conservation district ordinance accomplishes its purpose by regulating new construction, major alterations or additions to existing buildings, and demolition. Many ordinances contain design review guidelines applicable to additions and new construction. Some only regulate new construction. Roanoke, Virginia, established a conservation district, with zoning rules affecting new and expanded dwellings. Zoning regulations include specifications on building location and massing (including building placement, height/scale, width, and foundation height), roof pitch, window and door arrangements, siding and trim, porches, and standards for accessory structures and parking. The ordinance provides visual representations of the regulations, as shown here. The Roanoke district is essentially an historic district, but not all conservation districts incorporate the same level of detail, as shown by the wide variety of approaches in other jurisdictions around the country.



In fact, conservation districts differ from historic districts in that they provide more flexibility. As explained by Marya Morris in *Innovative Tools for Historic Preservation*, American Planning Association,

Conservation districts are areas, usually residential neighborhoods, with certain identifiable attributes, embodied in architecture, urban design, and history that are subject to special zoning or land-use regulations. The purpose for creating these districts vary somewhat from city to city, but, in general the districts are a land-use or zoning tool used to preserve neighborhood character, retain affordable housing, and protect an area from inappropriate development by regulating new construction. They also can serve as a catalyst for rehabilitation of existing buildings. Conservation districts can be used to protect neighborhoods or districts that have significant architectural and historic merit and a distinct character but that do not qualify for historic district status or have lost some of their integrity through incompatible additions and new development.

For communities in Virginia, a conservation district would be created under the state historic district authority (and in Alexandria, under its charter authority for historic districts), but the rules and procedures within the district could be much more flexible than those Alexandria employs within its historic districts now.

Other Strategies

Outside of Virginia, there are numerous strategies to address design issues of infill development. *Mansionization and Its Discontents: Planners and the Challenge of Regulating Monster Homes*, is a thorough article prepared by the American Planners Association, which examines strategies and results from three communities: Winnetka, Illinois and Sunnyvale and Menlo Park, California (see attached article). A summary of the regulation strategies attempted in these communities, some of which have been approved, then revised, or tried and rescinded, include:

FAR review trigger:	Activates special review when FAR exceeds defined limit.
FAR exclusions/bonus features:	Establishes incentives/added floor area for removing existing structures, subordinating garage space, or specifically placing accessory elements.
Impervious surface coverage:	Limits impervious surface or paved surfaces to a specific % of lot.
Second-story ratio:	Limits floor area on second story to a specific size or % of first floor area to minimize appearance of bulk/build out in single-story neighborhoods.
Daylight plane:	Reduces building mass and projections; ensures light for adjoining property.

Second-story setback:	Reduces appearance of bulk; provides articulation; avoids “blank wall” effect.
Other setbacks:	Limits building projections in front, side, or rear yard to address privacy or scale issues related to build out.
Special height limits:	Reduces excessive floor-to-ceiling height or height resulting from basement projections.
Design guidelines:	Encourages compatibility of new construction in existing neighborhoods.
Design review:	Ensures greater compatibility or consistency with guidelines when designated thresholds are exceeded.

VI. FINDINGS AND RECOMMENDATIONS

While staff is loathe to understate the issue, Alexandria may not be experiencing as much impact from infill as other jurisdictions, such as Arlington and Chevy Chase, which may have seen even more dramatic real estate value increases than Alexandria has. Nevertheless, when there is a neighborhood problem with an oversized, out of character, structure, it is very traumatic. Staff also notes that there has been a series of recent cases that were troublesome for decision makers, such as the subdivision cases on North Latham Street and Sunset Drive, and the substandard lot case on Laverne Avenue.

Decision Makers

Staff found that the City's decision makers do an excellent job in deciding individual cases based on the longstanding zoning rules crafted to address nuances of building in developed neighborhoods. Planning staff, board and commission members are well trained in the importance of protecting neighborhood character by paying attention to design issues, as well as mass, scale, height and architecture. While citizens may differ as to the approach to individual cases, and neighborhoods may be upset over a particularly large house addition, from a distance of several years, and looking at hundreds of cases, the work done by the BZA, the BAR and the Planning Commission on single family house cases is part of, on balance, a success story. If there is an infill problem, it occurs typically in those cases that only require a plot plan and building permit, not in those that receive discretionary review by the Commission, BAR or BZA.

Staff approach

In individual cases, including those that require only a building permit, planning staff takes an active role in attempting to create solutions for builders as to design, mass, parking, and other issues, and to persuade developers to use those solutions to the benefit of the neighborhood – and often to the financial benefit of the builder. Many individual builders are sensitized to the importance of design and neighborhood issues and assist homeowners to achieve new houses or additions with design elements that help blend in with established neighborhoods.

Design solutions

As outlined above, staff found that the design of a structure, a designer/builder's sensitivity to the neighborhood context is the single most important ingredient in ensuring that new construction is compatible with the character of an existing neighborhood. Furthermore, staff notes that the regulatory process, while helpful, is not the only way to achieve better designs. While one solution to infill would be to require design review of every single family home or addition, far preferable, from both a policy and practical standpoint would be to have builders voluntarily find design solutions that blend in with the established built environment. Staff finds the Roanoke example of neighborhood pattern books, with design guidelines, to be particularly helpful, and is providing Planning Commission members with copies to review.

Problem areas

Where staff found infill problems, they occurred because of the lack of transition with neighboring houses, oversized lots, underbuilt (overzoned) neighborhoods, narrow streets, and deductions allowed by the FAR rule. Staff also noted two particular problem areas in the City. The Fillmore area on the City's western border is severely underbuilt with R-20 zoning and very modest, ranch style houses. The R-20 zoning was historically applied to preserve single-family development, but new homes consistent with zoning exaggerate the overzoning problem. In addition, because of its popularity and modest homes, the eastern part of Del Ray has seen a number of large new and newly constructed homes built. The neighborhood is concerned and the Civic Association is giving special attention to the issue.

Future work

Finally, staff's analysis of the infill problem has uncovered a few troublesome situations that occur and regulations that do not work as well as intended. In addition, staff notes that planning staff, decision makers, neighborhood citizens and developers spend a significant amount of time debating issues related to details of residential development. Staff also is concerned about the future potential for more significant disruption in the City's residential neighborhoods. Therefore, staff has identified four areas for further, in depth study, and potential regulatory solutions. In addition staff believes the City should consider some form of Norfolk's non-regulatory design initiative for Alexandria.

Staff recommendations

Specifically, staff is recommending that:

- four specific regulatory areas be studied for potential amendment to the zoning ordinance:
 - ▶ steep slope restrictions
 - ▶ subdivision regulations
 - ▶ lot coverage limitations
 - ▶ floor area ratio calculations
- the City create a residential conservation design pattern book with design guidelines for builders and architects on infill projects.

These issues are discussed in greater depth in Section VII.

VII. TOPICS SUGGESTED FOR FURTHER STUDY

The following pages discuss specific aspects of existing or potential regulations in Alexandria, each of which could form the basis of additional study and new or amended regulation.

STEEP SLOPES

Alexandria does not address development on steep slopes in the zoning ordinance, and it has been suggested that it should. As land becomes more and more valuable, those properties previously considered undesirable or difficult to develop have come to the attention of builders. The City has seen several developments in the last few years on long undeveloped land, such as at Pickett's Ridge, Lloyds Lane, and Beauregard and Armistead. The City's ability to deal with relevant development issues on those sites is restricted without an ordinance that addresses the issue.

What is a steep slopes ordinance?

Very simply, a steep slopes ordinance defines the maximum degree of slope of land that is permitted to be developed. In the most extreme circumstances, development can be prohibited where the grade of land is too great, because the result is harmful to soil stability, requires the removal of trees, the erection of large retaining walls, and otherwise brings harmful results to the community. While still not prohibiting construction, a steep slope ordinance may require additional review, or require development alterations at certain levels of slope.

What do other jurisdictions do?

Several jurisdictions nationwide and regionally include a steep slope regulation in their development approach. In many jurisdictions, including Loudoun, Prince William, Montgomery and Prince Georges Counties, development is not permitted on slopes with over a 25% grade. In addition, jurisdictions frequently reviewed development on land with at least a 15% grade, or require additional performance standards for development.

In addition to these steep slope ordinances, Arlington County elected to use its Chesapeake Bay regulations to address steep slopes that occur adjacent to RPA areas or required RPA buffer areas. For example, if a slope greater than 25% exists adjacent to a required 100-foot buffer, the buffer is expanded to include that slope. The controlled slopes are reduced to 15% along the Potomac Palisades. Development is not necessarily prohibited on these slopes, but typically a special exception is required in addition to a Water Quality Impact Assessment. Through this process, staff reviews impacts to the RPA, especially vegetation and runoff impacts, and requires mitigation and RPA enhancement measures.

Alexandria experience

While Alexandria does not have the mountains that parts of Loudoun and Montgomery County do, nor the Potomac Palisades that Arlington has, it does, especially with regard to the remaining undeveloped land in the city, have sites that are hilly, where development can only be achieved with special technical and engineering attention to stabilizing the soil to hold construction. Building large retaining walls, and running piped water and sewer for longer distances to accommodate such sites, negatively affects the underlying ground and tree root system, causes decline of remaining natural flora, and, with appropriate techniques, may be able to be avoided.

A few recent examples are instructive:

Pickett's Ridge/Buzzards Gap. This single-family house development began with a builder's application to build seven to eight homes on severely sloped land in the west part of the City. 80-90% of the site included 15 to 20% grades. All of it included heavily treed land. The initial site plan proposal removed all of the trees and included extensive use of large retaining walls. As a result of working with staff, the final proposal was scaled down to a total of four single-family homes, and required SUP approval for lots without street frontage, which staff supported. Most of the trees were saved and retaining walls minimized. The change in product and site design was driven by both environmental concerns but also by market. The houses are experiencing successful sales now.

Armistead/Beauregard. This development site plan case was problematic for staff, the Commission and City Council. The proposal included 42 townhouses on a steeply sloped property, but required the removal and grading of hilltops and removal of trees to make it work. Ultimately approved by Council on appeal, neither Staff nor the Commission could support it without the removal of some units to reduce the amount of grading and save some of the treed area. Ideally, a sloped site such as this one should be developed with fewer footprints than townhouses require; a single large condominium building would have suited the site environment better than a townhouse project.

Potential zoning changes

It would not be difficult to amend the zoning ordinance to include a provision, which requires additional review of development on steep slopes. For example, development on slopes greater than 15% could be required to obtain a special use permit, thus allowing greater review and discretion in what might otherwise be a site plan application.

In addition, the steep slope amendment could provide that where possible, development on steep slopes should be avoided, or should be modified to group development so as to avoid the steep slopes. While it would be desirable to help find solutions for a developer to achieve the size, type and scope of development planned, in the proper case the City may want to be able to require a change in product type or potentially a reduction of the number of units proposed in order to respect the natural environment affected by what would otherwise require a change in the natural grade of land.

Who would be affected by a steep slope ordinance?

Using GIS mapping technology, staff can estimate the number of platted parcels of land with differing amounts and degrees of slopes. As an example, if the City applied a steep slope ordinance with a threshold of 10% of a parcel having a slope of 15 % or greater, then a total of 16 vacant single-family residential parcels would be affected. The same threshold applied to oversized residential lots (developed with only one house but enough land for at least two houses), then 346 lots would be affected. If instead of capturing lots with 10% area in steep

slopes, the regulation only applied to those with 20% area steeply sloped, then 273 underbuilt single-family residential parcels would be affected. Individual parcels can be reviewed for GIS accuracy and topographical information is typically part of survey information in development cases.

SUBDIVISION REGULATIONS

The potential subdivision infill problem

Beyond zoning and construction issues with regard to existing lots, the City has recently seen efforts to create *new lots* for building houses. Examples include the recent North Latham Street and Sunset Drive cases, where the size of the new houses proposed would dwarf those in an established neighborhood or where development issues such as parking, location of garages and building design will lead to incompatible development. In addition, the City is seeing the subdivision of long-held, large, undeveloped parcels, such as on Lloyds Lane and North Quaker Lane. In the future, if a developer obtains a whole block, a portion of a block, or a several block area now occupied by small, modest homes, and seeks to redevelop the area, the developer would undoubtedly seek to resubdivide the land into lots more suitable for modern, larger homes.

The subdivision regulations are found at section 11-1700 of the zoning ordinance, and were last revised as the result of a committee designed for the purpose, led by past Commission chair, Bill Hurd, in mid late 1990s. At that time, the regulations were streamlined without radical changes.

The regulations include a series of technical requirements for plats, a requirement that the subdivided lots comply with zoning, and several requirements for access. Technical requirements include, for example, survey information and lot numbering systems. Zoning requirements for lots require that lots have frontage on a public street, and that the size of the lot meets the zoning requirement for size. As to access, the subdivision regulations make clear, for example, that pipe stem lots are not favored and that fire and emergency access is required. Each of these requirements helps assure that new lots for construction are similar to traditional Alexandria neighborhood homes, with houses on streets, room for parking, and enough size to accommodate a house that meets zoning.

North Latham Street subdivision case

On December 19, 2005, Judge Kemler of the Alexandria Circuit Court ruled that Section 11-1710 (B) of the Alexandria Zoning Ordinance may not be interpreted to permit consideration of improvements on the lot when assessing whether 1) the proposed subdivided lots would be of substantially the same character as other lots in the subdivision, or 2) the resubdivision as improved would detract from the value of adjacent properties. The City is proceeding to trial in this matter in early March. At trial, the City intends to show that denial of the subdivision was based on other factors (aside from consideration of improvements on the lot), including for instance the fact that the proposed subdivision would create a new "corner" lot that is not of substantially the same character as the other corner lots in the original subdivision.

Subdivided lots “in character” with subdivision

The subdivision regulations recognize the importance of maintaining neighborhood character, at least as regards the remainder of the subdivision. At section 11-1710(B), the zoning ordinance provides:

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, areas, 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 the case of resubdivision then, new lots must be of “substantially the same character” as other land within the “subdivision,” and especially as to “similarly situated lots” within “adjoining portions of the original subdivision.” This prescient regulation, long a part of Alexandria’s subdivision regulations, seeks to maintain neighborhood integrity by prohibiting lots that would be so large, so oddly shaped, or so positioned, as to detract from a neighborhood’s character. As beneficial as this regulation is, however, its parameters both restricted to a narrow set of circumstances and are not specifically set.

Potential infill solutions

If the Commission wishes to pursue amendments to the subdivision regulations, staff suggests that the “in character” rule could be expanded with additional language to make its effect clearer. For example, language could be added to:

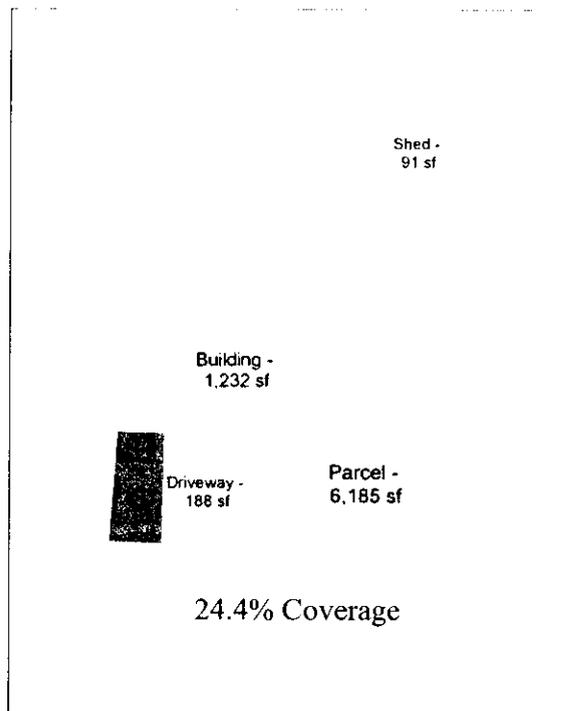
1. Make clear what constitutes a “subdivision” and an “original subdivision” for purposes of the provision. Beyond the original subdivision plat document, which is not always readily available, language describing land in the same location with the same features so as to be essentially identical to the original plat may be helpful.
2. Make clear what “in character” means in this context. While the regulation does include language on this point, and asks that the City look at elements such as areas, alignment to street, street frontage, etc, there may be additional tests that should supplant or be added to the existing regulation to modernize it. The zoning ordinance already incorporates an objective compatibility test for lot sizes that are consistent with a developed neighborhood as part of the substandard lot regulations. It may be that a similar test could be applied in the subdivision context to support the “in character” requirement of section 11-1710(B).

LOT COVERAGE

What is a lot coverage rule?

One typical zoning regulation for single family homes, that Alexandria does not include in its zoning ordinance, is a lot coverage rule. Lot coverage regulations, typically expressed as a percentage, limit the amount of a lot that can be covered with building or other structures because those elements add to the size and bulk of structures and deplete the open space, yards and openness of the remaining lot area. Alexandria's yard and open space regulations function in similar ways; they are a type of lot coverage requirement.

It has been suggested that Alexandria look at the potential for a lot coverage rule to add to its single family zones. Such a regulation, especially on larger lots, would provide a check on the amount of hardscape and building that can be included on a lot – even beyond what is required by yards or open space requirements.



What do other jurisdictions do?

Arlington County, which does not regulate single family homes by an FAR rule, has historically applied a lot coverage limit to single family development. Originally set at 50% many years ago, in recent history, the rule has allowed a maximum of 56% lot coverage in all zones. As applied in Arlington in recent history, the rule counts the footprint of the house and accessory structures on the lot, plus any driveway or paved area. In Arlington, the 56% lot coverage rule applied to all SF zones.

As previously discussed, in the last few months, Arlington County changed its lot coverage rule so as to apply a different percentage to different lot sizes, believing that using a sliding scale would help it address the mansionization issue. The new Arlington rules allows more lot coverage in the smaller lot zones, and a descending amount in the larger zones. They also

include bonuses from the calculation for including front porches and detached garages, two character defining features, and addresses oversized lots. Significantly, in Arlington, the most contentious issue related to its new lot coverage rules was how to apply it to existing homes. As adopted by the Arlington County Board, the new rules apply only to new construction, and not to existing structures unless their size is increased dramatically (by 50%).

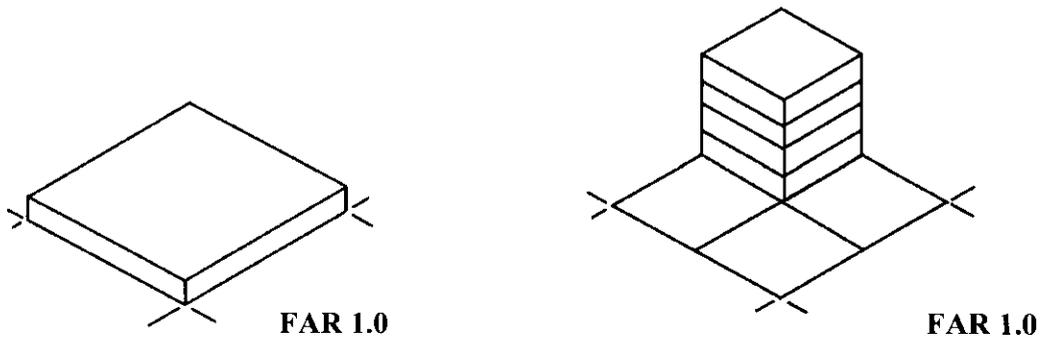
Potential zoning changes

Staff recommends that Alexandria consider the addition of a lot coverage rule, possibly as an alternative to a change to the FAR rules. The two forms of regulation operate to achieve similar ends. If Alexandria wants to pursue a lot coverage scheme, then staff should study the typical coverage dimensions for each zone, as Arlington did.

FLOOR AREA RATIO (FAR)

What is FAR ?

Floor Area Ratio (FAR) is the measure by which the Alexandria zoning ordinance regulates the bulk of buildings, including single family homes. FAR relates the amount of *floor area* within a building to the size of the *land parcel* the building is being sited on. It is a flexible measure allowing a variety of building forms, even on the same size parcel, depending on the building's shape and the number of floors within the structure. For example:



Each zone in Alexandria, including each single family zone, includes an FAR amount stated as a maximum. In addition to the lot size, setback, yard and height regulations that define the envelope for single family construction, each zone includes an FAR requirement to further define the limits of development permitted, and the amount is set on a sliding scale depending on the zone.

Zone	FAR max	Lot Size	Maximum Allowable Floor Area
R-20	.25	20,000 sf	5,000 sf
R-12	.30	12,000 sf	4,000 sf
R-8	.35	8,000 sf	2,800 sf
R-5	.45	5,000 sf	2,250
R-2.5	.45	5,000 sf—single family; 2,500 sf—two family	2,250 sf; 1,125 sf

Although the amount of FAR a building is allowed is found in the relevant zone, the application of the rule is based on the current definition of “floor area” in section 2-145 of the zoning ordinance:

2-145 *Floor area:* The floor area of the building or buildings on a lot or tract or tract of land (whether “main” or “accessory”) is the sum of all gross horizontal areas under a roof or roofs. These areas shall be measured from

the exterior faces of walls and from the eaves of all roofs where they extend beyond the wall line or from the center line of party walls and shall include all space with a headroom of seven feet six inches or more, whether or not provided with a finished floor or ceiling. Excluded shall be elevator and stair bulkheads, accessory water tanks, cooling towers and similar construction not susceptible to storage or occupancy. Basements and subbasements shall be excluded from the floor area ratio computations, but for the purpose of computing off street parking requirements, that portion of such areas as are occupied by permitted uses shall be subject to the provisions of Article VIII.

Potential infill problem with FAR

In Alexandria, FAR is one of, if not *the* principal determinant, of how large a structure can be. Therefore, if the City wants to control overly large new houses or house additions, it is wise to review this regulation and assure that it is functioning as the City desires it to do. While Alexandria has included an FAR regulation in its single family zones for many years, the way the City interprets it has changed over the years.

FAR exemptions

Under the above definition, each horizontal area of floor located under a roof or eave is counted in the calculation, unless the area fits within an exception within the definition. The following areas of buildings are not counted: stairs and stairway, fireplace and elevator shafts, mechanical rooms, and basements that rise less than four feet above the grade. The part of the definition that has proved problematic is the phrase that says that areas to be measured in determining floor area “shall include all space with a headroom of seven feet six inches or more...” For at least 20 years, staff and the development community, have interpreted this phrase to mean that space that is less than 7'6" in height is not counted as floor area. Thus, above ground parking garages, closets, bathrooms, and most attic space were not included in the calculation of FAR.

The 7'6" provision in the FAR definition was probably included originally because of the definition of “habitable space” that was part of the 1993 and prior editions of the Virginia Uniform Statewide Building Code (VUSBC). Habitable space in the VUSBC was defined as having a ceiling height of “not less than 7 feet 6 inches”, except that hallways, corridors, bathrooms, kitchens, laundry rooms were permitted a ceiling height of “not less than 7 feet.” However, if there was a linkage, it was changed in the 1996 edition of the VUSBC to reduce the required height of all habitable space to seven feet.

In recent years on small scale additions and new construction, Planning staff have taken a more restrictive interpretation of the 7'6" provision, limiting exemptions to the FAR calculation for ceiling height. The rationale is that although the floor area definition expressly requires that all space with a headroom of 7'6" be counted for purposes of FAR, it does not expressly say that space that is less than 7'6" is to be excluded from the FAR calculation. Nevertheless, the 7'6" language is a continued source of difficulty for developers and home owners as well as staff.

Application of FAR rule

With the advent of sharply increasing real estate values, every inch of space in buildings, including in single family homes, has value. Therefore, Planning and Zoning staff routinely deal with builders and homeowners over FAR interpretations, as well as the developers of large projects. Over the last decade, staff finds itself routinely in negotiations with applicants over whether, for example, to count closets and bathrooms within FAR calculations. Some examples of the application of the FAR rule show the issue:

1. Historic homes. In Old Town, where most houses are old and built prior to the advent of Building Codes, there are many homes with floor to ceiling dimensions under 7'6." Arguably, under the definition there could be an entire house or large portions of existing homes without any floor area, and therefore not part of the FAR calculation. If such a house is the subject of an application for an addition, then the homeowner could argue that he is entitled to a larger addition than if his entire existing house counted as part of the floor area calculation. The result could be a much larger house than was envisioned in the neighborhood.
2. New homes on vacant or cleared land and house expansions In new homes or additions to existing houses, questions of how to calculate the floor area can become issues. For example, residential builders will routinely propose bathrooms, closets and attic space that have ceilings lower than 7'6" and argue for eliminating that area from the FAR calculation. The problem is exacerbated by the use of false ceilings, which can be removed after construction, or the change, sometimes innocent, in the intended use of space. For example, if the built space over a two-car garage is only 7 feet tall and designated for storage, later owners of the property could decide to use the space as a bedroom. If a builder uses a false ceiling initially, there is no after-the-fact inspection to check to ensure that the ceiling remains forever. Another problem is created when builders manipulate the basement exemption by piling up soil and landscaping around the base of a new home to ensure the basement does not extend more than the four feet above grade that the exemption allows.
3. FAR Deductions and Above Grade Parking. It is often unsettling to find that large components of new buildings, typically commercial buildings, are able to take advantage of the FAR deduction rule, especially by building above grade parking structures with ceiling heights lower than 7'6." This can account for 15-20%, or more, of a building being deducted from FAR. For example, the office building at 1101 King Street covers almost a full block. The structure contains an office building and parking structure with some retail on King Street. Although a large building by any measure, more than half of the building is not counted as FAR because it is a parking garage with low ceiling heights, excludable as FAR. The result is that the public experiences the bulk of the building but the regulation does not count the bulk in its calculation. Another example is a recent concept application for an automobile use for the construction of a modest office surrounded by a three-level parking structure. If the parking were counted, the proposed structure have a 2.5 to 3 FAR. Because the parking garage ceilings are low, however, the applicant is able to calculate the FAR of the building as .5, in compliance with the zoning.

The effect of these examples is to undermine the integrity of the City's regulations, to make more work for staff who review applications, and to create uncertainty on the part of property owners, developers, and the public at large.

What do other jurisdictions do?

Not all communities use FAR to regulate the size of single family homes. In the recent infill debates in Montgomery County, the discussion focused on height limits because there is no FAR rule for single family in the close-in communities. Arlington County does not include an FAR rule in its single family zones; therefore the infill debate in that jurisdiction focused on coverage requirements. In some jurisdictions with an FAR rule, there are no exemptions from the calculation whatsoever (a gross FAR calculation). In Montgomery County, where FAR does apply, it is a gross not a net figure. And for those jurisdictions that do use a net figure, allowing for some exemptions, it is rare to find one that exempts space with low ceilings. Typical exemptions in those cases involve elevator and stair shafts and true mechanical space.

Past reviews of the FAR definition.

The City has previously considered changing the definition, and the effort has not succeeded. The Zoning Task Force, formed to guide the comprehensive revision of the zoning ordinance adopted in 1992 recommended that the FAR rules be changed to eliminate the 7'6" language. And in the late 1990s, City Council and the Planning Commission considered a similar recommendation. That effort was ultimately tabled for lack of consensus. Attached is the staff report from TA #98-0014, as well as two memorandums from the City Attorney's Office regarding FAR.

Potential ways to modify FAR

1. Elimination of 7'6" language.

The issue with changing the definition to eliminate the 7'6" exemption, or otherwise changing the method of calculating FAR, is one of fairness. In an almost completely developed city, where every structure has been built under the rules existing at the time, to change the method of calculating FAR would mean that many existing structures would become noncomplying because they would not conform to the new rules.

Much of the City, especially the single family homes on the eastern part of the City, were built before zoning, and are today already noncomplying in some way, typically with regards to one or more yard requirements. After the 1992 zoning ordinance change, these homes were made subject to new noncomplying rules, specifically prohibiting an expansion without approval of a variance or special exception by the BZA. The noncomplying label has not deterred homeowners from putting on new, large additions, but it does mean that the BZA gets involved to review the addition, as well as the need to waive the noncomplying rule in that case.

If the FAR definition were to be changed to not allow some exemptions that are now allowed, then ultimately a smaller building would be permitted than is allowed today. With that loss of space previously allowed, some would argue that homeowners are harmed as relates to either the amount they paid for the house or the land, or the size of additions their neighbors have been allowed. The difference could arguably be made up by increasing the amount of FAR allowed in a zone by a corresponding degree. Under this approach the FAR maximums in the single family zones could be increased to allow greater FAR buildings, although the FAR would be calculated under the new rules.

Another option is the potential for applying a new way of measuring FAR only to new construction, which could be defined to include only new structures and additions to existing structures over a certain threshold, and/or only to development site plan cases.

2. Gross instead of net FAR rule.

While similar to eliminating the 7'6" rule, this approach would go further and simply measure the full square footage of each floor to the outside dimension of buildings. This approach was used within the Coordinated Development Districts in Eisenhower East and for those CDDs more recently approved in Arlandria and Mt. Vernon Avenue. While there are no exclusions on floor area, volumetric spaces, such as elevator shafts and atriums, are excluded. We have found that this approach offers the community and the developer more surety that the FAR calculation actually reflects the real mass and scale of buildings. The advantage is simpler administration and better understanding of the zoning code by the public.

In the CDDs where this approach has been applied, detailed analysis was performed to determine the appropriate gross FAR to ensure compatibility of new development with existing neighborhoods. Applying this approach across the board, without adjustment to the allowable FAR, would have the same impact as eliminating the 7'6" exemption rule noted above -- allowing smaller buildings than would be permitted today. Again, to compensate, the difference could be made up by increasing the amount of FAR allowed in a zone by a corresponding degree.

3. Eliminate FAR as a measure for single family homes.

Another idea is to do away with FAR altogether. Some argue that for single family, the true measure of the form and size of a structure can be achieved by regulating height, setbacks and volume, which would be a new zoning regulation for Alexandria. A lot coverage ratio could compliment open space requirements and be a possible substitute for FAR.

4. Other approaches.

Other approaches that could be implemented in single family zones, with or without changing the FAR definition are:

- a. Establish a certain threshold for house additions, or replacement houses, at which point the City could require an SUP, variance or other design review approval to ensure compatibility with the neighborhood. For example, for an increase of more than (25%, 50%) of the existing FAR, height or gross footprint, additional approval would be required.

- b. Identify designated and mapped neighborhood conservation areas of the City to limit where the threshold would apply. Areas could be chosen by design, history and neighborhood character and could include a requirement that the approach be favored by the neighborhood.
- c. Because FAR is related to the size of land, larger houses are automatically allowed on larger lots. While the City includes a *minimum* lot size, it does not include a *maximum* lot size regulation. In some neighborhoods, both large houses and large lots would be out of scale and could be prohibited, or at least made subject to additional review.

The FAR issue is difficult, and the City has tried unsuccessfully to address it in the past. Nevertheless, staff is prepared to discuss it and study it further, and to respond to the Commission's direction on the subject.

STAFF: Eileen Fogarty, Director;
Kimberley Fogle, Division Chief, Neighborhood Planning and Community Development;
Hal Phipps, Division Chief, Zoning and Land Use Services;
Peter Leiberger, Zoning Manager;
Valerie Peterson, Urban Planner;
Barbara Ross, Consultant.

Sec. 9.24 - Land subdivisions.

In order to provide for the orderly subdivision of land within the city, there is hereby conferred upon the city, the power to adopt resolutions relative to the subdivision of land in the manner hereinafter provided. Such regulations may prescribe standards and requirements for the subdivision of land which may include but shall not be limited to the following: Location, size and layout of lots so as to prevent congestion of population and to provide for light and air; the width, grade, location, alignment and arrangement of streets and sidewalks with relation to other existing streets, planned streets and the master plan; access for fire fighting apparatus; adequate open spaces; adequate and convenient facilities for vehicular parking; easements for public utilities; suitable sites for schools, parks and playgrounds; planting of shade trees and shrubs; the restriction or regulation of the erection of buildings and structures in areas subject to flood; naming and designation of streets and other public places; laying out, constructing and improving streets, alleys and sidewalks and the installation of storm and sanitary sewers or any other utilities owned by the city and apportioning the cost thereof; and the guarantee of payment by the developer of his proportionate share of such cost; procedure for making variations in such regulations and restrictions; requirements for plats of subdivisions and their size, scale, contents and other matters; for the erection of monuments of specified type for making and establishing property, street, alleys, and other lines and provide penalties for the unauthorized removal of such monuments. (Acts 1966, ch. 12, Sec. 1; Acts 1966, ch. 83, Sec. 1; Acts 1982, ch. 480, § 1)

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Sec. 9.25 - Repealed by Acts 1982, ch. 480, § 2.

Sec. 9.26 - Adoption of regulations and restrictions applicable only within the city limits.

After hearing as above provided the council shall adopt by ordinance the regulations referred to in section 9.24 (i) which shall become effective when recorded in the office of the clerk of the circuit court. (Acts 1982, ch. 480, § 1)

Sec. 9.27 - Approval of plats and subdivisions.

From and after the date on which such regulations and restrictions become effective in the city the owners of tracts of land within the city to which such regulations and restrictions are applicable who subdivide them into two or more lots, shall cause plats of such subdivisions, in the form prescribed by the applicable regulations and restrictions, to be made and submitted to the city planning commission. It shall be the duty of such commission to consider such plat in the light of the regulations and restrictions applicable to the same and approve or disapprove the plat in accordance therewith. Before taking any action thereon the city planning commission shall afford the owner and other interested parties an opportunity to be heard after such reasonable notice as may be provided in such regulations and restrictions. Failure to act on any plat for a period of forty-five days shall be deemed to constitute approval. Approval shall be attested on the plat by the signature of

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Subdivision #2014-0013 200 and 212 Lloyd's Lane

- Appeal of Planning Commission denial of subdivision request
- Request to divide two parcels into three lots
- New single-family dwellings are planned
- Meets R-12 zone requirements



City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 12, 2015

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: KARL MORITZ, ACTING DIRECTOR OF PLANNING & ZONING

SUBJECT: 200 & 212 LLOYD'S LANE - APPEAL OF PLANNING COMMISSION
DENIAL OF SUBDIVISION #2014-0013

I. Appeal

The applicants for Subdivision #2014-0013, David M. Phillips Jr. and Nancy E. Phillips represented by Duncan Blair, attorney, are appealing the December 2, 2014 decision of the Planning Commission to deny a subdivision request at 200 and 212 Lloyd's Lane.

The applicants have proposed to re-subdivide two existing parcels into three lots, likely in order to build two new dwellings in the future, if approved. Proposed Lot 601, the western-most interior lot, would retain an existing single-family dwelling and accessory structures, and it would be the largest of the three lots at 37,371 square feet. Proposed Lot 602, the middle interior lot, would measure 15,750 square feet and would be the smallest of the three proposed lots. Proposed Lot 603 would be located at the corner of Lloyd's Lane and Russell Road. It would measure 23,143 square feet in size and feature steep, 19% slopes on its entirety.

Section 11-1708(D)(2) of the Zoning Ordinance states that an appeal from a denial by the Planning Commission shall be made in writing and filed with the City Clerk within 15 days of the decision of the Commission. When an appeal is filed, the City Council shall schedule one de novo public hearing on the matter and may affirm, reverse, or modify the decision of the Commission. It may also return the matter to the Commission for further consideration. On appeal the same standards for subdivision review shall be applied as are established for the Commission.

II. Background

Section 11-1710 of the Zoning Ordinance sets forth the requirements that the Planning Commission must consider when reviewing a request for a subdivision. Section 11-1710(B) requires subdivision requests to meet the following standards:

full criteria

* symboze
late

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.
- (3) No resubdivision shall be approved which results in the creation or the continuation of a lot, building or structure which does not comply with the provisions of this ordinance, unless the commission expressly authorizes a variation pursuant to section 11-1713 of this ordinance.

The request was originally scheduled for the November Planning Commission hearing but was deferred to the December docket given staff's receipt of additional information regarding the actual legal documents that had created the original lots. Staff discussed the deferral in greater detail in its November 19th memorandum to the Planning Commission, which is included as part of the December 2, 2014 staff report (see Attachment A). Staff also amended the body of the staff report in light of the new information such that the December report completely replaces the November report (Attachment B.)

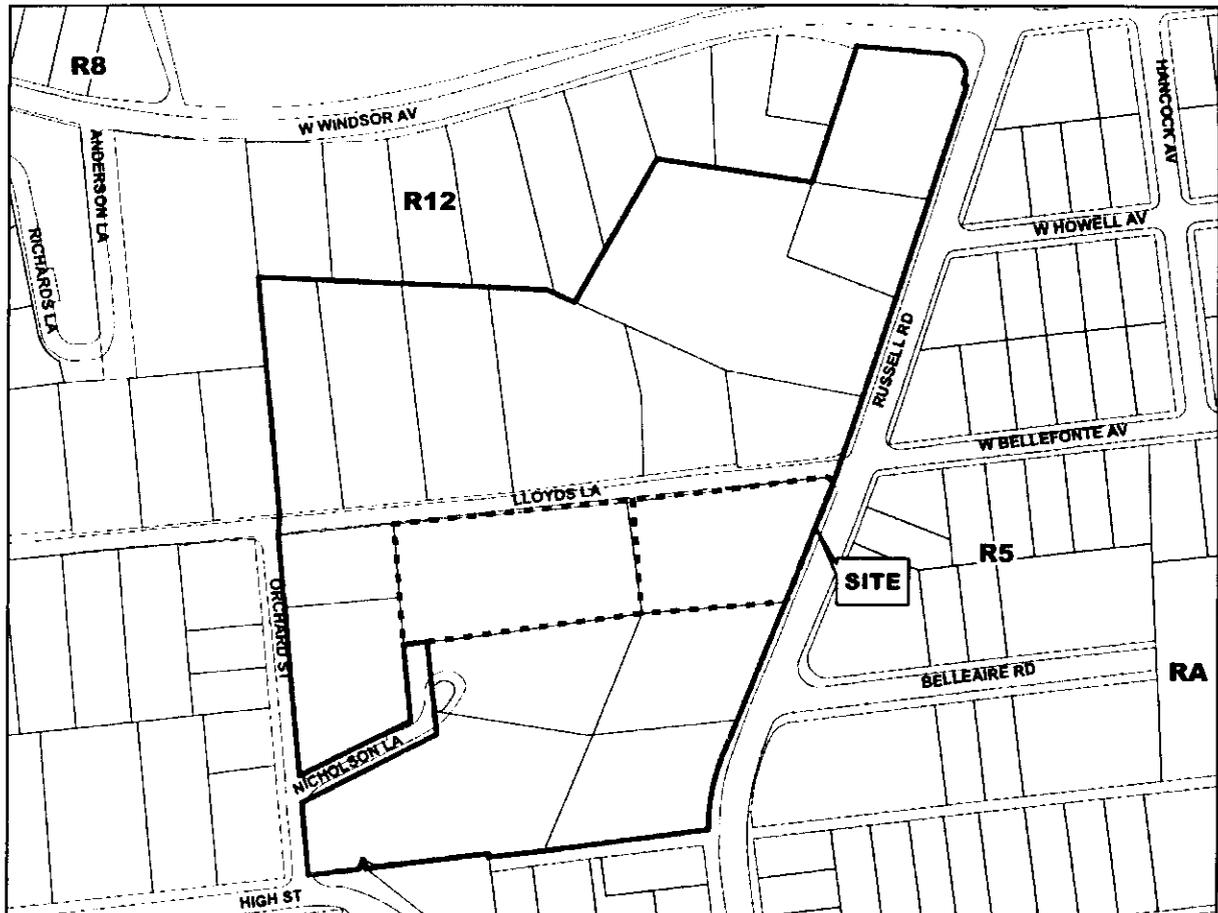
2400 ft frontage 110

Planning & Zoning staff recommended denial of the proposed subdivision at the Commission's December 2nd public hearing. The proposed lots meet technical R-12 zone requirements and no character questions emerged regarding proposed Lot 601 or the lot frontages for proposed Lot 603. However, staff found that the dominant character of the lots in the area of comparison is of lot sizes greater than 24,000 square feet and lot frontages greater than 110 feet. Proposed Lots 602 and 603 would not be substantially consistent with the character of other lots in the area of comparison in terms of lot size. Proposed Lot 602 would not be substantially consistent with the character of other lots in terms of lot frontage. Staff also expressed concern about proposed Lot 603 regarding its suitability for residential structures and uses given its steep slope.

The issue of which lots should constitute the area of comparison, in order to answer the lot character question, also featured prominently in staff's analysis given that no "original subdivision" exists at this site other than the original lots in question. Staff determined, consistent with the provisions contained in Section 11-1710(B)(2) of the Zoning Ordinance, that the area of comparison should be an area comprised of 15 properties (not including the subject

lots) that are located to the north, south, and west of the subject site (see Figure A below). These properties are in the same zone as the subject site, are geographically proximate, and generally share similar lot characteristics. Staff declined to use the applicant's proposed alternative area of comparison, which consists of only the entire blockface along Lloyd's Lane between Russell Road and West Braddock Road. Given the different character of those lots on Lloyd's Lane that are west of Orchard Street, staff found the applicant's proposed alternative to be inconsistent with the requirements of Section 11-1710(B)(2).

Figure A: Area of Comparison



The Planning Commission voted to deny the request on a 6 to 1 vote. The majority of the Commission agreed with the staff analysis that the proposed subdivision did not meet the criteria of Section 11-1710(B) of the Zoning Ordinance because proposed Lots 602 and 603 would not be substantially consistent with the character of other properties in the area of comparison in terms of lot size (for Proposed Lots 602 and 603) and lot frontage (for Proposed Lot 602). The majority of Commission shared staff's concern about the suitability of proposed Lot 603 for residential structures given the steep slope of the lot. It agreed that the 15-lot "area of comparison" (shown in Figure A above) is reasonable and appropriate. The Commission also briefly discussed the applicant's concern that an analysis of the most "similarly-situated" lots to

the current request necessitates a distinction between corner lots and interior lots. The Commission noted that the area of comparison included both types of lots, and did not find that an analysis comparing only the proposed corner lot to other corner lots and only the proposed interior lots to other interior lots to be necessary.

III. Additional Analysis

In addition to the findings provided in the December 2, 2014 staff report, and the Planning Commission finding, staff performed an additional comparison of the proposed corner lot (proposed Lot 603) to other corner lots and the smaller of the proposed interior lots (proposed Lot 602) to other interior lots, as it may be helpful to the City Council in light of the applicant's statements on this point as expressed at the Planning Commission public hearing. First, with regard to lot size and excluding the existing lots at the subject site, only two of the five other corner lots in the area of comparison, or 40%, have a lot size smaller than the 23,243 square-foot size of proposed Lot 603. The three other lots, which range from 27,980 to 51,133 square feet, are considerably larger. Second, with regard to lot size and excluding the existing interior lot at the site, none of the ten other interior lots in the area of comparison are as small as the 15,750 square-foot size of proposed Lot 602. The ten lots range in size from 17,979 to 70,786 square feet, with a median value of 27,219. Third, with regard to lot frontage and excluding the existing lots at the subject site, only four of the ten other interior lots, or 40%, have a lot frontage smaller than or close to the 105 feet of frontage at proposed Lot 602. The six other lots have lot frontages ranging from 120 to 163 feet.

The percentage of other lots that are smaller, narrower, or close to the lot frontage or lot size of the proposed lots therefore fails to exceed 50% in any of the three above-referenced instances in this additional comparison. Proposed Lot 602 would be inconsistent with the dominant character of other interior lots in the comparison area, and proposed Lot 603 would be inconsistent with the dominant character of other corner lots in the comparison area.

IV. Conclusion

Staff continues to recommend denial of the proposed subdivision based on the information and conclusions contained in the December 2, 2014 staff report and as further supported in the above-referenced additional comparison. If City Council grants the subdivision, staff recommends that the approval be subject to compliance with the conditions set forth in Section III of the December staff report to the Planning Commission.

Enclosures:

Attachment A – December 2, 2014 Staff Report to Planning Commission
Attachment B – November 4, 2014 Staff Report to Planning Commission
Attachment C – Subdivision Plat



DOCKET ITEM #3

Subdivision #2014-0013
200 - 212 Lloyd's Lane

Application	General Data	
Consideration of a request to re-subdivide two existing lots into three new lots.	Planning Commission Hearing:	December 2, 2014
	Approved Plat must be recorded by:	June 2, 2016
Address: 200 - 212 Lloyd's Lane	Zone:	R-12/Residential
Applicant: David M. Phillips Jr. and Nancy E. Phillips represented by Duncan Blair, attorney	Small Area Plan:	Northridge/Rosemont

Staff Recommendation: DENIAL

Staff Reviewers: Nathan Randall nathan.randall@alexandriava.gov
Alex Dambach alex.dambach@alexandriava.gov

PLANNING COMMISSION ACTION, DECEMBER 2, 2014: On a motion by Commissioner Lyman, seconded by Commissioner Brown, the Planning Commission denied the request. The motion carried on a vote of 6 to 1, with Commissioner Lyle voting against the denial.

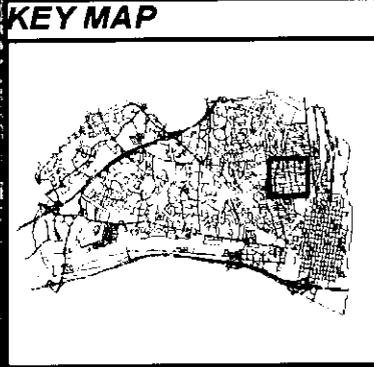
Reason: The majority of the Planning Commission agreed with the staff analysis that the lots in the proposed subdivision would not be consistent with the character of other nearby lots with regard to lot size, lot frontage, and suitability for residential uses and structures. The majority of the Commission also agreed with the area of comparison that staff used to analyze the question of lot character consistency and disagreed with the applicant's contention that a blockface of a particular street is an appropriate method for determining an area of comparison for the purpose of analyzing lot character. Although it expressed general agreement with the applicant's statements that interior lots should be compared to interior lots and corner lots to corner lots, the Commission noted that the request included both kinds of lots and therefore the requested lots should be analyzed together.

Speakers:

Duncan Blair, representing the applicant, spoke in support of the application. He stated that the proposed lots meet technical zone requirements and are consistent with the character of other lots in the area. He expressed his belief that the area of comparison for this case should be the lots along the blockface of Lloyd's Lane as opposed to the area of comparison that staff has recommended. He also stated that the area of comparison that staff recommended is not consistent with a 2007 Virginia Supreme Court decision.

David Phillips, applicant, spoke in support of the request and noted the support of some of his neighbors. He expressed concern about the area that staff used for comparison in order to analyze the lot character question.

PLANNING COMMISSION ACTION, NOVEMBER 6, 2014: The Planning Commission noted the deferral of the request.



SUB #2014-0013
200 & 212 Lloyd's Lane



I. DISCUSSION

The applicants, David M. Phillips Jr. and Nancy E. Phillips, represented by Duncan Blair, attorney, request approval to re-subdivide two existing lots into three new lots at 200 and 212 Lloyd's Lane.

SITE DESCRIPTION

The subject site is two lots of record. The property at **200 Lloyd's Lane** has 257.6 feet of frontage on Lloyd's Lane, 170.1 feet of frontage on Russell Road, and a total lot area of 32,764 square feet. No structures exist on the lot. It is a unique lot in that it has extremely steep slopes of approximately 19 percent in its eastern half and a grade change of 30 feet. The property at **212 Lloyd's Lane** has 290 feet of frontage on Lloyd's Lane, 150 feet of lot depth, and a total lot area of 43,500 square feet. It is improved with a two-story single-family dwelling and accessory structures.



The properties are surrounded nearly entirely by other single-family dwellings. Immanuel Lutheran Church is located across Russell Road to the east.

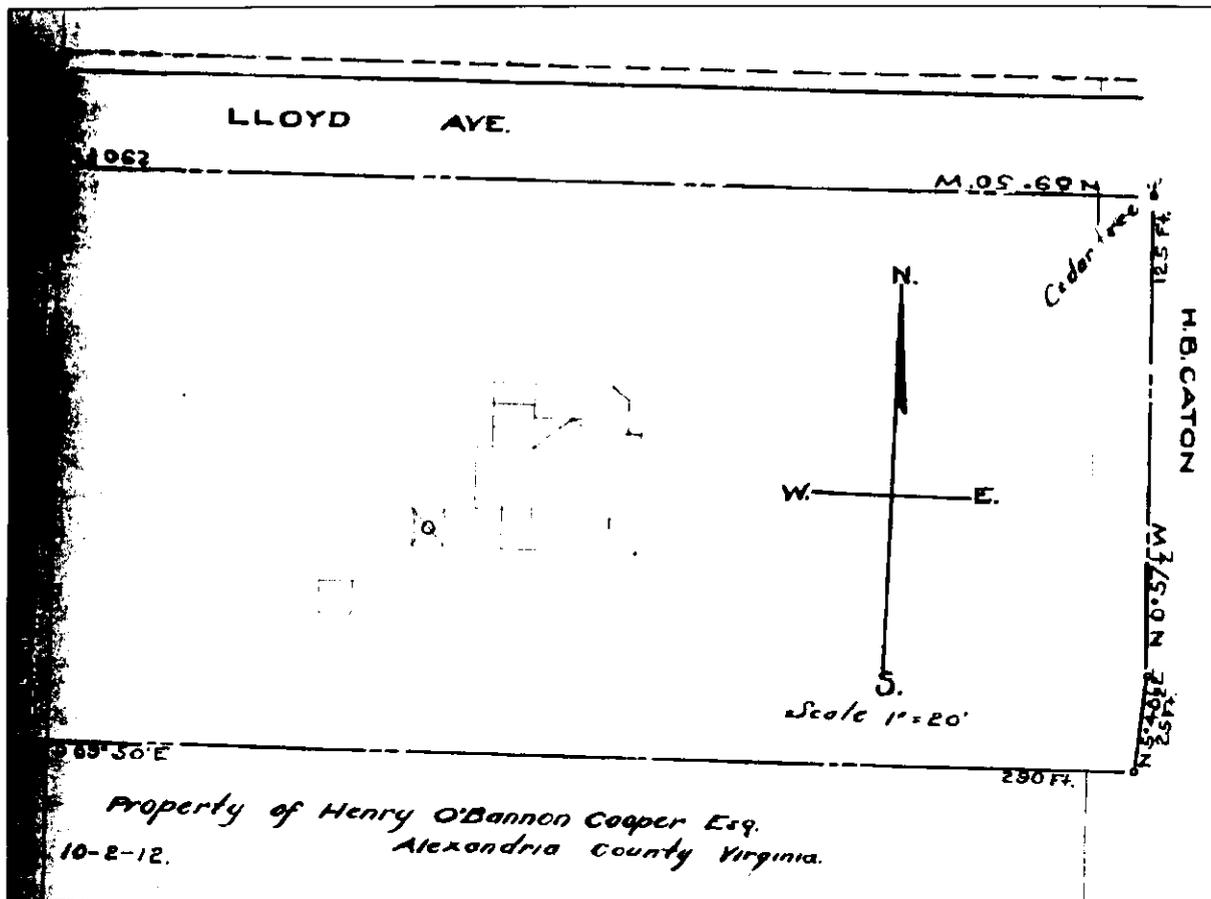
BACKGROUND

The two lots were created in 1912 as individual lots and not as a part of a larger, planned subdivision. The 200 Lloyd's Lane property was subdivided only by metes and bounds description in the deed; however, a plat was also recorded for 212 Lloyd's Lane (see Figure 1 on the next page).



A prior owner of the subject properties received Planning Commission approval for Subdivision #96-0026 in February 1997 to move the lot line between 200 and 212 Lloyd's Lane. No new lots were proposed as part of this request. The owner did not record the subdivision within the proper timeframe and the approval expired in 1998. In 2000, a new property owner requested subdivision approval (SUB#2000-0005) to split the existing 200 Lloyd's Lane property into two lots. The proposal was similar to the current request in that three lots in total were proposed along this portion of Lloyd's Lane. Unlike the current request, the lot line between the two existing lots at 200 and 212 Lloyd's Lane would not have changed.

Figure 1: Original Subdivision Plat for 212 Lloyd's Lane



Staff recommended denial of the request, finding that the new lots would not be consistent with the character of the neighborhood given that both new lots would have been significantly smaller than the majority of the lots located within the area believed, at the time, to be the original subdivision. It also raised concern about the consistency of the proposal with the neighborhood in terms of lot frontage, and it noted that two oak trees on the new interior lot were considered specimen trees that needed to be preserved. That applicant withdrew the subdivision request prior to the scheduled Planning Commission hearing in June 2000.

PROPOSAL

The applicants propose to re-subdivide the two existing lots into three new lots as shown in Figure 2 of this report (see next page). The applicant expects to construct a new single-family dwelling on proposed Lot 602 and another on proposed Lot 603. Proposed Lot 601 would retain the existing single-family dwelling and accessory structures, and it would be the largest of the three new lots at 37,371 square feet. Proposed Lot 602 would be the smallest of the three lots, with a lot size of 15,750 square feet. Proposed Lot 603 would be located at the corner of Lloyd's Lane and Russell Road. It would measure 23,143 square feet in size and features 19 percent steep slopes on its entirety.

Section 11-1710(B)

“Lots covered by a re-subdivision 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.”

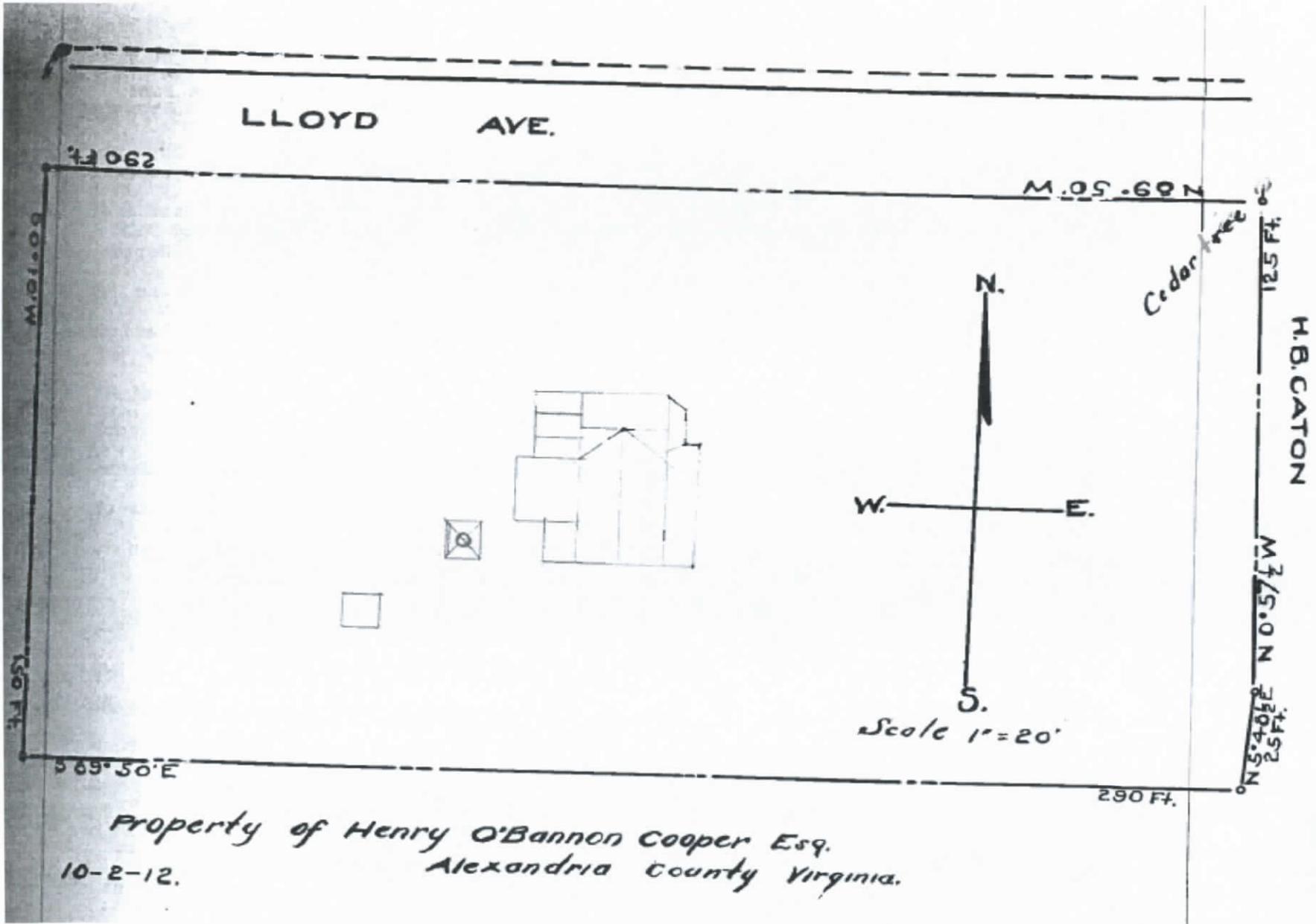


Section 11-1710(B)

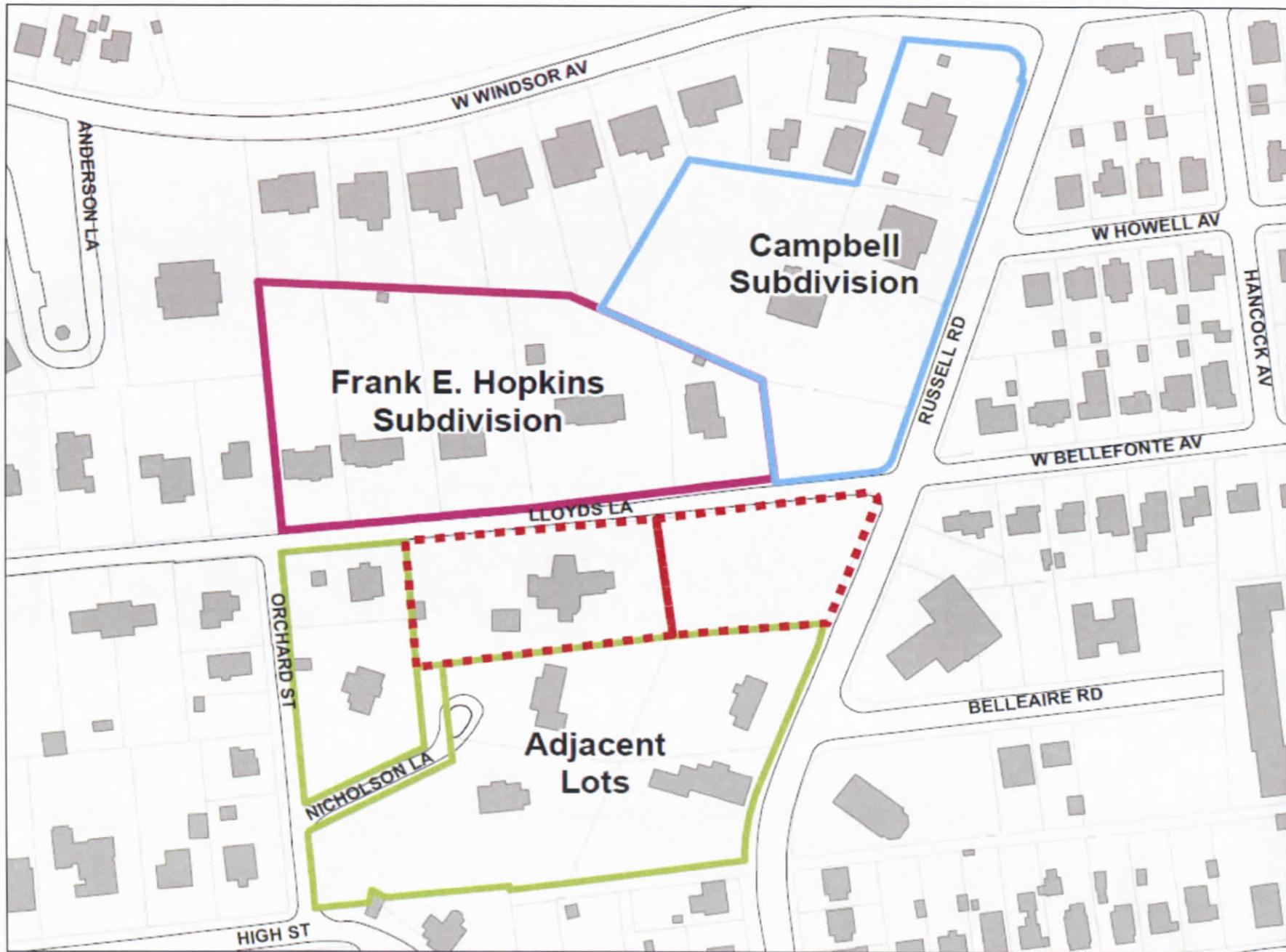
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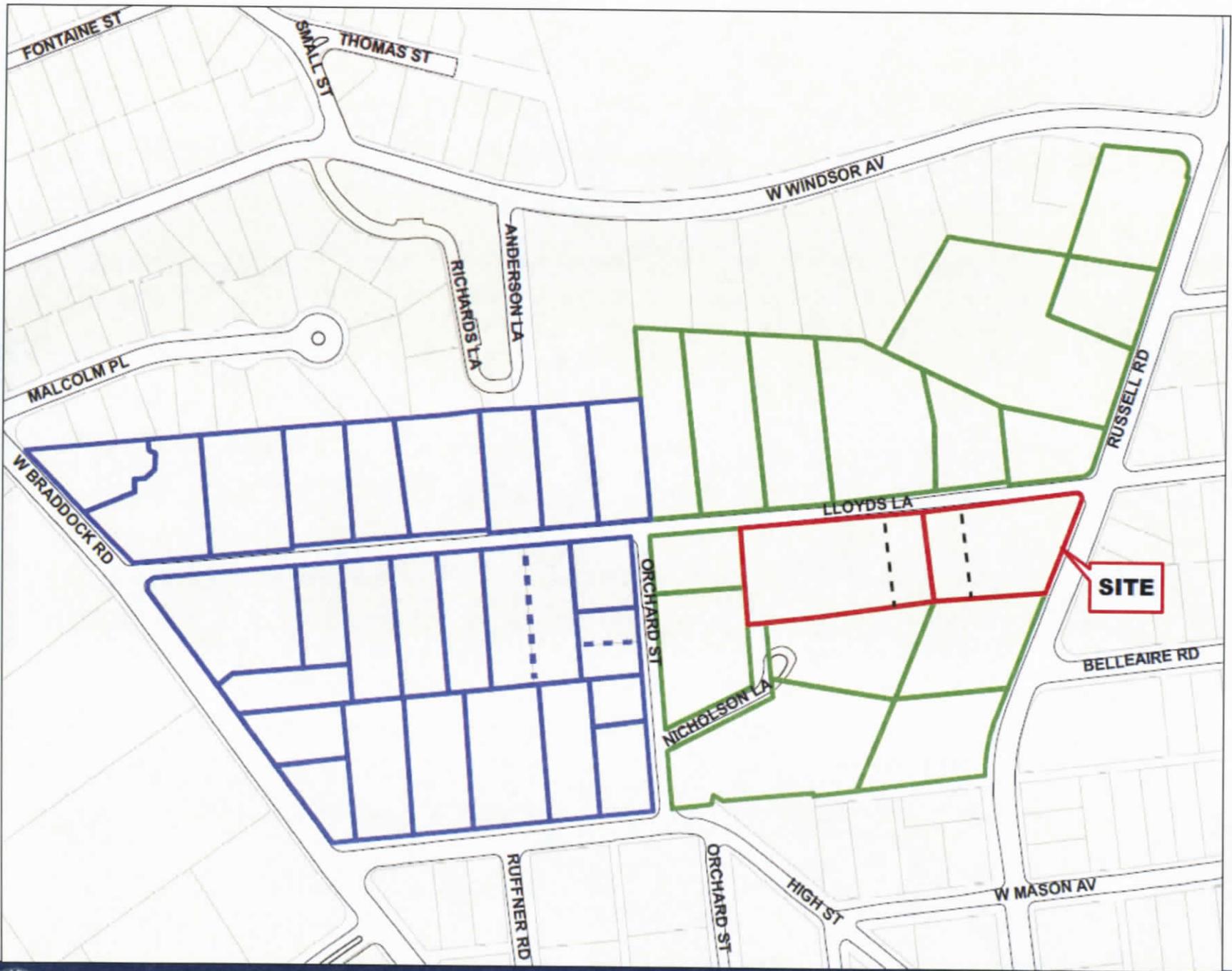
1. Subdivision plat documents, including amendments to the subdivision over time, as well as the development that has occurred within the subdivision; and
2. Land in the same general location and zone as the original subdivision with the same features so as to be essentially similar to the original subdivision area.” (Emphasis added)











Neighborhood Character

- 13% of lots within area of comparison are smaller than 16,000 square feet (Proposed Lot 602 = 15,750)
- 33% of lots within area of comparison are smaller than 24,000 square feet (Proposed Lot 603 = 23,143)
- 26% of lots within area of comparison have frontage close to the 105 feet of frontage proposed for Lot 602
- Dominant "lot character" in area of comparison is of larger lots (above 24,000 square feet) and wider lots
- Alternative or hypothetical analyses do not change conclusion



Conclusion

- Proposed lots are not substantially consistent with the character of other lots as developed in area of comparison
- Staff and Planning Commission continue to recommend DENIAL of the subdivision request



WILL BE INSTALLED AT A
ON OF THE PROJECT.
SET AS INDICATED.
OF JULY, 2014.

(NO LID-INVERT NOT
AVAILABLE)
EX. 12" CULVERT
INV.IN=85.87

EX. 318" R/W
TOP=78.63
INV.IN=74.53
INV.OUT=74.43

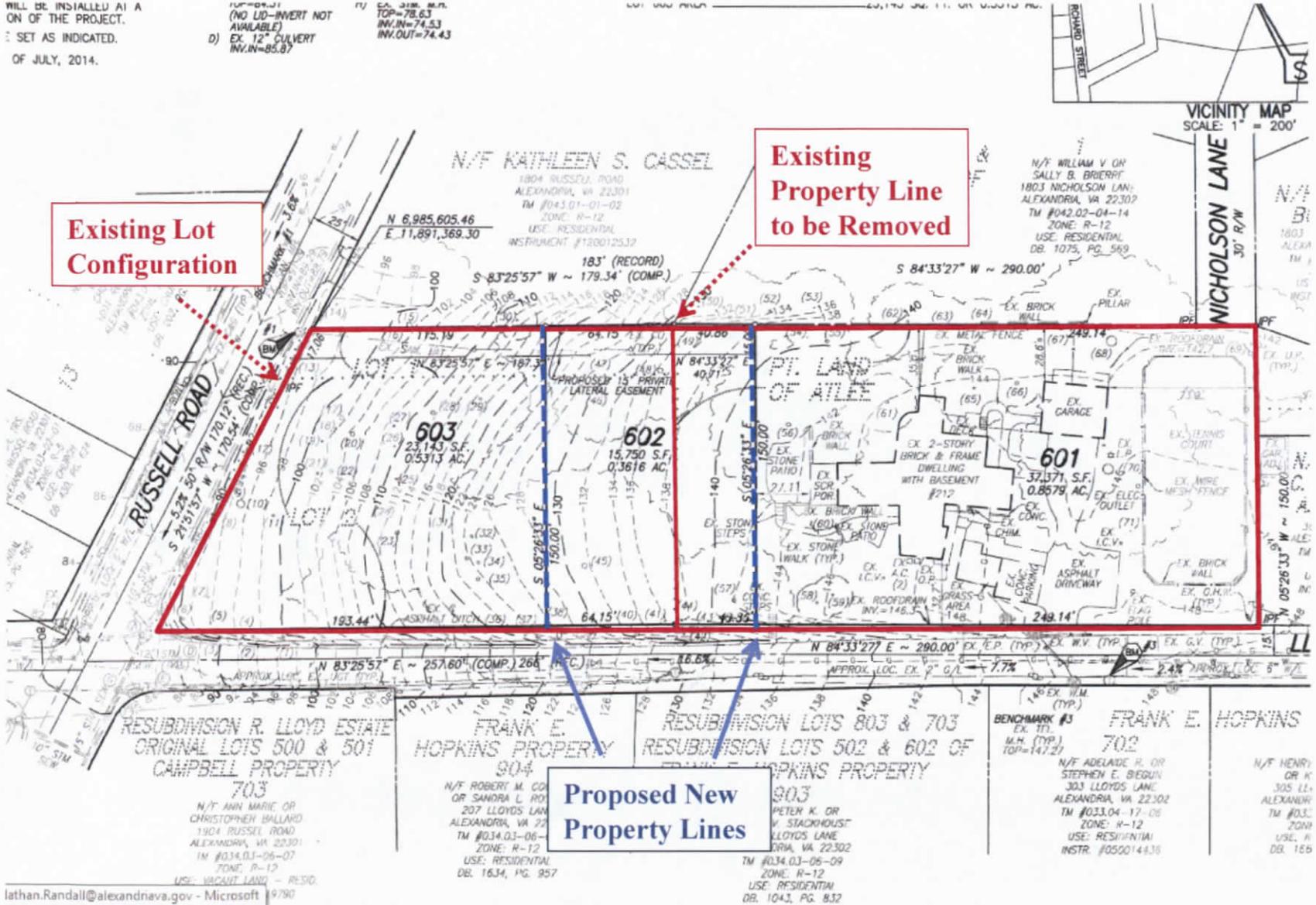
VICINITY MAP
SCALE: 1" = 200'



Existing Lot
Configuration

Existing
Property Line
to be Removed

Proposed New
Property Lines



City Council

Subdivision Appeal

1.24.2015

PLANNING & ZONING

Subdivision #2014-0013 200 and 212 Lloyd's Lane

- "Lot character" question
 - New lots must be substantially consistent with other nearby lots with regard to several lot features
 - "Original subdivision"
 - Area of comparison

