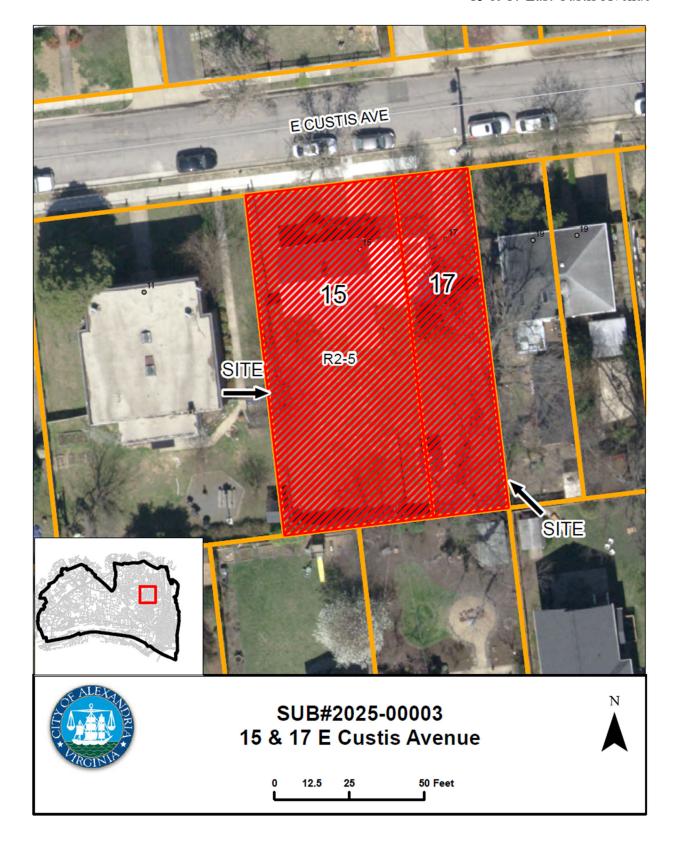
Application	General Data	
Request: Public hearing and consideration of a request for a subdivision to re-	Planning Commission Hearing:	September 4, 2025
subdivide three existing lots into two lots.	Approved Plat must be Recorded By:	March 4, 2027
Address: 15 & 17 East Custis Avenue	Zone:	R-2-5 Residential
Applicant: 15 & 17 E. Custis Avenue, LLC, represented by M. Catharine Puskar, attorney	Small Area Plan:	Potomac West

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

**Staff Reviewer:** Catie McDonald, <u>catherine.mcdonald@alexandriava.gov</u>

Sam Shelby, sam.shelby@alexandriava.gov

**PLANNING COMMISSION ACTION:** On a motion by Vice Chair Koenig, seconded by Commissioner Manor, the Planning Commission voted unanimously to approve Subdivision #2025-00003 on the Consent Calendar. The motion carried on a vote of 6-0, with Commissioner Ramirez absent.



#### I. DISCUSSION

The applicant, 15 & 17 E. Custis Avenue, LLC represented by M. Catharine Puskar, attorney, requests approval to re-subdivide three existing lots at 15 and 17 East Custis Avenue into two lots. Staff recommends approval of the subdivision request.

#### SITE DESCRIPTION

The subject property, featured in Figure 1, below, contains two rectangular lots of record (564 and 565) located at 15 East Custis Avenue and one rectangular lot of record (566) at 17 East Custis Avenue. The site consists of three interior lots that measure 8,625 square feet in total area and 75 feet in total width and frontage. Two-unit and single-unit dwellings surround the subject property, as well as Del Ray United Methodist Church across Clyde Avenue to the east. A single-unit dwelling currently occupies the subject property.



Figure 1 – Subject property (15 E. Custis Ave. outlined in blue, 17 E. Custis Ave. outlined in red)

#### SUBDIVISION BACKGROUND

On April 16, 1894, the Charles E. Woods Subdivision of Del Ray, Alexandria County, Virginia was recorded. The lots in the original subdivision ranged from 2,500 to 2,875 square feet of lot area and 25 feet of lot frontage. Existing Lots 564, 565, and 566, collectively, the subject property, were created with the original subdivision. None of these lots have been re-subdivided since their creation in 1894, however, other lots in the original subdivision have been re-subdivided over time.

#### **PROPOSAL**

The applicant requests approval to re-subdivide Existing Lots 564, 565, and 566 into two lots. Proposed Lots 601 and 602 would be rectangularly-shaped, interior lots with 37.5 feet of frontage

and total lot sizes of 4,312.50 square feet each. The applicant would demolish the existing single-unit dwelling. Existing and proposed lots are shown in Figures 2 and 3, below.

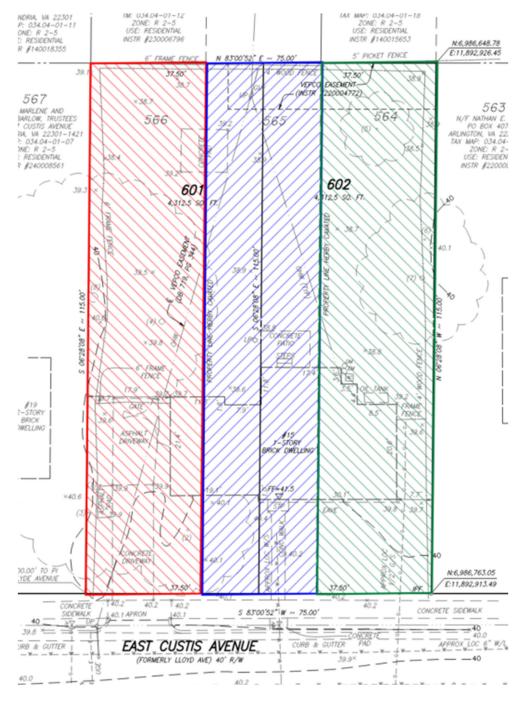


Figure 2 – Existing Lots 564 (green), 565 (blue), and 566 (red)

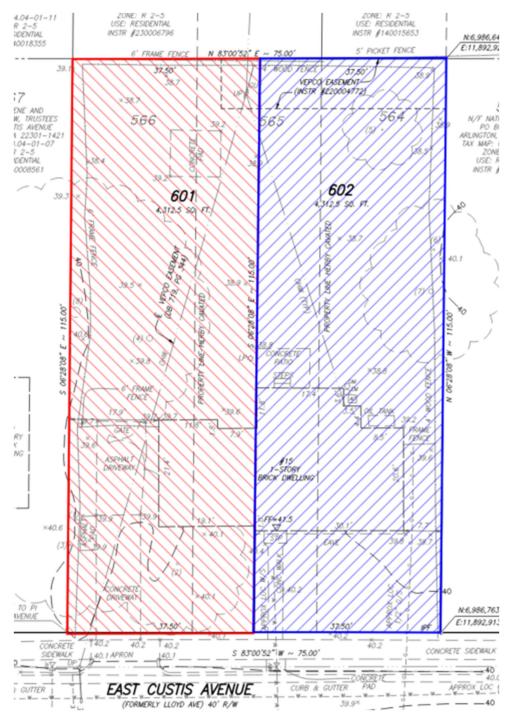


Figure 3 – Proposed Lots (Lot 601 in red, Lot 602 in blue)

#### ZONING/ MASTER PLAN DESIGNATION

The subject property is zoned R-2-5 Residential and both proposed lots would comply with lot requirements for a semi-detached, two-unit dwelling, as shown in Table 1. The R-2-5 zone also permits single-unit dwellings. The proposed lots, however, could not be used for single-unit

dwellings as they would not meet the minimum lot size, width, nor frontage requirements. If approved, the re-subdivided lots could only be used for a semi-detached dwelling since all future development must comply with all lot, bulk, and other applicable provisions of the Zoning Ordinance. Note that staff has consolidated the area of the three existing lots into one subject property in the table below for the purpose of floor area and setback calculations.

Table 1 –	R-2-5	Zoning	Requirements
-----------	-------	--------	--------------

	Daguinad/Danmittad	Subject Property	Proposed	
	Required/Permitted	Existing Lots 564, 565, & 566	Lot 601	Lot 602
Lot Size	2,500 Sq. Ft.	8,625 Sq. Ft.	4,312.5 Sq. Ft.	4,312.5 Sq. Ft.
Width	25 Ft.	75 Ft.	37.5 Ft.	37.5 Ft.
Frontage	25 Ft.	75 Ft.	37.5 Ft.	37.5 Ft.
Front Yard	14.5 – 22.9 Ft.	20.4 Ft.		
Side Yard (West)	7 Et 1,2 rotio	7.7 Ft.	Future development required to comply with all bulk and open space provisions.	
Side Yard (East)	7 Ft.,1:3 ratio	17.9 Ft.		
Rear Yard	7 Ft., 1:1 ratio	66.1 Ft.		
Floor Area	0.45	~0.29		

The property is located within the Potomac West Small Area Plan Chapter of the Alexandria Master Plan, which designates the property for low-to-medium-density residential uses consistent with the R-2-5 zoning regulations. The proposed lots would comply with the Potomac West Small Area Plan as they would be suitable for low-to-medium-density residential uses and would comply with all R-2-5 zoning requirements for semi-detached, two-unit dwellings.

#### II. STAFF ANALYSIS

Staff recommends approval of the applicant's subdivision request. The proposal would create lots that comply with R-2-5 zoning requirements for semi-detached, two-unit dwellings and subdivision requirements. The proposed lots would be substantially the same character as the lots in the original subdivision, including similarly situated lots, in terms of lot shape, size, width, and frontage, as required by Section 11-1710(B). Staff analysis follows.

#### COMPLIANCE WITH SUBDIVISION REQUIREMENTS GENERALLY

Staff determined that the proposed re-subdivision would meet all subdivision requirements established by <u>section 11-1710</u>. Both lots would be suitable for semi-detached, two-unit residential uses and structures permitted by the R-2-5 zone. The proposed lots would meet the R-2-5 frontage requirement which ensures that both lots would provide adequate vehicular, including emergency vehicles, and utility access.

#### COMPLIANCE WITH SUBDIVISION CHARACTER REQUIREMENTS

The original Del Ray Subdivision has many lots that contain semi-detached two-unit dwellings. The proposed subdivision would re-subdivide three of the original lots into two new lots and would allow for development with a semi-detached, two-family dwelling. Given the original subdivision has a multitude of lots with semi-detached two-unit dwellings, and given this block of East Custis Avenue already contains six semi-detached two-unit dwellings on similarly sized lots, the proposed re-subdivision would comply with the subdivision character requirements.

#### **LOT ANALYSIS**

Staff's area of comparison includes all lots in the original subdivision. The area of comparison is shown in Figure 4, below. The original subdivision today consists of commercial properties, as well as residential properties, including single-unit, semi-detached two-unit, and townhouse dwellings.



Figure 4 – Area of Comparison (subject property in blue)

Staff considers the following properties outlined in Figure 5, below, as the most similarly situated to the subject property as they are on the unit block of East Custis Avenue, are rectangularly shaped, and are interior lots.



Figure 5 – Similarly Situated Lots in blue, subject property in red

Table 2, below, shows how the proposed lots would compare to these similarly situated lots in terms of width, frontage, and size:

*Table 2 – Lot Analysis* 

Address	Width	Frontage	Area
Proposed Lot 601	37.5 Ft.	37.5 Ft.	4,312.5 Sq. Ft.
Proposed Lot 602	37.5 Ft.	37.5 Ft.	4,312.5 Sq. Ft.
4 E. Custis Ave.	40 Ft.	40 Ft.	5,175 Sq. Ft.
5 E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
5A E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
6 E. Custis Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
7 E. Custis Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
8 E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
8A E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
9 E. Custis Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
10 E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
10A E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
11 E. Custis Ave.	75 Ft.	75 Ft.	8,625 Sq. Ft.
12 E. Custis Ave.	50 Ft.	50 Ft.	5,750 Sq. Ft.
14 E. Custis Ave.	75 Ft.	75 Ft.	8,625 Sq. Ft.
18 E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.

18A E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
19 E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.
19A E. Custis Ave.	25 Ft.	25 Ft.	2,875 Sq. Ft.

Because the proposed lots would be similar in width, frontage, and area to similarly situated lots within the original subdivision, staff considers the proposal to be substantially compatible with established neighborhood character as required by section 11-1710(B). The proposed lots would also comply with the R-2-5 zone requirements for semi-detached two-family dwellings The R-2-5 zone's minimum lot size and width requirements ensure that properties within the zone are suitable for low-to-medium-density residential uses as required by the Potomac West Small Area Plan Chapter of the City's Master Plan.

#### NEIGHBORHOOD OUTREACH AND COMMENTS

Staff notified the Del Ray Citizens Association on July 30, 2025, and August 13, 2025. Staff has not received comment as of August 22, 2025.

#### III. CONCLUSION

In summary, staff finds that the proposal would comply with all subdivision requirements. Subject to the conditions contained in Section IV of this report, staff recommends approval of the resubdivision request.

#### IV. RECOMMENDED CONDITIONS

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

- 1. The final subdivision plat shall comply with the requirements of Section 11-1700 of the Zoning Ordinance. (P&Z)
- 2. The applicant shall covenant that the existing dwelling shall be demolished before either of the following may occur: (a) City approval of any building permits to construct any new dwellings or structures on the subject property or (b) sale of the subdivided lots to individual owners. This covenant shall expire when the subdivided lots are consolidated, or the existing dwelling is demolished. This covenant shall be included in the recorded deed of subdivision and the final subdivision plat. (P&Z)

STAFF: Catie McDonald, Urban Planner

Tony LaColla, AICP, Division Chief, Land Use Services

Sam Shelby, Principal Planner

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

#### V. CITY DEPARTMENT COMMENTS

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

#### <u>Transportation & Environmental Services:</u>

- C-1 To be addressed on the final plat: (survey)
  - a. The phrase 'vacated' is misspelled several times on body of plat, please correct.
  - b. Please add the existing address for TM# to 034.04-01-06 to either the body of the plat, or to associated line of Note #1.
  - c. Please include a new, unique subdivision name in the Plat title block, as well as the proposed lot numbers. New name is largely up to applicant/owner, and example format for Title is something like "Plat Showing, lots 601-602, 15 and 17 E Custis Ave LLC's addition to Del Ray, being a subdivision of, (insert ex. Lot #s here), Del Ray...."
  - d. All property corners (that are not currently in place) will be required to be set prior to final plat approval.

#### Recreation, Parks & Cultural Activities:

No comments.

#### **Police Department:**

No comments received.

#### Archaeology:

No comments.

#### Geographic Information Systems (GIS):

No comments.

#### Code Administration:

No comments



## SUBDIVISION OF PROPERTY

- Curo	SUB #		
		15 & 17 E. Custis A	Δνερμε
	TY LOCATION:	034.04-01-05 & -06	
TAX MAP	REFERENCE:		ZONE: 11-2-3
APPLICA	NT:		
Name:	15 & 17 E	Custis Avenue LLC	
Address:			
PROPERT	TY OWNER:		
Name:	Same as A	pplicant	
Address:			······
SUBDIVI	SION DESCRIP	TION	
Request	for the re-subd	ivision of three (3)	existing lots into two (2) new buildable lots.
The to	IE UNDERSIGN the City of Alexand emises, land etc., of the City of Alexand the City of Alexand rsuant to Article XI TE UNDERSIGN	IED, having obtained programmer of the City IED, having obtained programmer on the appropriate of the appropriate to post placard noting the programmer of the appropriate of the approp	r Subdivision in accordance with the provisions of Section y of Alexandria, Virginia.  Dermission from the property owner, hereby grants permission ion Members to visit, inspect, and photograph the building dication.  Dermission from the property owner, hereby grants permission ice on the property for which this application is requested, if the 1992 Zoning Ordinance of the City of Alexandria, Virginia.  I of the information herein provided and specifically including applicant are true, correct and accurate to the best of his/her
	of Applicant or Agent et Address	arine Puskar Attorney/Agent , Zip Code	Signature Telephone # Fax # Email address

Date

### ALL APPLICANTS MUST COMPLETE THIS FORM.

## 

Code.

# OWNERSHIP AND DISCLOSURE STATEMENT Use additional sheets if necessary

	Ose additional sheets if necessary			
interest in the applicant, unless the owner of more than three percent.	address and percent of ownership on the entity is a corporation or partner The term ownership interest shall in the real property which is the subject of	ership, in which case identify each clude any legal or equitable interest		
Name	Address	Percent of Ownership		
1. 15 & 17 E Custis Avenue LLC		See attached		
2.				
3.				
2. Property. State the name, address and percent of ownership of any person or entity owning an interest in the property located at 15 & 17 E. Custis Avenue (address), unless the entity is a corporation or partnership, in which case identify each owner of more than three percent. The term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.				
Name	Address	Percent of Ownership		
<sup>1.</sup> 15 & 17 E Custis Avenue LLC		See attached		
2.				
3.				
an ownership interest in the applicationship, as defined by application, or within the12-month puthe Alexandria City Council, Plannia Architectural Review. All fields murelationships please indicated earlies of current council, command financial relationship, click he		uire to disclose any business or ance, existing at the time of this application with any member of speals or either Boards of t leave blank. (If there are non the corresponding fields).		
Name of person or entity	Relationship as defined by Section 11-350 of the Zoning Ordinance	Member of the Approving Body (i.e. City Council, Planning Commission, etc.)		
1. 15 & 17 E Custis Avenue LLC	None	None		
2.				
3.				
this application and before each pub	iships of the type described in Sec. 1 blic hearing must be disclosed prior to the authorized agent, I hereby attended is true and correct.	o the public hearings.		

15 & 17 E Custis Avenue LLC By: M. Catharine Puskar Attorney/Agent

**Printed Name** 

06/23/2025

Date

## **WAIVER OF RIGHT TO AUTOMATIC APPROVAL**

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

**PROJECT NAME:** 15 & 17 E. Custis Avenue Subdivision

PROJECT ADDRESS: 15 & 17 E. Custis Avenue, Alexandria, VA 22301				
DESCRIPTION OF REQUEST:				
Request for the re-subdivision of three (3) existing lots into two (2) new buildable lots.				
<b>THE UNDERSIGNED</b> , hereby waives the right to the 45 day automatic approval provision of Section 11-1708 (B)(2) of the Zoning Ordinance of the City of Alexandria, Virginia, for the application stated above to the September 4, 2025 Planning Commission hearing.				
Date:06/23/2025				
Applicant				
☐ Agent				
Signature: MCGu3kav				
Printed Name: M. Catharine Puskar				

Karl Moritz 301 King Street City Hall, Room 2100 Alexandria, Virginia 22314

Re:

Authorization to File a Subdivision Application

15 & 17 East Custis Avenue, Alexandria, VA 22301, Tax Map No. 034.04-01-05

& -06 (the "Property")

Dear Mr. Moritz:

15 & 17 E Custis Avenue LLC, hereby authorizes Walsh, Colucci, Lubeley, & Walsh, P.C. to act as agent on its behalf for the filling and representation of a Subdivision application on the Property and any related requests.

Very truly yours,

15 & 17 E Custis Avenue LLC

Its: MEMBER

Date: 6/3/2025

#### APPLICANT OWNERSHIP BREAKDOWN

#### Owner and Applicant of 15 & 17 E. Custis Avenue (TM No. 034.04-01-05 & -06)

15 & 17 Custis Avenue LLC (Owner/Applicant)

Member(s): Percent Ownership:

Northern Virginia Investments 100%

Member(s

Sean Ragen 50% Corey Dutko 50%

<u>Note</u>: None of the people or entities listed above have a business or financial relationship with any member of the Board of Architectural Review, Board of Zoning Appeals, City Council, or Planning Commission as defined by Section 11-350 of the Zoning Ordinance.

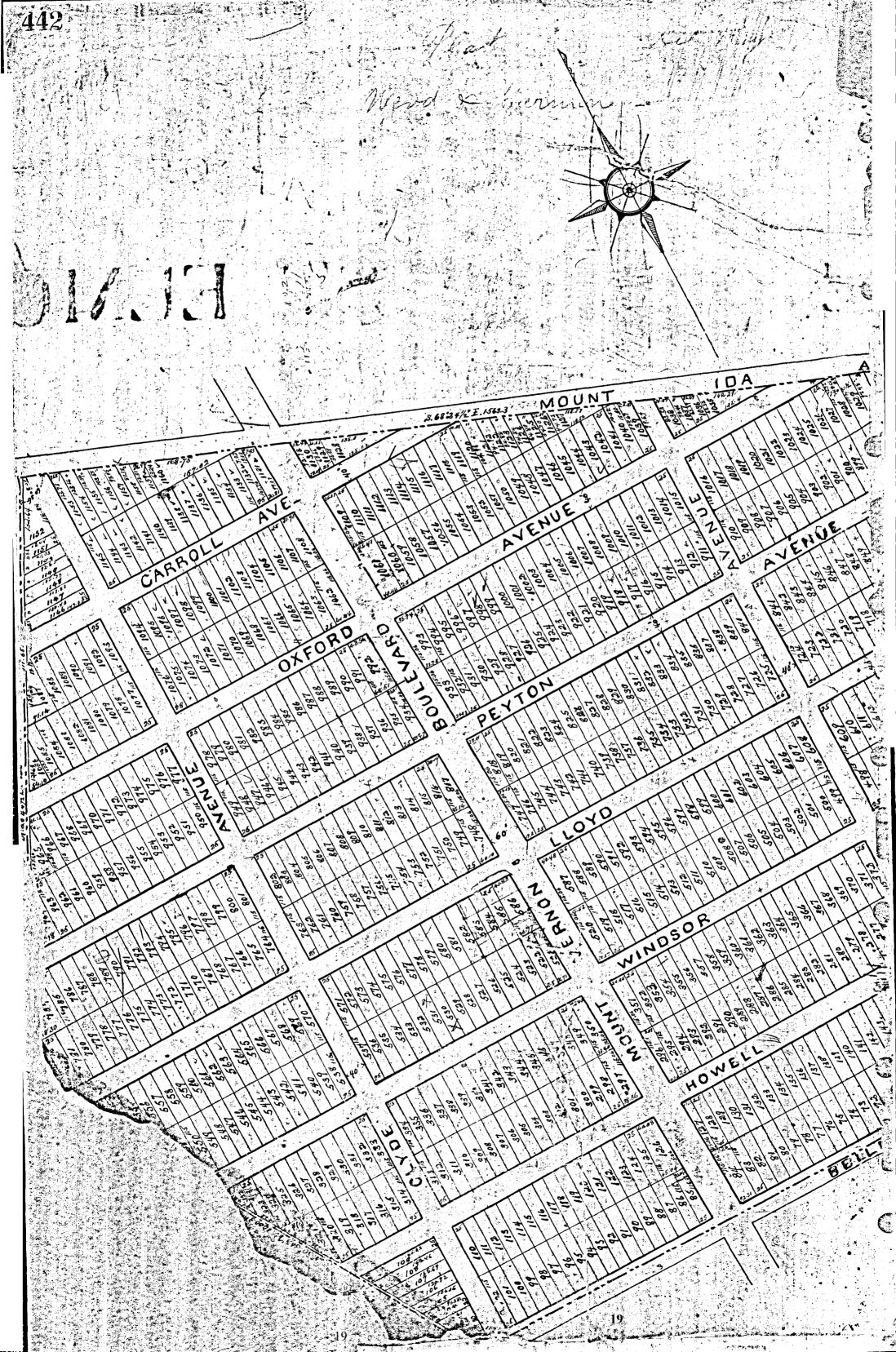
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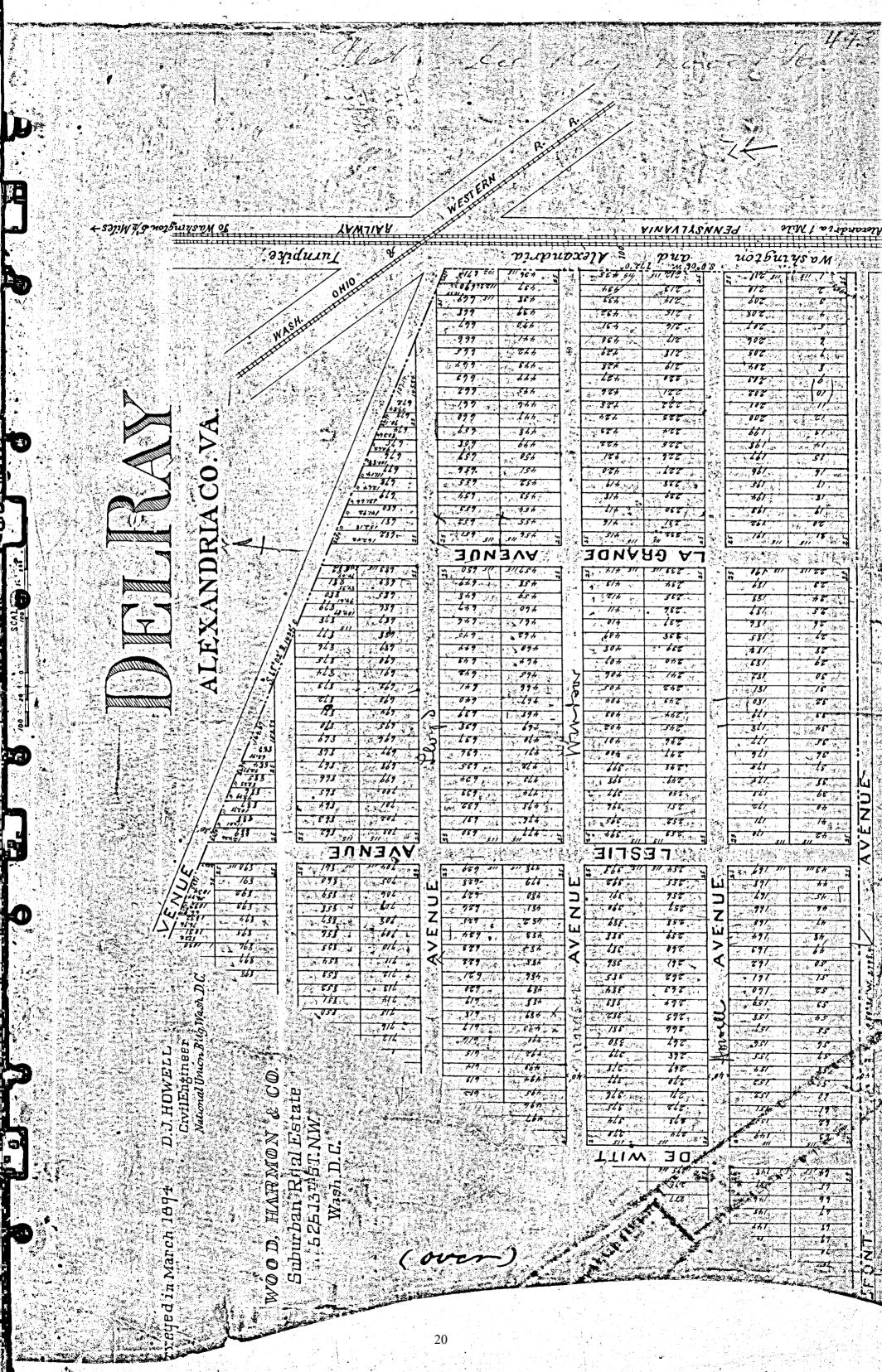
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Plat for Subdicion 443 an 442. Bules 0 Har

offo gut

18.





The forgoing plat entitled Charles & Woods Subdivision of Del-Ray alexandria County Virginia Correctly and accurately represents the subolivision into Lots streets and avenues as surveyed on the tract Conveyed by Mrs Mary LLu Widow of aly Co. Va., Mis Rebecca L. Cook & Dr.G. Wythe Cook her Husband of Wash., D.C., and Miss Elizabeth and Mrs Mary L. Lee Etc. of Cassius It Lee Jr., dic. and I Loyd of Washington D.C. bearing date of april 16 th, 1894 and recorded in Liber 8. no. 4. Folior 440-te. Charles E. Wood I Frederic B. Doyle, a notary public in and for The District of Columbia do Certify that Chas E. Wood whose name is signed to the above. statement bearing date afr. 16 th, 1894. Has acknowledged the same before me in my district \* aforsaid Given under my hand and seal this 6 th, day of June 1894 Frederic S. Doyle Notary Public De Chiles office alyandria County Virginia June 8th, 1894 This Plat and annexed Certificale received and admitted Drecord on 442 etc. Ho. Horning) Clerk 250004576

Consideration \$ 1,045,000.00 Assessed Value: \$ 962,535.00

Tax Map No: 034.04-01-05 & 034.04-01-06

Grantee Address:

Document Prepared By:
Benjamin J. Schaefer, Esq.
Old Dominion Legal Services, LLC

Virginia State Bar #80895

File No. 25-3225

Underwriter: Old Republic National Title Insurance Company

This Deed, made this May 15, 2025, by and between Victoria Itza Howe, a married woman, and Craig Michael Conger, a married man, Grantors, and 15 & 17 E Custis Ave LLC, a Virginia Limited Liability Company, Grantee.

-Witnesseth-

That for and in consideration of the sum of Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell and convey, in fee simple, with GENERAL WARRANTY and English Covenants of title, unto the Grantee, as sole owner, all the following-described lot or parcel of land together with improvements thereon, situate, lying and being in the **County of Alexandria**, Commonwealth of Virginia:

Lots 564, 565 and 566, in the Subdivision of DEL RAY, as the same appears duly dedicated, platted and recorded in Tiber 0-4 at Page 402,440, among the Arlington County, Virginia land records, now within the extended limits of the City of Alexandria, Virginia.

Being the same property conveyed to Victoria Itza Howe and Craig Michael Conger by Deed dated October 15, 2020, and recorded on November 12, 2020 as Instrument No 200023606.

This conveyance is made expressly subject to the easements, conditions, restrictions, and rights of way of record contained in the instruments forming the chain of title to the property conveyed herein and to matters visible upon inspection.

The Grantors covenant that they are seized in fee simple of the property herein conveyed, have the right to convey the said land to the Grantee and have done no act to encumber the lands. The Grantors covenant that the Grantee shall have quiet possession of the land free from all encumbrances, except as mentioned herein, and that they, the Grantors, will execute such further assurances of the lands as may be requisite.

Witness the following signature and seal.

Victoria Itza Howe Victoria Itza Howe

Craig Michael Conger **Craig Michael Conger** 

COMMONWEALTH OF VIRGINIA CITY OF Loudoun

Maria

The foregoing instrument was acknowledged before me, 
Nicholas Filiou , this 15th day of May, 2025 by Victoria Itza Howe, Craig Michael Conger and.

Signature of Person Taking Acknowledgment

Title or Rank Serial Number

Notary's Registration Number: 7871911

My Commission Expires: 05/31/2028

Nicholas Filiou REGISTRATION NUMBER 7871911 COMMISSION EXPIRES May 31, 2028

Notarized remotely online using communication technology via Proof.

After recording, please return to:

Aedis Title, LLC

Reserved for Recording Clerk:

INSTRUMENT 250004576 RECORDED IN THE CLERK'S OFFICE OF ALEXANDRIA CIRCUIT COURT ON MAY 16, 2025 AT 02:22 PM \$1045.00 GRANTOR TAX WAS PAID AS REQUIRED BY SEC 58.1-802 OF THE VA. CODE

STATE: \$522.50 LOCAL: \$522.50 WMATA FEE: \$2090.00 GREG PARKS, CLERK RECORDED BY: EMF

File No 25-3225 Page 2 of 2 23

