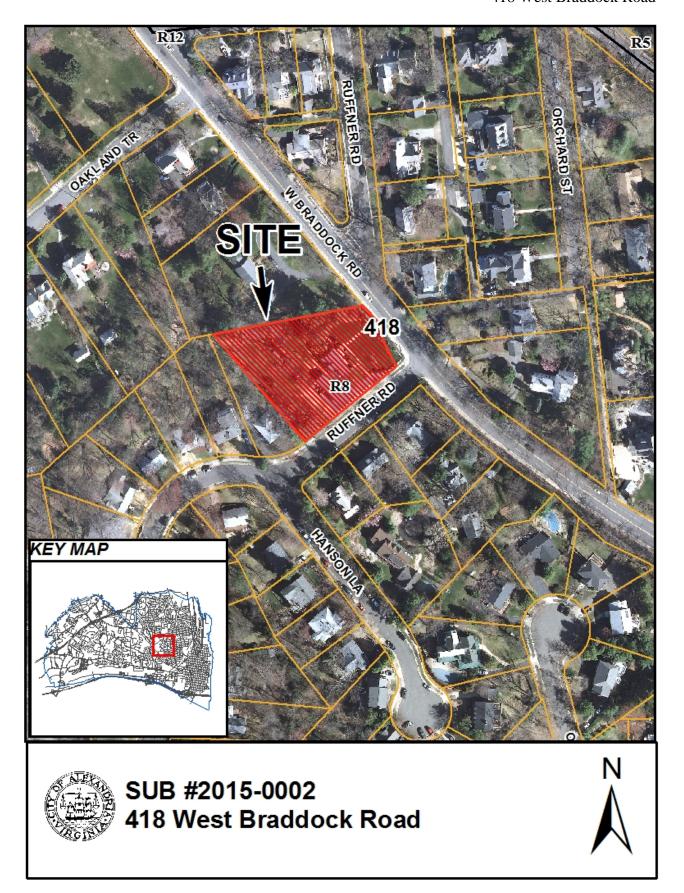
Application	General Data	
Request:	Planning Commission	
Public hearing and consideration of	Hearing:	July 7, 2015
a request for a subdivision	Approved Plat must	
	be recorded by:	January 7, 2017
Address:	Zone:	R-8/Residential Single-Family
418 West Braddock Road		
Applicant:	Small Area Plan:	North Ridge/Rosemont
Richard and Elizabeth Tonner		

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

Staff Reviewers: Nathan Randall, Urban Planner nathan.randall@alexandriava.gov



I. DISCUSSION

The applicants, Richard and Elizabeth Tonner, request approval of a subdivision at 418 West Braddock Road.

SITE DESCRIPTION

The subject site is one corner lot of record with 98.1 feet of frontage on West Braddock Road, 186.5 feet of frontage on Ruffner Road, and a total lot area of 32,036 square feet. The site is developed with a two and a half-story single-family dwelling with accessory structures.

The subject site is surrounded by other single-family residences. The rear portion of Ivy Hill Cemetery is located a short distance to the southwest of the site.

BACKGROUND

Land records indicate that the subject site was first included, along with many other properties in the vicinity, in a large 1890 subdivision known as "Northwest Alexandria Improvement Company." The portion of that subdivision located southwest of West Braddock Road was re-subdivided in 1896 in the "South Braddock Heights" subdivision, which included several properties referred to as "Villa Sites." Villa Sites #19-21 of the 1896 subdivision were re-subdivided again in 1950 into two lots known as **Lot**

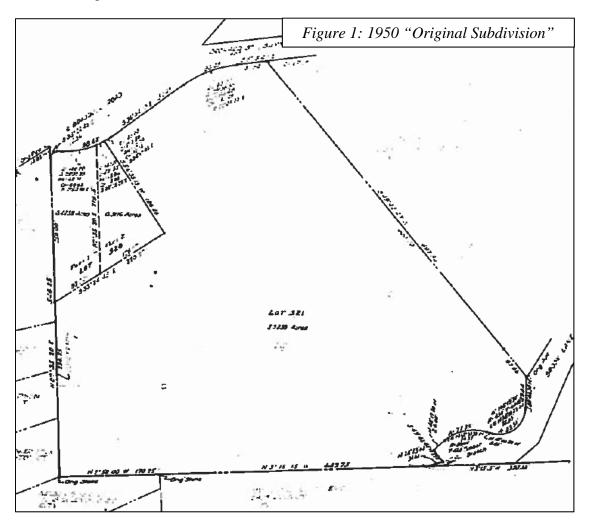




520 and **Lot 521**. The 1950 plat, shown in Figure 1 on the following page and entitled "Plat Showing Resubdivision Villa Sites 19, 20 and 21 South Braddock Heights," is considered to be the "original subdivision."

Lot 520, depicted on the 1950 plat as being "Lot 520 Part I" and "Lot 520 Part II" but considered to be one lot, is the subject site. It has remained in the same configuration for nearly 65 years. City Council approved VAC#2005-0003 in September 2005 to vacate a portion of public right-of-way located immediately in front of the property and to consolidate that vacated land with Lot 520. However, the actual transfer of land from the City to the applicant has not occurred in the nearly ten years since the request was approved.

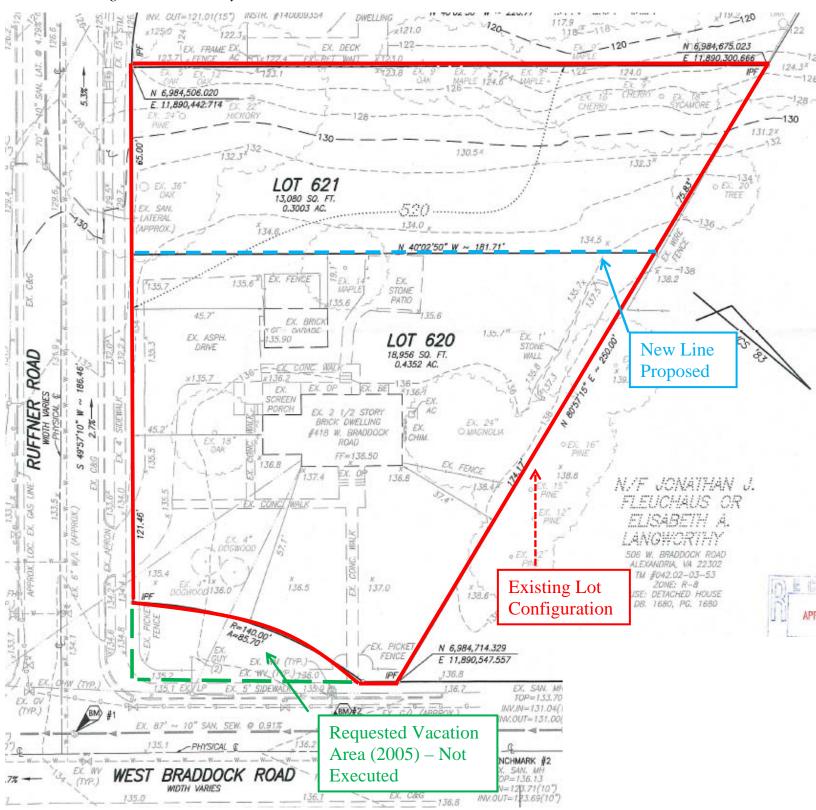
Lot 521 of the 1950 subdivision plat, located immediately to the southeast of the subject site, was re-subdivided again in two 1952 plats, known as Part I and Part II of "Division of Lot 521 of the Resubdivision of Villa Sites 19, 20 and 21 South Braddock Heights." Three of the lots in Part I of the subdivision, located on West Braddock Road, were again adjusted through a 1969 subdivision following the vacation of a portion of an expected, but never constructed, extension of Orchard Street. The other lots within the Part I and Part II subdivisions appear to have retained the same lot configuration since 1952.



PROPOSAL

The applicants propose to re-subdivide their existing one lot at 418 West Braddock Road into two lots as shown on Figure 2 on the following page. Proposed Lot 620, on which the existing dwelling and accessory structures would remain, would measure 18,956 square feet. It would have lot frontages of 98.1 feet on West Braddock Road and 121.5 feet on Ruffner Road, while its width would measure 137 feet along West Braddock Road and 129.5 feet along Ruffner Road. Proposed Lot 621, the brand-new lot to the south of the dwelling, would measure 13,080 square feet and have a lot frontage and width of 65 feet on Ruffner Road. It is anticipated that a new single-family dwelling would be constructed on proposed Lot 621 in the future.

Figure 2: Preliminary Subdivision Plat



SUBDIVISION STANDARDS

Sections 11-1706 and 11-1709 of the Zoning Ordinance contain several technical subdivision requirements and Section 11-1710(D) stipulates a general requirement that all lots meet zone requirements. In addition, Section 11-1710(B) contains what is often referred to as the "lot character requirement." It states that every subdivided lot 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 in the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision." A provision requiring new lots to be consistent with the character of other nearby lots has existed in the Zoning Ordinance for many years and was strengthened in 2006 in the first of three "infill" text amendments.

Section 11-1710(B) further explains that the lots within a given subdivision proposal should be compared, for the purpose of determining neighborhood character, to those existing lots located

within the original subdivision area, 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.

II. STAFF ANALYSIS

Staff supports the requested subdivision. The proposal meets general subdivision and R-8 zone requirements. The new lots also meet the lot character requirement from Section 11-1710(B) of the Zoning Ordinance, language that has been discussed at great length in other recent subdivision cases. The proposed lots are substantially the same character as other nearby lots regarding their suitability for residential use, lot orientation, lot shape, lot area, lot frontage and lot width.

Lot Character Assessment – Area of Comparison

In order to assess whether the proposed subdivision would create lots of substantially the same character of other nearby lots, a determination must first be made regarding the lots to which the proposal should be compared. This concept has been referred to as the "area of comparison." Section 11-1710(B) provides two options for such a determination, and unlike in a few recent subdivision requests, staff has entirely relied upon the first of the two options, or what will be referred to as the "original subdivision option," in this instance.

Importantly, the original subdivision option in Section 11-1710(B)(1) provides that the original subdivision should be used for comparison, "<u>including amendments to the subdivision over time</u>" (emphasis added). The need to include amendments to an original subdivision within an area of comparison has not featured as a notable element in any recent subdivision cases. However, the language has existed in the Ordinance for many years and may be used when relevant circumstances arise.

In this case, the 1950 plat considered to be the original subdivision only included two lots: the subject site (Lot 520) and a large parcel immediately to the south (Lot 521). However, Lot 521 was again divided into 28 smaller lots through two subdivision plats in 1952 - only two years after the original subdivision was created. These amendments to the subdivisions are significant and should be included within the analysis for this case consistent with Zoning Ordinance provisions.

Staff therefore concludes that the final area of comparison (see Figure 3) should be the original subdivision from 1950, as significantly amended twice in 1952, and as later changed by a minor subdivision amendment in 1969 that resulted in all of the lots achieving their present configuration. It should also be noted that the area of comparison is virtually the same land area as Villa Sites 19, 20 and 21 on the older 1896 subdivision plat.

Lot Character Assessment – Similarly-Situated Lots

The Zoning Ordinance also requires, in order to answer the lot character question, a second determination regarding which subset of lots within the area of comparison are the most "similarly situated." It is this group of lots that is considered most closely in the subsequent quantitative analysis to ultimately determine the level of similarity between the character of the proposed lots and the existing lot character. Although not specifically defined in the Zoning Ordinance, a standard dictionary definition of "situated" as meaning "sited, positioned, or located" has been used in this case as it has in other subdivision cases. Similarly-situated lots are therefore those lots within the area of comparison that share the same siting, position, or location as the proposed lots. Examples of lot categories that have been considered to be similarly-situated in past subdivision requests include: interior lots, corner lots, lots located on portions of curvilinear streets, and lots with the same orientation toward abutting streets.

The circumstance of the current proposal having one interior lot and one corner lot necessitates two different groups of "similarly-situated" lots to be selected: one group for the corner lot, and another group for the interior lot. Staff has determined that four other lots within the area of comparison are more similarly-situated to the corner lot, proposed Lot 620, than all others. These four lots, shown on Figure 4-A, share two essential characteristics with proposed Lot 620 that occur due to their common siting or position: 1) they are all corner lots and 2) they are not positioned on portions of streets that are significantly curvilinear. Likewise, with regard to the interior lot, proposed Lot 621, staff has determined that nine properties are more similarly-situated than all others in the area of comparison. These nine lots, shown in Figure 4-B, share two essential characteristics with proposed Lot 621 that occur due to their common siting or position: 1) they are all interior lots and 2) they are not positioned on portions of streets that are significantly curvilinear.

Figure 3: Area of Comparison

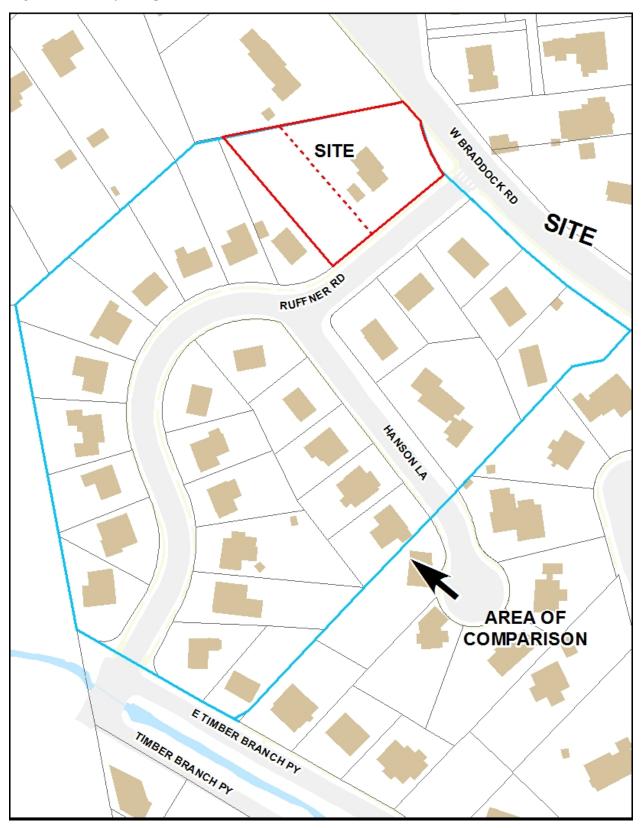
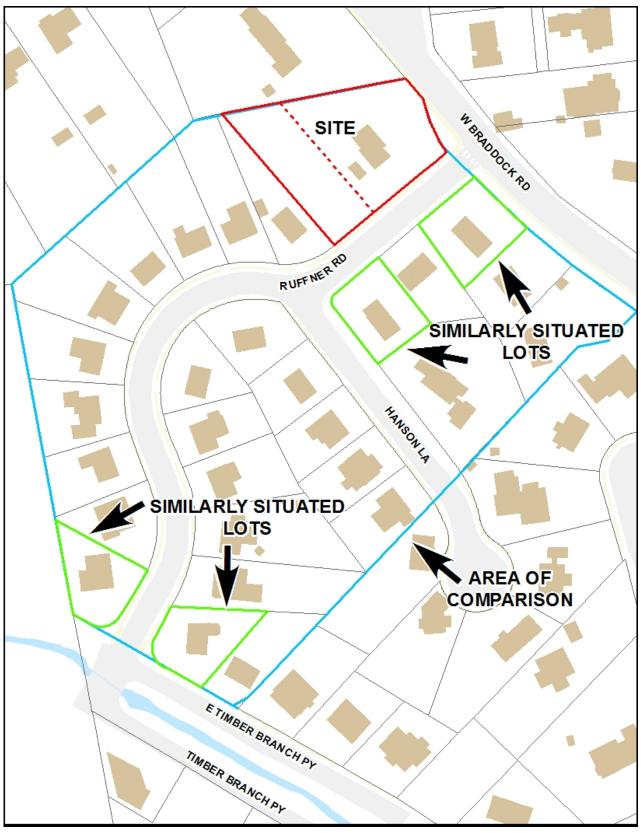


Figure 4-A: Similarly-Situated Lots (to Proposed Lot 620)



ORCHARD ST RUFFNER RD AREA OF COMPARISON M. BRADDOCK RD SITE RUFFNERRO SIMILARLY SITUATED LOTS HANSONIA SIMILARLY SITUATED ETIMBER BRANCH PY TIMBER BRANCH PY W ALEXANDRIA AV

Figure 4-B: Similarly-Situated Lots (to Proposed Lot 621)

Lot Character Assessment – Lot Analysis

Once the area of comparison has been determined and the similarly-situated lots have been identified, staff may then return to the central question of whether the proposed new lots are of substantially of the same character as other nearby lots. To answer this question, staff has: 1) compared the new lots to the overall character of the lots within the area of comparison and 2) completed a quantitative analysis of the similarity between the proposed new lots and the similarly-situated lots. The latter element of staff's review is based on the emphasis on similarly-situated lots contained in Section 11-1710(B) of the Zoning Ordinance.

General Comparison

All 28 lots within the area of comparison are suitable for residential uses and structures. Several lots are approximately rectangular in shape, while several others are pie-shaped and located on curvilinear streets. A few square-shaped lots can be found here as well. Many of the lots include diagonal property lines such that few of them of purely rectangular (containing only 90-degree angles where property lines meet.) The orientation of the lots, including corner lots, is varied. The lot areas of these properties range from 8,000 square feet to 21,951 square feet, and the median average lot area is 9,105 square feet. The lot frontages of these properties range from 52.6 feet to 175.6 feet, and the median average lot frontage of these properties is 68 feet. The lot widths of these properties range from 60 feet to 171 feet, with a median average lot width of 69 feet.

Both proposed Lots 620 and 621 are also suitable for residential uses and structures and have a lot shape consistent with other lots in the area of comparison. The 18,956-square foot lot area, the 98.1 and 121.5-foot lot frontages, and the 137 and 129.5-foot lot widths of proposed Lot 620 would exceed those measurements at all other lots except for one. The 13,080-square foot lot area, 65-foot lot frontage, and 65-foot lot width of proposed Lot 621 also falls within the range of the measurements found at the other lots in the area of comparison. It is near the top of the range for lot area, near the middle of the range for lot frontage, and near the bottom of the range for lot width.

The matter of lot orientation has also been reviewed in this case. The proposed subdivision would change the orientation of the existing lot from being exclusively toward West Braddock Road into having two lot orientations: proposed Lot 620 would continue to face West Braddock Road but proposed Lot 621 would now face Ruffner Road. Staff finds that this change is acceptable and consistent with the existing lot character of the area of comparison for two reasons. First, the newly-configured corner lot (proposed Lot 620) would continue to have the same lot orientation that it has today. Second, the corner lots within the area of comparison do not exhibit a uniform lot orientation. Some of these lots have no dominant orientation, while others are oriented toward Ruffner Road, which is the same street toward which proposed Lot 621 would be oriented under this proposal.

Quantitative Analysis of Similarly-Situated Lots

Like other recent cases, staff has completed a quantitative analysis between the proposal and those lots determined to be most "similarly-situated." Three percentages have been created that express the degree of similarity between the proposal and the most similarly-situated lots with regard to the specific lot features identified by staff and referenced in the Zoning Ordinance.

The lot features that have been considered here are: lot area, lot frontage, and lot width. If at least 50 percent of the similarly-situated lots have lot features close in measurement to those same lot features at the proposed lots, staff would conclude that the subdivision request would be "of substantially the same character" as other nearby lots as required.

Staff has completed the analysis only for the smaller, interior lot (proposed Lot 621). The newly-configured corner lot (proposed Lot 620) has already been identified in the general analysis in this report as being the second-largest lot in the area of comparison in terms of lot area, frontage, and width. Given that it also easily exceeds the lot area, frontage, and width found at all four similarly-situated lots, it is therefore consistent with the lot character requirement found in the Zoning Ordinance.

Tables 2-A, 2-B, and 2-C show the lot areas, frontages, and widths for the nine most similarly-situated properties and for proposed Lot 621. The tables have been sorted from smallest to largest values and the specific lots deemed to be close in measurement to proposed Lot 621 have been circled.

Table 2-A: Lot Areas at Similarly-Situated Lots & Proposed Lot 621

Address	Lot Area (in sq. ft.)	
410 Hanson Lane	8,000	
1409 Ruffner Road	8,001	
412 Hanson Lane	8,002	
1503 Ruffner Road	8,002	
1404 Ruffner Road	8,009	
408 Hanson Lane	8,060	
406 Hanson Lane	8,707	
425 Timber Branch Parkway	9,632	
Proposed Lot 621	13,080	
409 Hanson Lane	21,951	

Table 2-B: Lot Frontages at Similarly-Situated Lots & Proposed Lot 621

Address	Lot Frontage (in feet)
406 Hanson Lane	60.1
408 Hanson Lane	65
425 Timber Branch Parkway	65
Proposed Lot 621	65
1404 Ruffner Road	66.9
410 Hanson Lane	68.1
1503 Ruffner Road	68.4
1409 Ruffner Road	73.4
412 Hanson Lane	77
409 Hanson Lane	175.6

Table 2-C: Lot Widths at Similarly-Situated Lots & Proposed Lot 621

Address	Lot Width (in feet)
1503 Ruffner Road	65
425 Timber Branch Parkway	65
Proposed Lot 621	65
406 Hanson Lane	66
408 Hanson Lane	66
410 Hanson Lane	68
1404 Ruffner Road	70
1409 Ruffner Road	73
412 Hanson Lane	77
409 Hanson Lane	171

The three preceding data tables demonstrate that the lot measurements at proposed Lot 621 are close to the lot measurements of at least 50 percent of the similarly-situated lots. More specifically, Table 2-A shows that the lot area of proposed Lot 621 is close to the lot area of eight out of nine, or **89 percent**, of the similarly-situated lots. Table 2-B demonstrates that the lot frontage of proposed Lot 621 is close to the lot frontage of six out of nine, or **67 percent**, of the similarly-situated lots. Table 2-C shows that the lot width of proposed Lot 621 is close to the lot width of six out of nine, or **67 percent**, of the similarly-situated lots.

This analysis has incorporated the concept that quantifying "similar lot character" should include those similarly-situated lots that have: 1) <u>less</u> lot area, frontage, or width than the proposed new lot; 2) <u>the same</u> lot area, frontage, or width as the proposed new lot; and 3) <u>just slightly more</u> lot area, frontage or width than the proposed new lot. A similar approach was used in the recent Vassar Road subdivision case and also featured as a minor element in the first Lloyd's Lane subdivision request in December 2014. Based on a suggestion from the Planning Commission during the May 2015 consideration of the Vassar Road subdivision request, staff has clarified that the definition of "just slightly more" should include only those properties with up to ten percent of the median average lot area, frontage, and width of those lots in the area of comparison. Ten percent of the median lot area of 9,105 square feet in this case is 910.5 square feet, ten percent of the median lot frontage of 68 feet is 6.8 feet, and ten percent of the median lot width of 69 feet is 6.9 feet. Only those similarly-situated properties with lot measurements up to the ten percent threshold have been have counted in the stated percentages as having a similar lot character to proposed Lot 621 and have been circled in Tables 2-A, 2-B, and 2-C.

With each of the three percentages exceeding the acceptable 50 percent threshold, staff concludes that both proposed Lots 620 and 621 are of substantially the same character as other nearby lots as required in Section 11-1710(B) of the Zoning Ordinance.

Tree Protection

A few medium-to-large-sized trees are located on proposed new Lot 621, the largest of which is a 36-inch oak located close to the front property line. Staff believes the oak is a good candidate for protection during any future construction due to its large canopy and assumed good health. Although this area is admitted tight due to the assumed siting of a new driveway on this side of the lot, staff believes that adequate room still exists to execute minimum tree protection measures. Condition #3 would require the applicant to protect the 36-inch oak tree during construction of any future dwelling on the lot and requires the tree and protection measures to be identified on any future grading plan submissions. The condition language also gives the Director of Planning & Zoning discretion to allow the applicant to satisfy this condition through the protection of alternative existing trees on the site or the one-for-one planting of replacement trees if the Director finds that the preservation of the 36-inch oak shown in the plan is undesirable due to poor health, is damaged or destroyed due to natural causes, or is otherwise not feasible for reasons such as building setback requirements or the construction of a driveway.

Conclusion

Given that the proposal meets technical subdivision requirements, R-8 zone requirements, and is of substantially the same character as other nearby lots as stipulated in the Zoning Ordinance, staff recommends approval of the request subject to the conditions contained in Section III of this report.

III. RECOMMENDED CONDITIONS

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

- 1. The final subdivision plat shall comply with the requirements of Section 11-1700 of the Zoning Ordinance. (P&Z)
- 2. The locations of all easements and reservations shall be depicted on the final subdivision plat. It is the responsibility of the applicant to identify any and all existing easements. No permanent structure may be constructed over any existing private and/or public utility easements. (P&Z) (T&ES)
- 3. The applicant shall provide, implement and follow tree protection measures for the 36-inch oak tree identified on the preliminary subdivision plat. The tree and necessary protection areas around that tree shall be depicted on any future grading plan. Tree protection measures shall be determined by the Director of Planning & Zoning consistent with the City of Alexandria Landscape Guidelines. Alternatively, if the 36-inch oak tree is found to be diseased, is damaged or destroyed due to natural causes, or its protection is otherwise not feasible as determined by the Director, the Director may either: 1) designate an alternate tree or trees for protection or 2) allow the tree to be replaced, on a one-for-one basis and with the replacement trees being at least two-inch caliper in size. If approved tree protection methods have not been followed, replacement trees or a monetary fine commensurate with the value of replacement trees shall be required for each tree identified for protection that is destroyed. The replacement tree(s) shall be installed and, if applicable, the fine shall be paid prior to the issuance of the Certificate of Occupancy permit. (P&Z)

STAFF: Nathan Randall, Urban Planner III, Department of Planning & Zoning Alex Dambach, Division Chief, Department of Planning & Zoning

<u>Staff Note:</u> This plat will expire 18 months from the date of approval (January 7, 2017) unless recorded sooner.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- R-1 No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements. (T&ES)
- C-1 The final subdivision plat shall comply with the provisions of Section 11-1709 of the City's Zoning Ordinance. (T&ES)
- C-2 Any future development/redevelopment on the subdivided lots shall provide adequate storm water outfall per the requirements of Article XI of Alexandria Zoning Ordinance. (T&ES)
- C-3 The development and redevelopment of the subdivided lots shall not adversely impact the storm water drainage or create a nuisance on the public and private properties. (Sec. 5-6-224) (T&ES)
- C-4 Any future development/redevelopment on the subdivided lots shall comply with the requirements of City of Alexandria Zoning Ordinance Article XIII and the applicable laws of the Commonwealth of Virginia at the time of submission of the first final plan for storm water management regarding water quality and quantity control. (T&ES)
- C-5 All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)

Code Enforcement:

F-1 No comments

Archaeology

F-1 Because this project involves no ground disturbance, no archaeological action is required.

Parks and Recreation:

F-1 No comments received

Police Department:

F-1 No objection to the proposal

Fire Department:

F-1 No comments or concerns

APPLICATION

SUBDIVISION OF PROPERTY

SUB # 2015-0002

PROPERTY LOC TAX MAP REFEI	RENCE: 418 W. Braz		examing, JA 20
APPLICANT: Name: Address:	ichard & Eliza 18 W. Bradde	A	DEGETYE
PROPERTY OWN	ER:		Di analisasa saarii s
Name:	Same		Planting
Address:	Same		
in 1950, further su Lane. This applicate subdivision down for THE UNDE 700 of the Zoning Or THE UNDE to the City of Alexand Article XI, Section 11 THE UNDE all surveys, drawings knowledge and belie	izabeth Tonner Dock Rd	bdivision in accordance with the lots and the lots and the lots of Alexandria, the information herein provide true, correct and accurate to lots accurate to lots and lots are lots and lots and lots are lots and lots and lots are lots are lots are lots are lots and lots are lo	ad and Hanson land of our original the provisions of Section 11- er, hereby grants permission ton is requested, pursuant to Virginia. ed and specifically including the best of his/her
Application Received: _	DO NOT WRITE IN THIS S	Fee Paid and Date:	**************************************
ACTION - PLANNING C	OMMISSION:		

Subdivision #	2015-0002
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ALL APPLICANTS MUST COMPLETE THIS FORM.

Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1.			[] Lessee or	[] Other:	of
applic	eant, unless the entite en percent.	and percent of ownership or partnership or partners	ərship in which ca:	se identify each owner of	more
		mership by ap	plicant-R	ichard A Elizal	est Tonner
or oth	er person for which t	ant is being represented be here is some form of come e a business license to op	pensation, does th	is agent or the business	/, realtor, in which
[] Y	es. Provide proof o The agent shall Code.	f current City business lice obtain a business license	ense. prior to filing appli	cation, if required by the	City

OWNERSHIP AND DISCLOSURE STATEMENT

Use additional sheets if necessary

1. Applicant. State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership, in which case identify each owner of more than ten 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
Richard & Tirelant	418W BradackRl	1200
2.		
3.		

Name h	Address	Percent of Ownership
Richard & Zinde D Ton	Mer 418 W. Braddockfel	100%
2.		
3.	· ·	

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

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

As the applican	t or the applicant's authorized ag	ent. I hereby attest to	the hest of my ability that
the information	provided above is true and correct	et.	, the best of fity ability that
4/22/15	Richard & Elizabeth 100	Nec //11	Wald to Museen.
Date	Printed Name	Si	onature
		(les	RellA Tow
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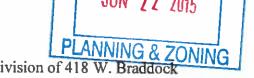
Subdivision # 2015-0002

WAIVER OF RIGHT TO AUTOMATIC APPROVAL

SUBMITTED TO THE DEPARTMENT OF PLANNING AND ZONING CITY OF ALEXANDRIA, VIRGINIA

Subdivision of 418 W. Braddock Road

Support Petition



We, the undersigned, have seen the materials for the proposed subdivision of 418 W. Braddock Road, and we support our neighbors' request:

Name	Address	Email	DATE
Janua Connally	1601 Ruffner Pd.		6/7/15
Il hoslow	1503 Rullion Rd		6/7/1
R. Elaid	1503 Xulhor Xd	′	6/7/15
John Quinn	305 W. Braddock Ro	ſ	0/8/15
Richel & Murphy	4/4 W Braddocks		6/8/10
Que grang	4,4 W BORC		6/8/14
Ethangu	506 W. Braddock		6/10/1
Duel	506 W Bradebole Nd.		6/18/14
Degr TD Vacel	1500 Ruffner RD.		6/21/11
ar Unch	1500 Ruffner Al		6/21/14
Lachell	1510 Ordnard St		6/21/15