



City of Alexandria, Virginia
Department of Planning & Zoning

SPECIAL USE PERMIT CERTIFICATE

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this special use permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

Special Use Permit # 2004-0020

Approved by City Council on: May 15, 2004


Permission is hereby granted to: Robert and Martine Irmer

to use the premises located at: 2001 La Grande Avenue

for the following purpose: see attached report

It is the responsibility of the special use permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

6/2/04
Date



Eileen P. Fogarty, Director
Department of Planning and Zoning

Docket Item #27
SPECIAL USE PERMIT #2004-0020

Planning Commission Meeting
May 4, 2004

ISSUE: Consideration of a request for a special use permit to construct a single family dwelling with tandem parking.

APPLICANT: Robert and Martine Irmer
by John Savage, architect

LOCATION: 2001 La Grande Avenue (formerly part of 500 East Howell Avenue)

ZONE: R-2-5/Residential

CITY COUNCIL ACTION, MAY 15, 2004: City Council approved the Planning Commission recommendation, with the deletion of the second sentence in condition #5, which is, "Accessory structures shall be prohibited" and with the first sentence to read: "Additional floor area shall be prohibited, except for one outdoor shed, consistent with the Zoning Ordinance."

PLANNING COMMISSION ACTION, MAY 4, 2004: On a motion by Mr. Jennings, seconded by Mr. Leibach, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommendations and to amend Condition #5 and add Condition #16. The motion carried on a vote of 7 to 0.

Reason: The Planning Commission agreed with staff's analysis.

Speakers:

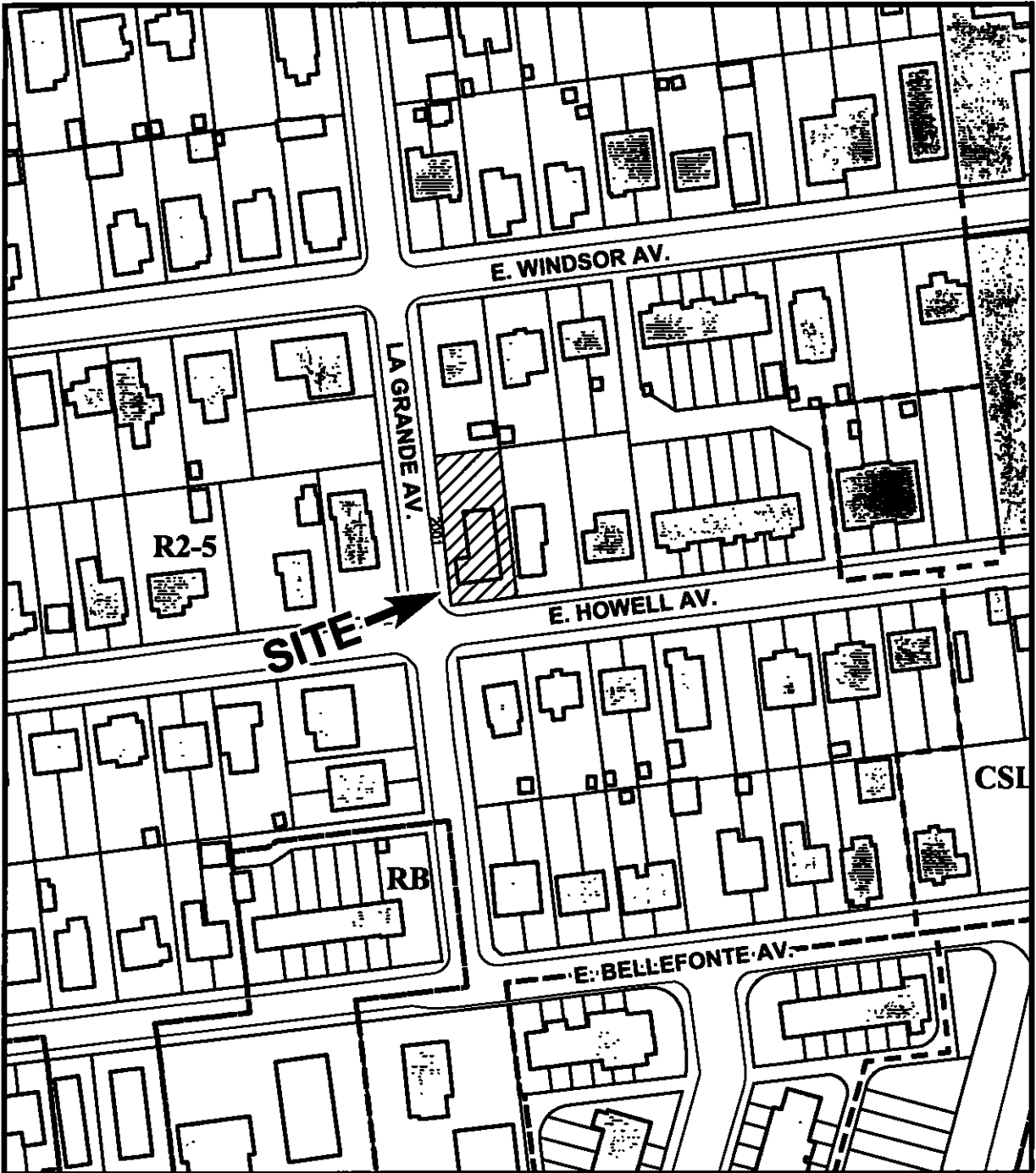
Amy Slack, from the Del Ray Civic Association, spoke in support of the application.

Ashley Chappell, neighbor to subject property, spoke in support of the application, and requested that accessory buildings be specified with the application.

Camille Leverett, neighbor to subject property, spoke in support of the application.

John Savage, the applicant's architect, spoke in support of the application.

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



SUP #2004-0020

05/04/04



I. DISCUSSION

REQUEST

The applicants, Robert and Martine Irmer, request special use permit approval to develop a single family home on a substandard lot at 2001 LaGrande Avenue (formerly part of 500 East Howell Avenue).

SITE DESCRIPTION

The subject property is two lots of record with 50 feet of frontage on E. Howell Avenue, 115 feet of frontage on LaGrande and a total lot area of 5,750 square feet. The site is vacant, but has a curb cut and surface parking for the adjacent house on Howell Avenue. The surrounding area is developed with mostly single family homes, but also townhouses and semi-detached houses.

PROJECT DESCRIPTION

The applicants propose to develop a single family house on what is now a vacant corner lot.



2001 LaGrande Avenue (subject property, formerly part of 500 E.Howell)

SUBSTANDARD LOT REGULATIONS

The subject lot was created prior to the enactment of zoning regulations for the R-2-5 zone in the City, and is smaller than the lot requirements of the R-2-5 zone. The R-2-5 regulations and the existing lot dimensions are as follows:

	<u>R-2-5 Requirements</u>	<u>Existing lot Dimensions</u>
Lot area	6,500 sq ft	5,750 sq ft
Lot width	65 ft	50 ft 115 ft (LaGrande front)

Pursuant to Section 12-402(A)(1) and (B) of the Zoning Ordinance, a substandard lot may be developed with a single family detached dwelling if it contains at least the lot area, and has at least the width at both the front lot line and building line as at least 50% of the developed lots on the block face where the lot is located, and a special use permit is approved.

Staff has performed the necessary analysis and calculations under the above standard and determined that the subject lot meets the threshold allowing it to proceed to request a special use permit. Of the 28 developed lots in the block face, the subject lot contains at least the lot area and has at least the width at both the front lot line and building line of all of the lots in the block face. (See attached staff analysis).

Under Section 12-402 (C) of the Zoning Ordinance, City Council may approve a special use permit for a single family dwelling on a substandard lot if the lot meets the above threshold and if Council finds that the proposed development:

- (1) Will not unreasonably impair an adequate supply of light and air to the adjacent property,
- (2) Will not diminish or impair established property values in the surrounding areas, and
- (3) Will be compatible with the existing neighborhood character.

BULK AND OPEN SPACE REGULATIONS

The applicant proposes to develop the property with a single family house. The proposed house complies with the R-2-5 bulk and open space regulations in the following way:

Front Yard Setback:	25 ft	14 ft 11 in 10ft 6in (LaGrande)
Side Yard Setback:	8ft 8in and 7ft 8ft 8in (Rear)	9ft and 7ft 43ft 11 in (Rear)
FAR:	.45	.39
Height:	35 ft	26 ft

Vision Clearance:	100 ft	65ft
Parking in Required Yard	50% max	75% in side (Rear) yard

MODIFICATIONS

The zoning ordinance recognizes that building a house on a lot that is not as large as the zone may require modifications of the standard zoning rules. Under Section 12-404, Council may, in approving a special use permit to allow development of a substandard lot, modify minimum yard, or other minimum requirements of the zoning ordinance. In this case, the applicant requests a modification of the required **front yards**, the **vision clearance** requirements and the rule that prohibits **parking areas on more than 50% of any required yard**.

As to the front yard setback along Howell Avenue, staff recommended that the applicant locate the house closer to the street than required by zoning in order to line up with the adjacent house, and to conform with the prevailing setback and streetscape of the rest of the street. The same principle applies to the LaGrande Avenue frontage and, except for the open porch, the proposed house is set back at a similar distance from the property line as the adjacent house along LaGrande Avenue.

PARKING

According to Section 8-200 (A)(1) of the zoning ordinance, a single family residential dwelling requires two parking spaces. In this case, the applicant is proposing two surface parking spaces, and proposes that they be tandem in order to minimize driveway area. There is already a large curbcut on the LaGrande Avenue side of the property, and the applicant proposes to reduce the size of the curbcut to a single car width.

The proposed house will occupy land now used for parking for the existing house at 500 E. Howell, which was built without parking. Although parking is not required for the existing house, the applicant will be pursuing a new curb cut at 500 E. Howell through a separate process.

MASTER PLAN

The proposed use is consistent with the Potomac West Small Area Plan chapter of the Master Plan which designates the property for residential use.

HISTORIC DISTRICT

The property is located in the Town of Potomac historic district.

II. STAFF ANALYSIS

Staff can support the proposed development of this substandard lot, finding the proposal reasonable under the substandard lot regulations for infill development. The proposed new house is extremely similar to other houses in this already developed neighborhood. The size of the property is consistent with most other corner lots in the area that are already occupied by single family houses. The design of the house is consistent in character with homes found in the area. The modifications are reasonable. There will be no significant trees lost as part of the development and the applicant is able to accommodate the required parking on the property.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:

The existing character of the neighborhood includes a mix of single family, semi-detached, and townhouse developments of simple designs, developed in a grid street pattern. Single family homes are generally on lots of at least 5,000 square feet or more, while townhouses and semi-detached dwellings are on smaller lots of less than 5,000 square feet, often half that size. Dwellings are typically situated close to the street. Many single family homes in the surrounding area, including those on corner lots, are developed on properties of 5,750 square feet. Some properties have off-street parking accessed by a private driveway, and some have only on-street parking. Staff evaluated the following factors in assessing neighborhood compatibility:

Lot Size:

The subject lot measures 5,750 square feet in area, the same as a number of single family properties in the area. In fact, the minimum lot size requirement for single family houses on interior lots in the R-2-5 zone is 5,000 square feet, 750 square feet less than the lot proposed by the applicant. Therefore, the lot size is reasonable, and typical, for a single family house in the neighborhood. However, because the property is a corner lot, the zoning requires 6,500 square feet.

Lot Size Relative to Other Corner Lots:

Staff looked at the developed corner properties in the area to determine if there were other 5,750 square foot corner lots developed with single family homes. Specifically, staff reviewed other corner lots that are equal to or less than the size of the subject property, and whether they were already developed with single family homes. Staff found a clear pattern in this case, as discussed by the applicant in its application: almost all of the corner properties in the area are developed with single family houses on properties of 5,750 square feet. There are some developed corner properties measuring less than 5,750 square feet. The proposed single family house on this 5,750 square foot corner lot is therefore perfectly consistent with the existing corner development pattern in the neighborhood.

Other 5750 sq.ft. Corner Lots with Single Family Houses



Legend
■ Corner Properties <= 5750

Modifications:

The applicant has located the proposed building on the lot in a manner that is similar to its immediate surroundings and similar to the larger Del Ray neighborhood. Staff recommended the reduced front setback on Howell Street, preferring that the building line up with the prevailing setback on the street, particularly with the adjacent property, so that it would not disrupt the existing development pattern. The applicant situated the building slightly farther back from the LaGrande property line than the adjacent house along the rear of the property; however the five foot wide front porch extends beyond the adjacent building line a few feet. The porch is a classic and desirable design element in Del Ray. In addition, it is not uncharacteristic for corner houses to be situated close to the street along both front yards in the neighborhood, although at this particular intersection all of the houses appear to be set back from the corner. However, because the house lines up generally with the developed building line on both streets, and with a condition that the proposed porch remain open, staff recommends approval of both front yard modifications in this case.

As to the vision clearance requirement, staff also recommends approval. The streets involved are relatively low speed, residential streets, and there are two stop signs at the intersection. Thus, staff finds no safety problem with the placement of the house. In fact, a significant pine tree is located at the corner of the property, and one of the important considerations in this case, for the applicant, staff and neighbors has been to retain that tree, now located within the vision clearance area.

Finally, staff also supports the fact that more than 50% of the required side yard will be used for parking. From a zoning perspective, both this and the Laverne Avenue properties, as corner lots, include two front yards and two side yards; there are no rear yards. As a further technical matter, the required zoning side yard behind the house on LaGrande Street is an 8ft 8in area adjacent to the rear property line that runs perpendicular to LaGrande Street. Although the parking could be located adjacent to the rear of the house in order to be outside the required yard area, its location at the property line, while a technical violation of the yard requirement, allows this applicant to achieve both a parking area and an open yard area for the future residents of the house. Furthermore, the objective of a buffer area for the adjacent neighbor is not as important here as in other cases, in that an accessory structure has occupied the neighbor's property at the shared property line. Staff supports the modification in this case because it achieves the same goal as the zoning rule seeks to achieve – a usable yard area without parking in it – with a superior design, while still providing two parking spaces.

Design:

The property is located in the Town of Potomac historic district which has a large concentration of residential architecture from the 1890s through 1941. Residential styles represented include predominantly Foursquares, Bungalows and Colonial Revival buildings, as well as Folk Victorian, modified Queen Anne, Tudor Revival, and two Mediterranean Revival buildings. The 400 and 500 blocks of East Howell include an eclectic mix of Folk Victorian, Neo-Colonial, and Bungalow styles. The subject house is an example of a Folk Victorian style and is in keeping with the historic context

of the area. The gabled roof and wraparound porch of the proposed house are common elements of homes in the District. The subject house is almost identical in style to the house at 417 East Howell, a house listed on the Town of Potomac Historic District Inventory of contributing buildings.

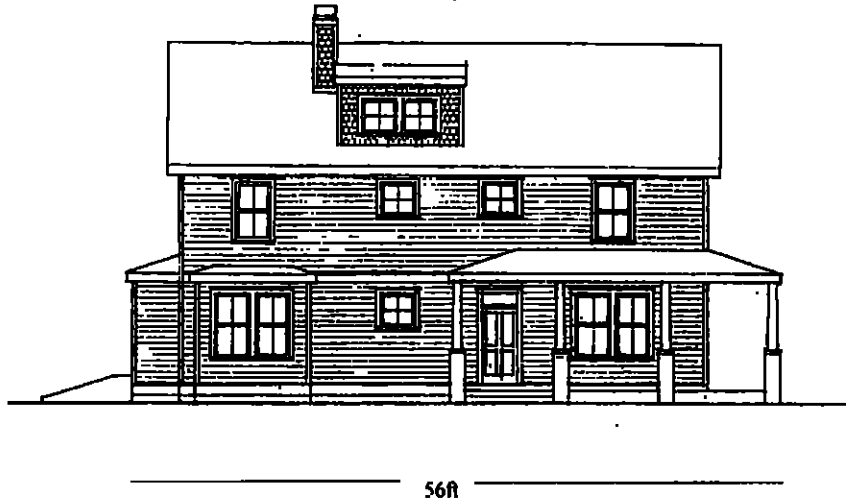
Although the subject house is larger than the size of historic examples of the same style, the applicant has attempted to address the issue by making the rear of the house look similar to a small scale, one-story addition, a common phenomenon in the District.

In addition, the applicant has designed the house to relate well to the corner and street by including a wraparound porch and numerous windows on the LaGrande front of the house, that are arranged in an organized and hierarchical way. The plans show a sensitivity in relating the interior space to the exterior design.

Staff's only concern about the design is the massing. Because it is a simple Folk Victorian building, the actual size of the house appears pronounced. The applicant had proposed a hipped roof to address staff's concern, which reduced some of the massing. However, staff found that this change compromised the original design, making it more complex and less like other homes found in the area. The applicant could have proposed a smaller house to address the massing issue. However, the actual size of the house is consistent with several in the immediate vicinity. Therefore, staff supports the applicant's design of the house.



Howell Avenue Facade



LaGrande Avenue Facade

PARKING:

Staff was concerned about compliance with the parking requirement, the wide curbcut that accessed the property, and also about the amount of paving that surface parking on the property could create. To address staff's concerns, the applicant is providing parking for two vehicles on the property, and in a tandem configuration to reduce the width of the curbcut to a single car width and to maximize the area of the rear yard. Special use permit approval is required for tandem parking because there can be an issue of access to both required spaces. Tandem parking for single family homes however is generally effective, and should not create any negative parking impacts on the area.

TREES:

The subject proposal will not remove any mature trees. The significant pine tree on the corner will remain and, two oak trees at the rear of the site and the three City street trees will be protected during construction. The two flowering trees on the site, a crabapple and a dogwood, are within or too close to the footprint of the house to be preserved, but they are young, and the applicant has suggested planting new ones on the finished lot. Staff commends the applicant's ability and willingness to preserve the mature trees, and to include additional trees in his proposal.



Loblolly Pine Tree

RECOMMENDATION:

Staff recommends approval of the proposed development of the substandard lot because it believes that the project is in character with the existing neighborhood development. The lot size is exactly the same as many others in the vicinity developed with single family homes. The style of the house is also consistent with the character of the neighborhood homes. Furthermore, the proposal preserves mature trees and provides two parking spaces. Staff is aware that the Howell Street lot acts now as an open space for the neighborhood. It had been, but is not now, owned by the adjacent owner as a side yard. However, assuming as a policy matter that there are some substandard candidate lots that will be approved, and having found that the proposal here meets the standards set out in the zoning ordinance for developing private, substandard lots, then staff is able to recommend approval of this proposed new house.

Staff also finds that there are significant distinctions to be drawn between this application and the Laverne Avenue proposal. In the Laverne case, the lot size is uncharacteristic for a single family house, there is a great disparity between the zoning lot size requirement and the size of the lot, the house is too large for the small lot, and the proposal includes the additional negative impacts of removing mature trees and providing only one parking space.

Staff's support for the Howell Street case includes a series of conditions requiring that the applicant proceed with the design submitted, preserve the designated trees, plant additional ones, and maintain an open porch. Staff is also recommending a condition that prohibits additional building on the lot in the form of accessory structures or additions to ensure that much of the site is left open for the future. With these conditions, staff recommends approval of the proposal.

III. RECOMMENDED CONDITIONS

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

1. Modifications for the front yards, vision clearance, and parking area over 50% are hereby granted, consistent with the plans submitted as part of this application. (P&Z)
2. The applicant shall provide tandem parking for two vehicles for the house and shall reduce the width of the existing curb cut to nine-foot wide. (P&Z)
3. The wrap-around porch shall remain an open porch. Screens, windows, walls, or any other type of enclosure material on the porch shall be prohibited. (P&Z)
4. The applicant shall preserve the loblolly pine tree at the southwest corner of the property, the two oak trees on the north side of the property, and the three street trees located on LaGrande and Howell. The applicant shall take appropriate measures to protect these trees during the construction process, to the satisfaction of the City Arborist. (P&Z)
5. Additional floor area shall be prohibited except for one outdoor shed, consistent with the Zoning Ordinance. (City Council)
6. The driveway and walk surfaces shall have minimal paving and be constructed of mostly permeable elements. (P&Z)
7. Contact Alexandria Archaeology (703-838-4399) two weeks prior to any ground disturbing activity (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of The Zoning Ordinance) on this property. City archaeologists will provide on-site inspections to record significant finds. (Historic Alexandria)
8. Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) Or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds. (Historic Alexandria)
9. The above statements in Conditions #7 and #8 must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement. (Historic Alexandria)

10. A plot plan showing all improvements and alterations to the site must be approved by T&ES prior to issuance of a building permit. The footprint, elevations, and proposed parking on the plot plan shall be consistent with what is proposed in this application. (T&ES)(P&Z)
11. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)
12. An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2500 square feet. (T&ES)
13. If construction of the residential units result in land disturbing activity in excess of 2500 square feet. The applicant is required to comply with the provisions of Article XIII of the City's zoning ordinance for stormwater quality control. (T&ES)
14. City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (T&ES)
15. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding security hardware and alarm for the new home. This is to be completed prior to the commencement of construction. (Police)
16. No further variances or exceptions shall be granted on the property. (PC)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.

IV. CITY DEPARTMENT COMMENTS

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

Transportation & Environmental Services:

- F-1 T&ES has no objection to the applicant's request for tandem parking.
- F-2 Although the proposed structure will intrude into the 100 foot vision clearance as set forth in Section 7-801, T&ES does not object to the proposed placement of the house. There is low volume of traffic on this neighborhood street. However, T&ES insists that other site improvements, i.e. fencing and landscaping meet the requirements of this section.
- R-1 A PLOT PLAN showing all improvements and alterations to the site must be approved by T&ES prior to issuance of a building permit.
- R-2 Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity.
- R-3 An erosion and sediment control plan must be approved by T&ES prior to any land disturbing activity greater than 2500 square feet.
- R-4 If construction of the residential units result in land disturbing activity in excess of 2500 square feet. The applicant is required to comply with the provisions of Article XIII of the City's zoning ordinance for stormwater quality control.
- R-5 City Code Section 8-1-22 requires that roof, surface and sub-surface drains be connected to the public storm sewer system. Where storm sewer is not available applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services.
- C-1 All utilities serving this site shall be placed underground. (Sec. 5-3-3)
- C-2 Pay sanitary sewer tap fee prior to issuance of a building permit.(Sec. 5-6-25)
- C-3 Any work within the right-of-way requires a separate permit from T&ES.(Sec. 5-3-61)

Code Enforcement:

- C-1 Prior to the issuance of a demolition permit or land disturbance permit, a rodent abatement plan shall be submitted to Code Enforcement that will outline the steps

that will taken to prevent the spread of rodents from the construction site to the surrounding community and sewers.

- C-2 Roof drainage systems must be installed so as neither to impact upon, nor cause erosion/damage to adjacent property.
- C-3 A soils report must be submitted with the building permit application.
- C-4 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-5 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-6 Basement sleeping areas shall conform the requirements of the USBC, including provisions for emergency escape.
- C-7 Permission from adjacent property owners is required if access to the adjacent properties is required to complete the proposed construction. Otherwise, a plan shall be submitted to demonstrate the construction techniques utilized to keep construction solely on the referenced property.
- C-8 A wall location plat prepared by a land surveyor is required to be submitted to this office prior to requesting any framing inspection.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding security hardware and alarm for the new home. This is to be completed prior to the commencement of construction.

Historic Alexandria:

- F-1 Historical documents indicate that a race track ran through this property ca. 1845. It is possible that remnants of this feature may be discovered during the current development project.
- C-1 Contact Alexandria Archaeology (703-838-4399) two weeks prior to any ground disturbing activity (such as coring, grading, filling, vegetation removal, undergrounding utilities, pile driving, landscaping and other excavations as defined in Section 2-151 of The Zoning Ordinance) on this property. City archaeologists will provide on-site inspections to record significant finds.

- C-2 Call Alexandria Archaeology immediately (703-838-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) Or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds.
- C-3 The above statements in C-1 and C-2 must appear in the General Notes of the site plan so that on-site contractors are aware of the requirement.