



Stephanie Rawlings-Blake  
Mayor

## PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

### STAFF REPORT



Thomas J. Stosur  
Director

June 23, 2016

**REQUEST:** Minor Subdivision (Waiver) Final Plans/ 601-603 Mc Cabe Avenue

**RECOMMENDATION:** Approval

**STAFF:** Ivor Quashie

**PETITIONER(S):** Habitat for Humanity of the Chesapeake Inc.

**OWNER:** Habitat for Humanity of the Chesapeake Inc.

#### **SITE/GENERAL AREA**

Site Conditions: This project is composed of three lots, 601 McCabe Street, which is located between Ready Avenue, and Midwood Avenue. The properties are improved with two semidetached two story single family buildings.

General Area: This property is located in the Winston-Govans neighborhood, which is predominantly residential with commercial uses to the west on York Road.

#### **HISTORY**

There are no prior legislative or Planning Commission actions for this property.

#### **ANALYSIS**

Project: This subdivision proposes to reinstate a previously existing lot line and adjust a rear lot line. The applicant purchased the property via the Vacants to Value Program in 2012. The properties were renovated and ready for sale and it was discovered that the properties had been consolidated, which in effect made 601 and 603 Mc Cabe Avenue one property with two smaller parcels in the rear. The act of this subdivision would re-establish the original lot line dividing the two properties and the lot line adjustment would assume the rear parcels to create two distinct lots. In its consideration of the proposal, staff reviewed the following factors:

Subdivision Regulations: The project includes a waiver request to not require plans submittals as listed in the subdivision regulations, and to abbreviate the review process. Prior to the 2011 update of the subdivision regulations, it was possible to resubdivide properties as an administrative action. During the 2011 update, a discrepancy was noted in that process that these were in effect subdivisions that were not being presented to the Planning Commission, and so the subdivision regulations were amended to provide for review of this category of resubdivision. The net result of this correction is that these relatively simple resubdivision applications need to provide plan submittals that require a survey, a circulation for agency review that can take 6-8

weeks, and increased fees for professional services (surveyor and engineer). This may have the effect of discouraging redevelopment, which frequently is located in residential neighborhoods.

Staff believes that this is a reasonable request, and this is also being considered as part of the current update of the subdivision regulations. A more reasonable future path to consider would be a middle-ground option that would involve a reduced agency circulation involving the Department of Planning, the Zoning Administrator's office, and the Property Locations Division within the Department of Transportation. That proposed change would in effect strike a balance between too much and not enough process. For these reasons, staff recommends approval of the waiver, and of the resubdivision.

Zoning Regulations: The property is currently zoned R-6. The result of this subdivision would have no conflict with the existing zoning as it is restoring a previous lot line.

Community Notification: The Woodburn Mc Cabe Community Association has been notified of this action.



**Thomas J. Stosur**  
**Director**