

Fire Code Appeal
Fire Apparatus Access Road
Determination
7213 Huebner Road
Poss Landing Subdivision

Regular City Council Meeting

Mindy Teague, Director

October 17, 2023

Appeal

- By Casey O'Neil, Poss Landing Subdivision, 7213 Huebner Road
- Requesting a variance to the 2021 International Fire Code, Appendix D Fire Apparatus Access Roads, D107 One or Two-Family Dwelling Residential Developments, D107.1 One or Two-Family Dwelling Residential Developments & D107.2 Remoteness
- To allow a non-compliant secondary fire apparatus access road
- To allow the proposed 86-unit single family dwelling subdivision to be constructed without fire sprinkler systems in each home

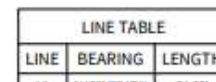
Request

- This is a ten-acre residential housing development located at 7213 Huebner Road, now known as Poss Landing
- Developer previously stated that due to inability to provide a secondary fire apparatus access road that meets the requirements of the Code, he would fire sprinkle all of the housing units
- The property was then platted, and the developer started negotiations with several building contractors for the construction of the homes

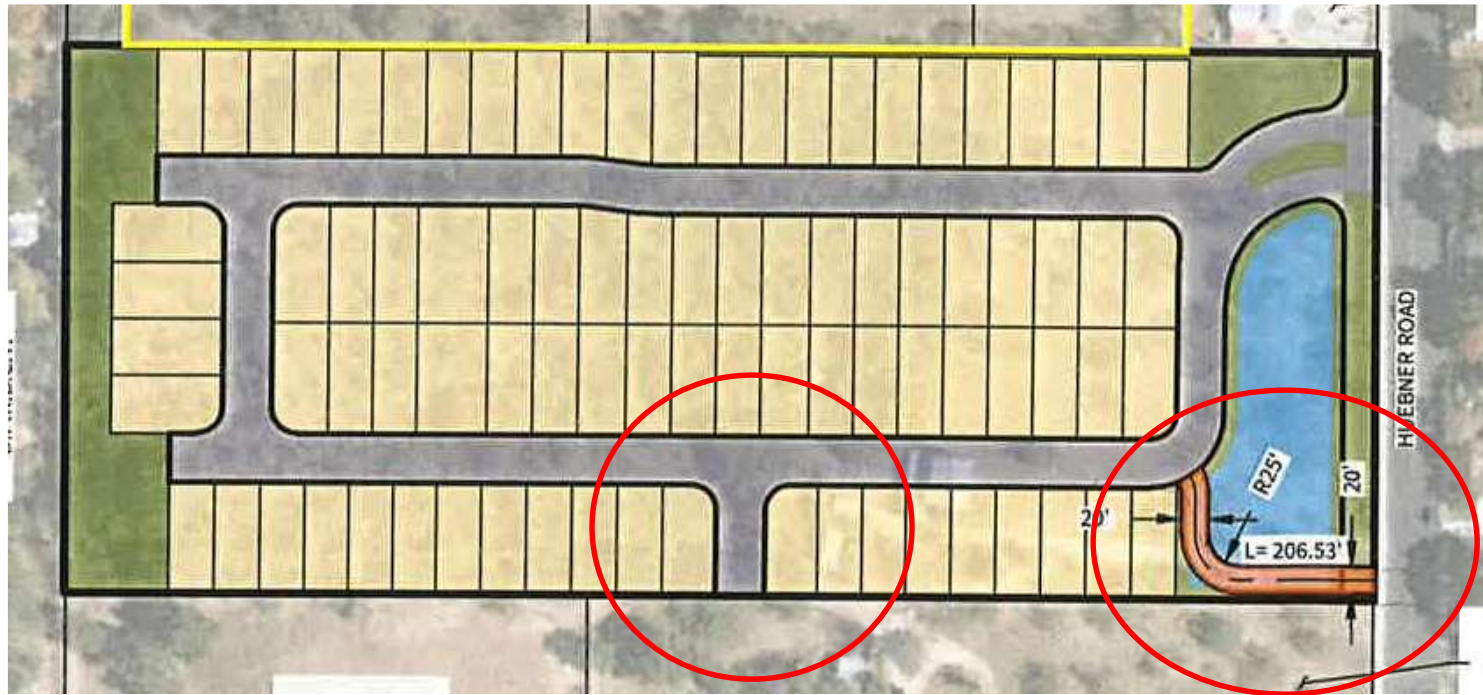
Background

- Developer has now been turned down by 3 home building companies - all stating the cost of installing & maintaining residential fire sprinkler systems is too high
- Staff made some inquiries of residential fire sprinkler companies & was informed that the cost for installing the systems is between \$3.50 & \$5.00 per sq. ft. , resulting in an estimated cost of \$896,000 for the 86 units

Current Access Road



Proposed Second Egress



Future access

Huebner access

2021 International Fire Code

- D107.1 One or Two-Family Dwelling Residential Developments
 - Developments of one or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads.
- Exceptions:
 - 1. Where there are more than 30 dwelling units accessed from a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with section 903 3.1.1, 903 3.1.2, 903 3.1.3, access from two directions will not be required.

2021 International Fire Code

- 2. The number of dwelling units accessed from a single fire apparatus road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the fire code official.
- D107.2 Remoteness
 - Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.”

Purpose

- To gain as much compliance as possible with the Fire Code, the applicant is proposing to replat the property to provide an additional fire apparatus access road along Huebner Rd
- The distance between the approved ingress/egress road to the newly proposed access road is approximately *** linear feet, so they would be noncompliant by about ** feet
- There is a vacant 5-acre tract of land adjoining this subdivision and the developer has placed a street stub out for a future connection to that parcel, but the timing of the future development is unknown

Purpose

- LVCC Chapter 5 Fire Prevention, Article 5.04 Fire Code, Section 5.04.005 Appeals states:
 - Whenever the fire marshal shall disapprove an application, or refuse to grant a license or permit applied for, or when it is claimed that the provisions of the code do not apply or that the same has been wrongly interpreted by the fire marshal, the applicant may appeal from the decision of the fire marshal to the council within 30 days from the date of the decision of the fire marshal
- The applicant is asking the City Council for approval of an appeal to the code

Staff Analysis

- The Fire Chief is opposed to the appeal, as the proposed secondary fire apparatus access road is not to code & the applicant knew the homes would have to be fire sprinkled from the onset of planning for this development
- The appeal is for monetary reasons only and is self-imposed

Options

- #1 Adhere to the Fire Code - require the developer to fire sprinkle each unit, as mandated
- #2 Approve the appeal request and allow two noncompliant entrances off of Huebner Road, with potential for future connection to Huebner Road via the undeveloped 5-acre parcel
 - If approved, applicant will be required to replat the property to construct the additional entrance onto Huebner Road
 - Additionally, the developer will most likely have to reduce the number of dwelling units to 85, reconfigure the detention pond, and construct additional roadway paving, curbs, etc.

S.E.E. Statement

- Social Equity - The proposed development will increase the housing stock in Leon Valley and will offer residents alternatives to single family home ownership
- Economic Development - The development will bring in more ad valorem and sales taxes
- Environmental Stewardship – New construction includes modern building standards, which include environmentally friendly options