

Modification Requests- Staff Analysis

#1: Authorization of Private Street

Private streets may be authorized by the Planning Commission as provided by any one of the provisions of Section 14-233.

The applicant is requesting the Planning Commission to authorize private streets within the development areas in accordance with Section 14-233 (A).

ANALYSIS OF SECTION 14-234:

Per Section 14-234(C), the Commission may authorize one or more private roads to be constructed in a subdivision if it finds that one or more of the circumstances described in Section 14-233 exists and that: (ordinance language presented in ***bold italics*** followed by staff comment)

1. The private road will be adequate to carry the traffic volume which may be reasonably expected to be generated by the subdivision.

The County Engineer and VDOT has evaluated the proposed private street and have no objections to the design. It will adequately handle the traffic volume that will be generated by the development.

2. The comprehensive plan does not provide for a public street in the approximate location of the proposed private road;

The Crozet Master Plan Transportation Plan does not call for a public street within the subject property of in the approximate location of the proposed private streets.

3. The fee of the private road will be owned by the owner of each lot abutting the right-of-way thereof or by an association composed of the owners of all lots in the subdivision, subject in either case to any easement for the benefit of all lots served by the road;

Per applicant's authorization request letter, a Homeowners Association (HOA) will be formed to bear the cost of maintenance and upkeep of the private street. Staff will ensure this is completed during subdivision plat review.

4. Except where required by the commission to serve a specific public purpose, the private road will not serve through traffic nor intersect the state highway system in more than one location;

The private street will not serve through traffic and will only have one entrance onto Orchard Drive.

5. If applicable, the private road has been approved in accordance with section 30.3, flood hazard overlay district, of the zoning ordinance and other applicable law.

Section 18-30.3 is not applicable to this site because it is not in the Flood Hazard Overlay Zoning District. No impacts to the 100-year floodplain would result.

Summary:

Staff recommends approval of the private street authorization request.

#2: Modification of Street Standards to not provide sidewalks along one side of the internal private street.

Sidewalks are required to be established on both sides of each new street within a subdivision in the development areas. The applicant has requested a sidewalk variation for the internal

private street. The request is to not provide sidewalks along the north side of the private street. Sidewalks will still be provided along the south side of the street as required by the Subdivision Ordinance. The requirements for sidewalks may be varied by the commission as provided in section 14-203.1(B)(1).

ANALYSIS OF SECTION 14-422 (E) Waivers from sidewalk requirements:

Per Section 14-422(E)(2), in reviewing a request to vary the requirement for sidewalks, the commission shall consider whether: (ordinance language presented in ***bold italics*** followed by staff comment)

i. A waiver to allow a rural cross section has been granted;

A waiver to allow a rural cross section has not been granted or requested.

ii. A surface other than concrete is more appropriate for the subdivision because of the character of the proposed subdivision and the surround neighborhood;

No alternative surface is proposed.

iii. Sidewalks on one side of the street are appropriate due to environmental constraints such as streams, stream buffers, critical slopes, floodplain, or wetlands, or because lots are provided on only one side of the street;

Sidewalks are being proposed on the south side of the street. If sidewalks were to be provided on the north side of the street, they would encroach into the WPO 100' stream buffer. Lots are only provided on the south side of the street where sidewalk is proposed.

iv. The sidewalks reasonably can connect to an existing or future pedestrian system in the area;

The sidewalk on the south side of the internal street will connect to sidewalks along Orchard Drive, as well as an internal pedestrian trail system.

v. The length of the street is so short and the density of the development is so low that it is unlikely that the sidewalk would be used to an extent that it would provide a public benefit;

The length of the streets is short, and other nearby pedestrian facilities are provided to connect to surrounding neighborhoods. Also, a trail will be provided within the open space area to allow pedestrian access from the lots to the surrounding sidewalks and pedestrian network.

vi. An alternate pedestrian system including an alternative pavement could provide more appropriate access throughout the subdivision and to adjoining lands, based on a proposed alternative profile submitted by the subdivider;

The subdivider has not proposed an alternative profile and is proposing sidewalks that meet the County's design standards.

vii. The sidewalks would be publicly or privately maintained;

Sidewalks for private streets would be maintained by the Homeowner's Association. Sidewalks along Orchard Avenue will be maintained by VDOT.

viii. The waiver promotes the goals of the comprehensive plan, the neighborhood model, and the applicable neighborhood master plan; and

This waiver promotes the goals of the neighborhood model by preserving environmental features while still providing adequate pedestrian connections through sidewalks on the south side of the private street and trails through open space.

ix. waiving the requirement would enable a different principle of the neighborhood model to be more fully achieved.

Waiving the requirement will allow the stream buffer to be minimally impacted. This more fully achieves the neighborhood model's goals for careful grading and respect to existing terrain.

SUMMARY:

Staff's opinion is that a sidewalk does not need to be provided along the north side of the internal private street and that there are adequate pedestrian facilities for the development, therefore staff recommends approval of this modification