

Modification Requests – Staff Analysis

1a: Exception of Sidewalk Requirement

Sidewalks and planting strips for street trees and other vegetation are required to be established on both sides of each new street within a subdivision in the development areas. The applicant has requested that sidewalks and planting strips be provided on one side of the street only along certain portions of Orchid Bend and Purple Flora Bend in Hollymead Town Center Area C Block II Attachment 4 identifies those areas where sidewalks would not be provided. The requirements for sidewalks and planting strips may be modified by the commission as provided in section 14-203.1.

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

Per Section 14-422(E)(2), in reviewing a request to waive 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.

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

Lots are provided on both sides of the private streets in Block II; however, several of those lots are double-frontage lots, with their main fronts along existing streets with sidewalks. The waiver request is for the rear frontage of the double-frontage lots, where the driveways and garages are proposed. Every lot would still have sidewalk along at least one front of the lot. Every portion of the two private streets would also have sidewalk along at least one side of the street.

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

The proposed sidewalks reasonably connect with each other within the development and with existing sidewalks along the existing street network. See Attachment 3 for an exhibit provided by the applicant of the pedestrian connections that would exist if this waiver request is approved.

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 proposed street are not short; however, sidewalk is proposed on at least one side of every street. In addition, the development has a density of 14.25 units per acre.

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. Sidewalks are being provided to connect to the existing sidewalk network and to connect to the proposed open space areas of the development.

vii. The sidewalks would be publicly or privately maintained;

Sidewalks for private streets would be maintained by the Homeowners Association. Sidewalks adjacent to public streets 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

Generally, the modification to have sidewalks on one side of the street does not promote the goals of the comprehensive plan, neighborhood model, or the applicable neighborhood master plan. However, as stated above, pedestrian access is still being provided for at least one frontage for all lots along the streets in this development. The sidewalk waiver is only for double-frontage lots, in the locations where driveways will be. In addition, all portions of the streets will continue to have sidewalks along at least one side of the street.

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

Waiving the requirement will enable pedestrian orientation in a different way by reducing conflicts between vehicles and pedestrians along street frontages where many driveways are located.

SUMMARY:

Staff's finding is that sidewalk along one side of certain portions of the private streets in this development is acceptable and recommends approval with the following condition:

1. Sidewalks must be provided in the development as shown on "Waiver Exhibit B, HTC Area C Townhomes: Block II, Albemarle County, Virginia," dated March 10, 2022, exhibit prepared by Shimp Engineering, which is included in Attachment 4 of this staff report.

1b: Exception of Planting Strip Requirement

Planting strips for street trees and other vegetation are required to be established on both sides of each new street within the development areas. The applicant has requested a modification of this requirement to match the sidewalk on one side of the street. The requirements for planting strips may be modified by the commission as provided in Section 14-203.1.

ANALYSIS OF SECTION 14-422 (F) Waivers from planting strip requirements:

Per Section 14-422(F)(2), 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.

ii. A sidewalk waiver has been granted;

A sidewalk waiver is included with this request and is recommended for approval by staff.

iii. Reducing the size of or eliminating the planting strip promotes the goals of the comprehensive plan, the neighborhood model, and the applicable neighborhood master plan; and

Eliminating the planting strip on one side of the street does not promote the goals of the comprehensive plan, neighborhood model, or the applicable neighborhood master plan. However, sidewalks and street trees/planting strip will be located on at least one side of the street throughout the development, and are only being waived adjacent to lots that are double-frontage lots. There is a planting strip along the at least one front for every lot in the development.

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

Waiving the requirement will not enable a different principle of the neighborhood model to be more fully achieved.

SUMMARY:

Staff's finding is that a planting strip for street trees along one side of this short private street is acceptable and recommends approval with the following condition:

1. Planting strips must be provided in the development as shown on "Waiver Exhibit B, HTC Area C Townhomes: Block II, Albemarle County, Virginia," dated March 10, 2022, exhibit prepared by Shimp Engineering, which is included in Attachment 4 of this staff report.
2. Trees must be planted along the east side of the sidewalk of Orchid Bend, in the space between the on-street parking area and Lots 43 and 56.
3. Trees must be planted along the west side of the sidewalk of Purple Flora Bend, in the open space between the on-street parking area and Lots 49 and 50.