STAFF ANALYSIS

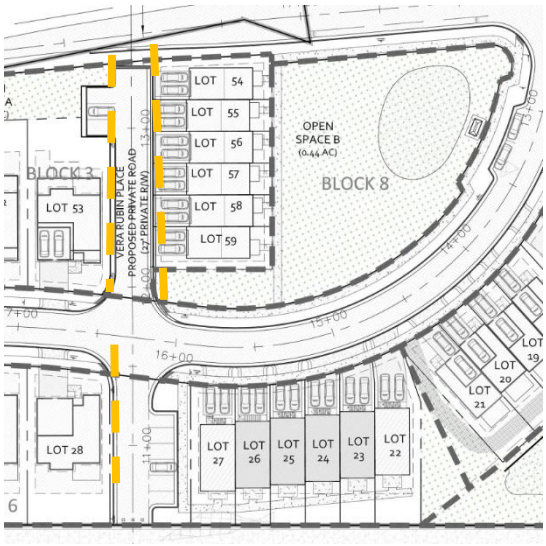
STAFF PERSON: Rebecca Ragsdale, Planning Manager
PLANNING COMMISSION: June 14, 2022
PROJECT: SUB202100179 Galaxie Farm
Sidewalk and Planting Strip Waivers for a Private Street

APPLICANT REQUEST:

The Galaxie Farm project is zoned Planned Residential Development (PRD) and is subject to the Application Plan approved with ZMA201800012. Major elements of that Application Plan include development of up to 65 residential units on 13.36 acres at a gross density of 5 units per acre; arrangement of single family detached, single family attached, and townhouse units across six residential blocks, two open space and recreational blocks; preservation of stream buffer along Cow Branch, and establishment of the street network and design.

The Application Plan established primarily public streets, several private streets, and an emergency access connection, referred to as Streets A.1, A.2, B, C, D.1, D.2, E, and F. Street design standards for each were included on the Application Plan, primarily Sheets 8 and 9, including specifications for bike lanes, on-street parking, sidewalks, planting strips, and street trees depending on the street type. At the time of the rezoning, private streets were not approved and no waivers to sidewalks or planting strips granted. The applicant is now requesting:

1. Private street approval for Vera Rubin Place under Sec. 14-233 (B)(1).
2. Modification of street standards:
   - **a.** Sec. 14-422 (E) Waivers from sidewalk requirements along both sides of Vera Rubin Place north of Mary Jackson Court; waiver of sidewalk on east side of Vera Rubin Place on the segment south of Mary Jackson Court.
   - **b.** Sec. 14-422 (F) Waivers from planting strip requirements on the entire segment of Vera Rubin Place.



The proposed private street will allow Lots 54-59 to front on an amenity and have vehicular access and parking from the rear. The segment of the private street adjacent to Lot 27 will provide access to guest parking to serve the townhouse lots.

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1. Agent approval of a private street (Vera Rubin Place) under Sec. 14-233 (B)(1)

This section allows the Agent to authorize a private street under the following circumstances:

> **Subdivision containing attached dwelling units or non-residential uses. The proposed private street(s) would be in a subdivision containing attached dwelling units or non-residential uses where the units, groups of units, or non-residential uses are to be located on individual lots.**

Only townhouse units will be served by the private road. They will be subdivided and located on individual lots. Since the ordinance allows Agent approval, no Commission action is needed on this request.

2. Modification of street standards

- **a. Sec. 14-422 (E) Waivers from sidewalk requirements**
- **b. Sec. 14-422 (F) Waivers from planting strip requirements**

2a: Sec. 14-422 (E) Waivers from sidewalk requirements

The applicant has requested to waive the sidewalk requirements along both sides of Vera Rubin Place north of Mary Jackson Court and to waive sidewalks on west side of Vera Rubin Place on the segment south of Mary Jackson Court.

The requirements for sidewalks and planting strips may be modified by the Commission as provided in section 14-203.1. 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 54-59 along the northern segment of Vera Rubin Lane are proposed on one side and will front on amenity with rear loaded garages. Sidewalks are provided along the front of the units and along Mary Jackson Court to the side of the units. Guest parking for the townhomes is proposed on the other side of that segment of Mary Jackson Court and will only serve those townhouses.
- **iv. 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 is short, and lots are only located on one side of the street, so it is unlikely that the sidewalk on the other side of the street would be used to the extent that it would provide a public benefit. The west side of the street adjacent to Lots 54-59 contains guest parking and the west side of the street

adjacent to Lot 27 does not contain parking or lead to an amenity that pedestrians would need to access.

v. **An alternate pedestrian system including an alternative pavement could provide more appropriate access throughout the subdivision and to adjoining lands, based on proposed alternative profile submitted by the subdivider;**
The subdivider has not proposed an alternate location of the sidewalk to from Mary Jackson Court to the front of Proposed Lots 54-59 and is proposing sidewalks that meet the County's design standards. Sidewalks proposed to serve Lots 22-27 are located along Mary Jackson Court and the east side of Vera Rubin Place adjacent to the lots.

vi. **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. The sidewalks adjacent to Vera Rubin Place and in the amenity area will be maintained by the HOA.

vii. **The waiver promotes the goals of the comprehensive plan, the neighborhood model, and the applicable neighborhood master plan;**
The proposed waiver of sidewalks 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 the lots in an alternative location or where pedestrian connectivity is not needed, such as the west side of Vera Rubin Place.

viii. **Waiving the requirement would enable a different principle of the neighborhood model to be more fully achieved.**
The waiver would allow Lots 54-59 to be rear-loaded providing relegated parking and allowing the units to front on an amenity.

SUMMARY:
Staff finds that a waiver of the sidewalk along this short section of private street is acceptable and recommends approval with the following condition:

1. Sidewalks must be provided in accord with the Galaxie Farm Road Plan Overall Layout Plan prepared by Collins Engineering and dated March 8, 2022.

2b. Section 14-422 (F) Waiver from planting strip requirements:

Per Section 14-422(F)(2), the Commission shall consider the following criteria in granting planting strip waiver:

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;**

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, the planting strip waiver would apply to only Vera Rubin Place, which has two short segments that primarily serve as access to parking for the townhouse units. Planting strips are provided along the public street, Mary Jackson Court, adjacent to these units.

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.

Staff finds that a waiver of the planting strip for street trees along both sides of the short segments of Vera Rubin Place is acceptable and recommends approval.