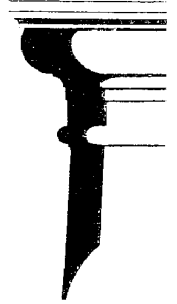


# WEATHER HILL DEVELOPMENT



January 24, 2006

Rebecca Ragsdale  
Senior Planner  
County of Albemarle  
Department of Community Development  
401 McIntire Road, Room 227  
Charlottesville, VA 22902

**RE: ZMA-05-05 – LIBERTY HALL  
REQUEST FOR WAIVER OF CERTAIN SIDEWALK AND PLANTING  
STRIP REQUIREMENTS**

Please consider this request to allow minor deviations from the Subdivision Ordinance's sidewalk and planting strip requirements at the proposed Liberty Hall Neighborhood Model District.

Liberty Hall consists of just over 8 acres of land within the designated development area in Crozet. A Zoning Map Amendment has been submitted to rezone the property to a Neighborhood Model District so that a pedestrian-oriented neighborhood with a mixture of uses can be developed, consistent with the goals of the Crozet Master Plan. An office building and various parks and recreational amenities will enable the residents of Liberty Hall to work and play within their immediate neighborhood. With only two minor exceptions, sidewalks and planting strips are provided throughout the development, in compliance with the Subdivision Ordinance and VDOT standards, to encourage pedestrian mobility and ensure an attractive streetscape. The following is a summary of the two locations where standard sidewalks and planting strips are not feasible:

1. The southern end of Radford Lane shall serve as the entrance to Liberty Hall. An existing gravel road is planned to be improved to a three-lane public street to accommodate all movements of traffic entering and leaving the site. The right-of-way available at this location is limited due to the uses on opposite sides of the roadway. An existing Masonic Lodge occupies the land on the northwest corner of Radford Lane and Route 250. The owners of the property are not interested in selling any portion of their land or easement rights for its use. To the east, an existing detention basin has been constructed by the developers of Clover Lawn. The bottom of this pond has been set at an elevation to enable drainage under Route 250, which is considerably lower than the existing topography of Radford Lane. The owners of this detention basin will not allow any physical modifications to it, therefore its position and elevation may not change. Based on these constraints to the east and west, the applicant has designed for the maximum right-of-way width physically available. Furthermore, based on the traffic projections of the Liberty Hall development, VDOT has required 3 travel lanes.

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After allocating the minimum required width for the travel lanes, a minimal amount of land remains for planting strips and sidewalks. The project proposes to provide a 5 ft. sidewalk along the east side of the street and a 3 ft. planting strip adjacent to it. This size of planting strip will accommodate low shrubs and ground cover, but not trees. Sidewalks and planting strips are not provided along the Radford Lane adjacent to the Masonic Lodge. If additional right-of-way were available, the applicant would not hesitate to provide the standard planting strip and sidewalk widths on both sides of the street.

Under 14-422 of the subdivision ordinance, the following justifications apply for the sidewalk waiver:

- Section E.2.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;"
- Section E.2.iv. "Sidewalks can reasonably connect into an existing or future pedestrian system in the area;"
- Section E.2.v. "The length of street is so short and 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."
- Section E.2.viii. "The waiver promotes the goals of the comprehensive plan, the neighborhood model, and the applicable neighborhood master plan;"
- Section E.2.ix. "Waiving the requirement would enable a different principle of the neighborhood model to be more fully achieved."

Under 14-422 of the subdivision ordinance, the following justifications apply for the planting strip waiver:

- Section F.2.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,
- Section F.2.iv. "Waiving the requirement would enable a different principle of the neighborhood model to be more fully achieved."

2. At the eastern end of Road D, a sidewalk is proposed along the north side of the street, but not the south side. Within block 2, three single family residential lots are proposed just south of an existing area characterized by critical slopes. The sidewalk along the south side of Road D at this eastern segment has been eliminated in order to shift the lots within block 2 as far to the south as possible, and avoid impacts to the critical slopes. The sidewalk along the north side of the street has been retained because it will link the pedestrian sidewalks within Liberty Hall to a trail head at the back of this block, which will one day be linked to the greenway along Lickinghole Creek. Under 14-422 of the subdivision ordinance, the following justifications apply for this situation:

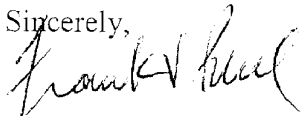
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- Section E.2.iii. "Sidewalks on one side of the street are appropriate due to environmental constraints such as streams, stream buffers, critical slopes, floodplain, or wetlands, or because lots are provided on only one side of the street;"
- Section E.2.iv. "Sidewalks can reasonably connect into an existing or future pedestrian system in the area;"
- Section E.2.v. "The length of street is so short and 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;"
- Section E.2.viii. "The waiver promotes the goals of the comprehensive plan, the neighborhood model, and the applicable neighborhood master plan;" and,
- Section E.2.ix. "Waiving the requirement would enable a different principle of the neighborhood model to be more fully achieved."

In summary, approval of this waiver will forward the spirit and vision of the both the Subdivision Ordinance and the Neighborhood Model. Granting the waiver would not be detrimental to the public health, safety or welfare, to the orderly development of the area, or to sound engineering practices.

Please do not hesitate to contact me if you have any questions or require any additional information. Thank you for your consideration.

Sincerely,



Frank V. Pohl, P.E.  
Weather Hill Development