

# Statement of Justification for Oak Street Subdivision

Rodeo Oak Properties LLC

PIN 6984-13-9896

## CONCEPT

The intent is to create a stand-alone “pocket neighborhood” with pedestrian walkability (consistent with the Town’s Mission), a private street (Oak Street) with a forty (40) ft. wide Ingress/Egress Easement (ROW), two separate pedestrian easements connecting Oak Street easement to Warrenton Boulevard (across PIN 6984-24-0199) and Moffett Manor Apartments (PIN 6984-13-7578), two storm water management facilities, and curbs, gutters and sidewalks. The lower density (2.3 DU/Acre) and proposed housing design (Craftsman/Mission) are calculated to maintain the quaint charm of Old Town Warrenton, and to appeal to families desiring walkability and accessibility to shops and restaurants there. An HOA will be established to provide for road and common area maintenance, minimizing economic burden to the Town. Additionally, we fully anticipate that the envisioned “hamlet” homes will result in an increase in the property value of existing homes, and a positive economic growth benefit to the Town.

Oak Street is undesignated as a cul-de-sac or a thru street on the Comprehensive Plan.

Rodeo Oak Properties, LLC. is applying for waivers, variations and/or exceptions to the Town Subdivision Ordinance pursuant to Sec. 2.7 *et seq.*, providing that where authorized by Town Council, in cases of *unusual situations* or *when strict adherence to the regulations would result in substantial injustice or hardship*, in accordance with Sec. 15.2-2242 (1), waivers, variations or exceptions may be granted.

## REQUESTS FOR WAIVERS, VARIATIONS AND/OR EXCEPTIONS

The proposed subdivision consists of a 6-lot limited residential subdivision of PIN 6984-13-9896, totaling approximately 2.7 ac. (zoned R-6/R-10), in accordance with the attached Concept Plan. This application is to request waivers, variations and/or exceptions to the Subdivision Ordinance, as follows:

1. Subdivision Ordinance Sec.4.2.9 – Request approval of a Private Street (Oak Street) with a 40-foot wide access easement (right-of-way) and constructed width of 26-feet (face of curb to face of curb) in accordance with PFM Drawing No. R-2 “Street with Curb and Gutter” – Class of Street: Private Roads.
2. Subdivision Ordinance Sec.4.2.10 – Request approval of a “dead-end” private street with an “alternative turnaround” terminus constructed in accordance with PFM 701.00 (B) Street Design and PFM Drawing No. R-12 “Private Road Cul-de-sac and Turnaround”.
3. Subdivision Ordinance Sec. 4.2.1 and 4.2.4 – Request approval of waivers to providing access (extending proposed private Oak Street) to the adjoining subdivision (Moffett Avenue) and extending the proposed private street (Oak Street) to the boundary lines of adjacent properties (PIN 6984-13-7578 and PIN 6984-14-5086)

## **JUSTIFICATIONS**

### **(1) Private Street with 40-foot wide Ingress/Egress Easement (ROW) (S.O. Sec. 4-2-9):**

1. Low Density Housing
  - a. The proposed subdivision is for lower density housing (2.3 DU/Acre), or a limited residential development
2. Very Limited Traffic Generation
  - a. The proposed subdivision will generate approximately 60 VPD – significantly less than the 400 VPD threshold for a local street. A reduced ROW may be permitted in conjunction with a private street. Currently a private lane, a private “Oak street” designation (and standard street cross-section) is compatible with the existing land use of the lane, and with the adjacent land uses in the vicinity of the site, which strictly limit any future development.
3. Maintenance
  - a. A Homeowner’s Association, consisting of the owners of Lots 1-6, will maintain the road. The Town of Warrenton will not be burdened by the responsibility or cost of road maintenance.
4. The proposed 40-foot Ingress/Egress Easement (ROW) exceeds the minimum ROW width specified for Private Streets (Roads) on PFM Drawing No. R-2 “Street with Curb & Gutter” (34 feet) and in S.O. Sec 4.2.9 (30 feet)

### **(2) “Dead End” Private Street with “Alternative turnaround” terminus (S.O. 4.2.10):**

1. Limited number of lots to be served
  - a. Private dead-end Oak Street will serve only the 6 lots in the proposed subdivision
2. No potential for road extension
  - a. Adjoining properties are fully developed
  - b. Existing topographic conditions are prohibitive
3. Alternative Turnaround specified by Public Facilities Manual (PFM)
  - a. PFM Sec. 701.00 – Item (B) specifies that “Alternative turnarounds for private street only: “T” and “Branch” type turnarounds may be considered for short private street less than 500 feet in length. Oak Street (Private) length will not exceed 500 feet from its intersection of Beach Street to the centerline of the proposed turnaround branch.
  - b. PFM Drawing No. R-12 “Private Road Cul-De-Sac and Turnaround” specifies the configuration of “T” and “Branch” style turnarounds. A “Branch” style turnaround is proposed

### **(3) Waiver to providing access to adjacent subdivisions (S.O. 4.2.1) and extending the proposed private street to adjacent parcels (S.O. Sec. 4.2.4):**

1. Lots along Moffett Avenue are fully developed with existing single-family residences under separate ownerships and offers no ability for any future connection from Oak Street to Moffett Avenue
2. Adjoining parcels are fully developed and offer no reasonable purpose or ability for future road extension

- a. PIN 6984-13-7578 (Warrenton Volunteer Fire Company Properties LC) – this property is fully developed as with an apartment building (Moffett Manor Apartments) and associated private parking
  - b. PIN 6984-14-5086 (County School Board of Fauquier County) – This property is fully developed, occupied and used by Warrenton Middle School.
3. Existing topographic conditions are prohibitive for any road extension
4. The applicant proposes two separate pedestrian ingress/egress easements to promote pedestrian connectivity within the neighborhood. The first is from Oak Street to Warrenton Boulevard and the second from Oak Street to the boundary line common with PIN 6984-13-7578 (Moffett Manor Apartments).

### **EVALUATION OF HARDSHIP**

This statement of justification, application (and attachments) show how and why the variation to street ROW width and establishment of a private street and the exception to the Cul-de-sac prohibition are both reasonable and necessary, as this is in fact an unusual situation, and strict adherence to the ordinance and regulations would undoubtedly result in substantial injustice and undue financial hardship for no reasonable purpose, given the fully developed nature of adjacent parcels, their existing uses, and the topographical challenges involved. The proposed subdivision into larger attractive lots, with more upmarket family homes, and walkability to Town, is a reasonable use of the 2.7 ac. parcel, given the character of the neighborhood and proximity to Town.