

**Department of Community Development
Staff Report**

PROPERTY OWNERS: Gracie Lou, LLC
APPLICANT(S): Tyler Ross
LOCATION: 8060 Frytown Road, Warrenton
DISTRICT: Cedar Run
PIN(S): 6994-10-9878-000
ACREAGE: 2.566 acres
ZONING: Village (V)
LAND USE: Residential
MEETING DATE: October 13, 2016

REQUEST: WAIV-16-005613: The Applicant is seeking a waiver of the Subdivision Ordinance requirement to construct a pedestrian trail along the parcel's roadway frontage as part of a proposed subdivision of the property.

OUTSTANDING ISSUES: There are no outstanding issues identified by Staff.

RECOMMENDATION: The Planning Commission unanimously voted to approve Waiver request WAIV-16-005613, subject to the conditions included in the attached resolution, which requires the recordation of a minimum 15-foot wide public access easement for future trail construction across the subject property public road frontage. The application satisfies the standards of Subdivision Ordinance Sections 8-1 and 4-27. Staff recommends that the Board of Supervisors affirm the Planning Commission's approval, and adopt the attached approval resolution.

Topic Description:

The Applicant, Gracie Lou LLC, is seeking approval of a request to waive the pedestrian trail requirement as found in Section 8-1, Subsections C and D, of the Subdivision Ordinance. The subject property, located at 8060 Frytown Road, is proposed to be subdivided into two new lots. The subdivision of this property will trigger the pedestrian trail requirements within the

Subdivision Ordinance in the following respects: proposed lot size, location within a Service District, Zoning district, and a Comprehensive Plan pedestrian trail planned along Frytown Road.

Site Aerial Map



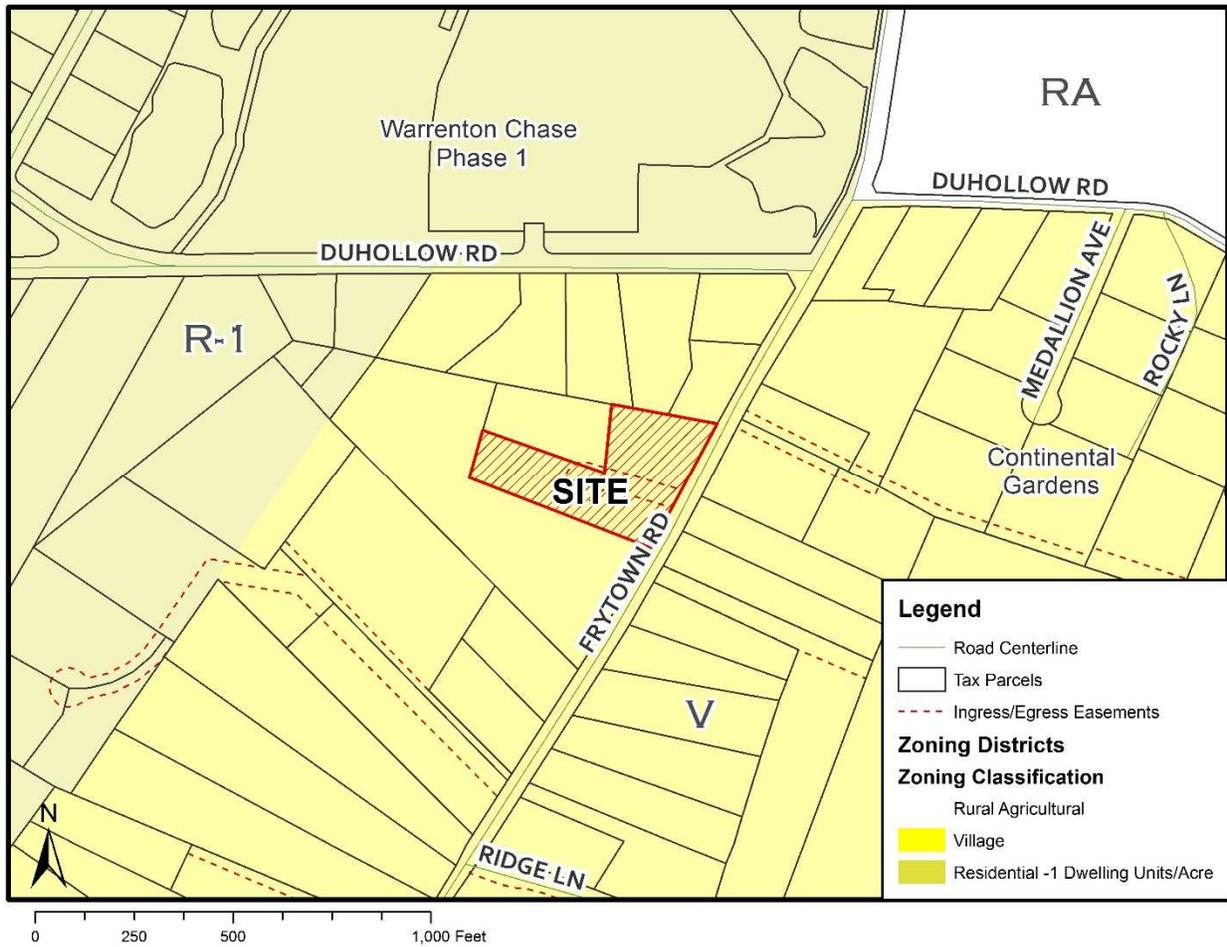
Planning Commission Action on September 15, 2016:

The Planning Commission held a work session on September 15, 2016. The item was discussed at agenda review and during the public meeting. The Planning Commission unanimously voted to approve Waiver request WAIV-16-005613 subject to the conditions included in the attached resolution, and forward to the Board of Supervisors to affirm its approval.

Location, Zoning and Current Land Use:

The subject property, identified as PIN 6994-10-9878-000, consists of a 2.566-acre parcel, zoned Village (V), and located within the Village of Frytown in the Warrenton Service District. The property fronts along Frytown Road (Route 674), to the south of the intersection of Frytown Road with Duhollow Road (Route 672). The parcel was previously subdivided in June of this year to create 'Lot A' (PIN 6994-11-8007-000) through the Administrative Subdivision process, leaving the 2.566-acre Residue parcel. The subject property currently contains one residence, with the remainder in open field cover. The applicant is proposing to further subdivide the Residue lot into two parcels.

Location and Zoning Map



Surrounding Zoning and Current Land Use:

The neighboring properties are all zoned Village (V), and consist of either residential-use or vacant land with no improvements. The subject property is located to the south of the Warrenton Chase subdivision, and an existing pedestrian trail that runs along the northern side of Duhollow Road.

Comprehensive Plan:

The subject property is within the Warrenton Service District, in the Water Remediation area per Chapter 6 – Service Districts. Figure 6-WA-2 shows a planned long term trail along Frytown Road, connecting the existing trail on Duhollow Road with a side path on Old Auburn Road, and this trail is shown again in the Destinations Plan in Chapter 10. Chapter 7 of the Comprehensive Plan describes the Village of Frytown as having the atmosphere of a country village characterized by rambling roads, with small houses on large lots containing mature landscaping. Chapter 7 additionally mentions the presence of stone walls, and the need to preserve these features in relation to the design and planning for future public water service to this area.

Subdivision Ordinance:

Section 8-1.C of the Subdivision Ordinance requires the construction of a four-foot wide pedestrian trail along the length of the Frytown Road property frontage as a part of the future Construction Plan and Final Plat application for subdivision, as the proposed subdivision lots will be: a) located in the Warrenton Service District; b) zoned Village (V); and c) will be below two acres in size.

Section 8-1.D of the Subdivision Ordinance requires a trail wherever shown in the Comprehensive Plan, described in the Plan as a ten-foot wide mixed use trail. Both Chapter 6 – Service Districts and Chapter 10 - Transportation show a long-term trail planned along Frytown Road.

Section 8-1, Subsections C and D state the following:

8-1 Curb, Gutter and Sidewalk

Curb, gutter and sidewalk in Service Districts, Residential Districts and Villages shall be required as follows:

C) Pedestrian trails shall be required along all public and private streets, accessways, or service drives qualifying as local collectors or major collectors in subdivisions having lots of 25,000 square feet, but less than two acres in area, either conventional or cluster. Trails shall be at least four feet in width and constructed of asphalt or other material acceptable to the County.

D) Or as shown in the Comprehensive Plan:

All improvements required above shall be installed in accordance with typical sections as shown in standards 1A, 2A, 3A or 4A in the Fauquier County construction specifications. Easements for future sidewalks and trails may be required by the Board of Supervisors.

Section 8 of the Subdivision Ordinance allows for the waiver or modification of the curb, gutter and sidewalk requirements by the Planning Commission per Section 4-27 Variations and Exceptions. The standards for a waiver of Section 8-1 are a) the requirements are not in keeping with the character of the area; b) do not serve the public interest; and c) no pedestrian and vehicular traffic hazards will be created.

Waiver Analysis:

The subject property triggers the requirement for a pedestrian trail in two separate subsections of the Subdivision Ordinance: Subsection C due to zoning, location and lot size, and Subsection D due to the Comprehensive Plan. A pedestrian trail is not out of character for the local area, described in the Comprehensive Plan as a country village. Existing lots and homes are oriented towards Frytown Road, making this roadway the main thoroughfare for the Village of Frytown.

The Village of Frytown, located less than a mile outside of the boundaries of the Town of Warrenton, is close to large residential developments such as Warrenton Chase, regional

pedestrian trails such as the Warrenton Greenway and Woods at Warrenton trail, and existing pedestrian networks located in residential subdivisions to the north side of Duhollow Road. These surrounding area characteristics indicate that a pedestrian access along Frytown Road that would act as a connector between planned trail networks is not outside of the character of the village area, which is closer to an urbanized setting than some other villages in the County. Additionally, a future pedestrian connection along Frytown Road would be of benefit to the residents, providing them with easier access to recreational infrastructure.

The existing pedestrian trail along Duhollow Road to the north as well as the planned side path along Old Auburn Road to the south create a nexus of connection and need that may not be immediately present, but is within the long-term plans for the area as laid out in Chapter 6 and Chapter 10 of the Comprehensive Plan.

While staff agrees with the applicant that at present neither a four-foot wide asphalt trail as specified in the Subdivision Ordinance, nor a ten-foot wide mixed-use trail as described in the Comprehensive Plan, would significantly contribute to the current pedestrian needs in the area, this does not rule out that a need will not be present in the future. Staff recommends that the applicant be waived from the requirement of constructing a paved pedestrian trail as part of the subdivision of the property; however, that the applicant should record a minimum ten-foot wide public access easement for future trail construction as part of the Final Plat of subdivision.

The Planning Commission held a work session and agenda review on September 15, 2016; during the work session, the Commission revised the approval conditions to increase the minimum width of the easement to fifteen feet, per the following:

1. The waiver is granted only for the purpose(s), structure(s) and/or uses indicated in the waiver application (WAIV-16-005613) submitted by Gracie Lou LLC (Owner), and Tyler Ross (Applicant), and shall be in conformance with the application materials, except as modified by these conditions.
2. A public access easement for future trail construction, to be a minimum of ~~ten (10)~~ fifteen (15) feet in width, shall be recorded as a part of the Final Plat of subdivision. The location ~~and suitability~~ of the trail easement shall be determined at the time of Construction Plan review and approval.