

Thanh – I represent the applicant, Cobbler’s Valley Development, Inc. on legal matters relative to the Cobblers Valley Subdivision. Carl Snyder and Valley Engineering are the principal applicant designees for the current preliminary plat with variances application, and I am providing the following supplemental comments for tonight’s Planning Commission meeting as I have a meeting conflict in another jurisdiction tonight. Please accept my comments on behalf of the applicant for the Commission Members.

It appears that the preliminary plat itself, and the first variance request for the narrower street pavement width are without controversy and we appreciate Staff’s work with the applicant to coordinate the associated plat and plans, and for Staff’s recommendation of approval on those items. As such, I will focus my comments primarily on the second variance application for the sidewalk only along the NW side of the planned street shown as Cobblers Court. The reasons supporting the variance request are specific to this project/location and are well founded from both practical and policy perspectives.

First, as the plans show, the City portion of Cobblers Court is a lead in to a larger development, where all the lots to be constructed will be within the County, and will only have sidewalk on the NW side of the roadway inside the County boundaries as permitted by right under the R-5 Master Plan approved by the County. From an efficiency and utilitarian standpoint, requiring a sidewalk on both sides, along the SE side of Cobblers Court within the City, which leads to no other sidewalk connections does not improve the design or pedestrian access to the community in any meaningful fashion, and is without exaggeration a “sidewalk to nowhere”.

The existing proposed design provides direct sidewalk access along the NW side of Cobblers Court all the way out to Pear Street, and along the Pear Street frontage, both east and west, as well as an extended connection down to Russell Drive. The community will also connect through Russell Drive in the future as the site develops.

Second, in addition to the goal of pedestrian access, housing affordability is an ongoing issue. Each added infrastructure “cost” is multiplied up the chain of development and adds a 3-4X multiplier to the homes eventually built there. While the additional, redundant sidewalk is not large standalone cost, it is a material cost and will flow through to homeowners in the development in the form of less affordable home costs. This argument in and of itself is not a reason to grant the variance, but when viewed in light of the other arguments presented, it certainly gives weight to the propriety of the variance request.

Third, adding a sidewalk, which is at best a preference or luxury rather than a necessity does have negative marginal effects on the local environment. Every additional square foot of pavement adds to both stormwater management costs via additional non-permeable surface area, and each additional square foot of pavements adds to the heat island profile of a development. For these reasons, both the more narrow street variance, and the one-sided sidewalk variance both offer tangible environmental benefits. To further supplement this goal, the developer/applicant would be willing to commit to a line of street trees along the SE side of Cobblers Court lying in the City in the area of the omitted sidewalk should the variance be granted. This demonstrates the commitment of not simply treating the omitted sidewalk as a “cost savings” measure, but one which would allow the use of the funds otherwise spent on the redundant sidewalk to be re-directed to tangible aesthetic and environmental improvements in its place.

The applicant fully understands and appreciates the City goals of pedestrian access and circulation, and the need for the Staff to consistently apply its design standards across developments in the City. However, these goals do not outweigh the competing interests in granting the sidewalk variance in this case, as the specific nature of the approved County plans make sidewalk requirements on both sides within the City less than useful, and the granting of the variance would enhance the affordability, stormwater and environmental quality aspects of the site.

For these reasons, I would respectfully request a recommendation of approval by the Commission on both the preliminary plat and the requested variances.

Regards,
Todd Rhea

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