



# Community Development Rezoning Report REZ16-160

**Planning Commission**  
July 5, 2016

**Board of Supervisors**  
July 27, 2016

Applicant	KKB, LLC
Tax Map Id	125-(A)- L6A
Present Zoning	General Density Residential District with Conditions (R-3C)
Proposed Zoning	Planned Multifamily District (PMF)
Location	West of Port Republic Rd (Rt 253), north of Stone Port Blvd (Rt 726), and northeast of Apple Valley Rd (Rt 726)
Acreage	6.1
Election District	4
Comprehensive Plan	Community Residential

Staff Recommendation:	Table	June 28, 2016
Planning Commission:		
Board of Supervisors:		

## **GENERAL INFORMATION**

### **OVERVIEW / BACKGROUND**

In 2012, the Board approved the request by KKB, LLC to rezone this property from General Agricultural District (A-2) to General Residential District with Conditions (R-3C). At that time the applicant proffered a master plan and conditions for the development of a multifamily complex. This property is located south of Aspen Heights within the Urban Development Area. The applicant has revised the Master Plan to bring the structures closer to the street, creating a sense of enclosure in keeping with Traditional Neighborhood Design Standards. The applicant describes this as an “upscale student housing residential community.”

### **PROFFERS<sup>1</sup>**

The applicant has submitted a master plan as required for the Planned Multifamily District and a set of proffered conditions. These have been attached to this report.

### **COMPREHENSIVE PLAN**

Community Residential Areas encompass the primary future urban residential neighborhoods in Rockingham County. These areas are planned for a variety of housing types, but primarily single-family detached homes, at a net density of two (2) to six (6) dwelling units per acre for any particular project. Net densities for particular projects would be somewhat higher than gross densities due to the subtraction of non-residential sites, as well as floodplains and other non-buildable areas. Residential development at the high end of this density range is encouraged in order to make efficient use of the land within the growth areas and to prevent suburban sprawl.

### **ZONING AND EXISTING LAND USE**

Zoning has no concerns with this request as long as all road grades can be met without variances.

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<sup>1</sup> Proffers are voluntary contributions made by developers to the County through the conditional zoning process. Proffers are binding commitments which become a part of the County’s zoning ordinance as it pertains to a specific property.

### Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	General Business District (A-2)	Homesite
East	Medium Density Residential District (R-2)	Mt. Sinai United Methodist Church
South	General Business District (B-1)	Stone Port (Undeveloped)
West	General Business District (A-2)	Homesite

## STAFF AND AGENCY ANALYSIS

### UTILITIES

#### Public Works

Public water and sewer were extended to the property as part of prior projects and are available for connections. However, sewer approval is needed from the City of Harrisonburg for the project. The previous project at this site was granted approval from the City based upon a specific sewage flow design and the number of units and bedrooms for this proposal differs from the previous. The new flow design needs to be submitted to the City for review and approval.

The City of Harrisonburg Department of Public Utilities offers the following comment:

The sanitary sewer will possibly be routed through the Aspen Heights metering station, which discharges into the City public main. On 07/03/2012 the City issued an approval letter to Rockingham County for the Aspen Heights sewer connection. This approval was based on a design flow of 131 gpm; composed of Aspen Heights 184 units (96 gpm) plus reserve for developed and undeveloped lands in the City. On 08/02/2012 the City issued an informal acceptance of the 90 gpm Stone Spring Courtyard;  $522 - 431 = 91$  gpm capacity in the City main. Based on recent discussions with designers, their peak flow rate from the proposed rezoning development will be approximately 68 gpm. Per studies from the Department of Public Utilities in 2012, it appears the County may have this capacity available. If the trends show that Aspen Heights' sanitary sewer metering station is not experiencing peak flows above the design rate of 96 gpm, there should not be issues with the proposed rezoning development. However, this

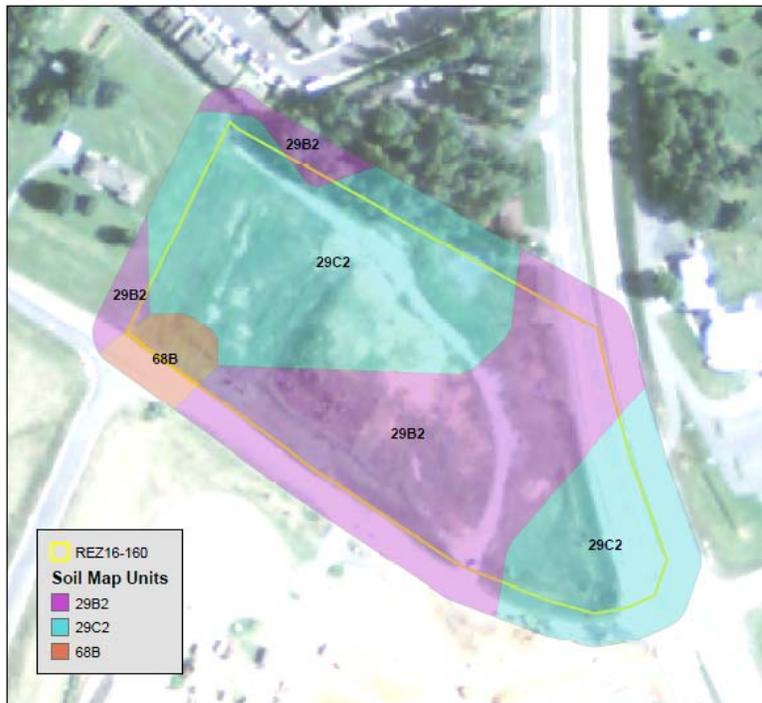
needs to be confirmed by reviewing the trends on the metering station and by possibly installing a temporary flow monitor.

### Health Department

If there are any existing private wells located on the parcel that will not be used the applicant should file an application for an abandonment permit with the local health department. If there are any existing onsite sewage disposal systems on the property that will no longer be used the applicant should ensure to abandon properly in place (septic tanks should be pumped, crushed and limed).

## **ENVIRONMENTAL**

### Soils



**29B2** – Slopes are 2 to 7 percent. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderately high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

**29C2** – Slopes are 7 to 15 percent. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderately high. Shrink-swell potential is moderate. This soil is not

flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

**68B** – Slopes are 0 to 7 percent. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

### Environment

No comments submitted.

## **PUBLIC FACILITIES**

### Schools

No comments submitted.

### Fire & Rescue

The property is located within the Hose Company #4 Volunteer Fire Departments Port Republic Road Substation and Harrisonburg Volunteer Rescue Squads respective response areas. Our office has no concerns with the rezoning. This project must meet all the requirements of the Rockingham Fire Prevention Code as it moves through the process.

### Sheriff

The Sheriff's Office has concern with having the ability to provide the required services for this property.

## TRANSPORTATION

### Traffic Counts

Road	Classification	Geometry	Traffic Count*	Posted Speed
Apple Valley Road (Route 726)	Minor Arterial (Currently)	2-Lane Highway	430 vpd	35 mph
Port Republic Road (Rt. 253)	Minor Arterial	4-lane Divided Highway	11,000 vpd (2014)	45 mph
Stone Port Blvd. (Route tbd, not yet accepted into State System)	Local (Designed to be Collector at build out)	2-Lane Highway	N/A	30 mph (design speed, not posted yet)

\* Vehicles Per Day (VPD)

### VDOT

1. The proposed rezoning and associated proffer is limiting the development to 140 dwelling units (425 beds). This proposed use will significantly increase traffic on surrounding roadways; however, a Chapter 527 TIA is not warranted. A turn lane warrant analysis has been provided. VDOT concurs with the findings in the analysis; however, depending on when the site develops, the site entrances may need to be re-evaluated with current traffic volumes at that time.
2. Internal Streets will remain private, as proffered.
3. Access to the site will be in accordance to Appendix F of the VDOT Road Design Manual.

### Public Transit

Service provided in the area of this development was provided to allow Harrisonburg's citizen's access to Sentara, RMH. Thus those routes do not operate on a JMU schedule and do not provide the type of service necessary for students.

The City of Harrisonburg has taken a position that funding for bus service for housing located in the county must be funded by the developer until such time that the county decides to contribute to funding the system. JMU has indicated that their contribution to the system will not increase for new student housing projects. At this time Harrisonburg would require your project to pay \$118,180 for service to begin fall of 2017. This cost will increase 3% annually. This agreement must be approved by City Council.

HDPT would also require a bus stop location considered safe with adequate room. We will not go into private parking lots. We prefer a stop on with a turn around that provides room and minimal interaction with local traffic. HDPT will provide and install shelters on developer's property on a pad built to our specification. It will be the developer's responsibility to maintain the shelter and keep it presentable.

## **SUMMARY**

### Considerations

- The site currently has an approved Master Plan for multi-family structures.
- The applicant has revised the Master Plan to conform to the standards of Traditional Neighborhood Design as called for in the Comprehensive Plan.
- The property is located within the Urban Development Area along a major corridor.
- The property is in close proximity to other student housing developments and commercial developments.
- Public water will be provided by the County and is available to the site.
- Public sewer will be provided by the City of Harrisonburg.
- The applicant must submit a letter of verification from the City of Harrisonburg stating that adequate sewer capacity is available. The applicant has not yet submitted this letter.
- The Sheriff's Office has concerns with having the ability to provide the required services for this property.
- A turn warrant analysis has been submitted, but may need to be revised depending upon traffic levels when the site is developed.
- The applicant has initiated discussions with Harrisonburg Department of Public Transit to provide bus service to the site. This has not been resolved.
- The Master Plan shows approximately 400 parking spaces for the development, surpassing the minimum requirement of 239 spaces for 140 units.

Staff Recommendation: Table

June 28, 2016

The applicant has not submitted a required letter from the City of Harrisonburg stating that public sewer capacity is available for this development. Until the applicant can submit a letter from the City of Harrisonburg, staff recommends tabling this request.

REZ16-  
Zoning from

Planning Commission Recommendation:

Board Decision: