



**ROCKINGHAM COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**REZONING REPORT REZ18-273**

Applicant	Partners Development, Incorporated
Address/Location	North and west sides of White Oak Drive approximately 700' west of Walnut Creek Drive.
Tax Map#	107-(A)-L166
Acreage	25.704 acres
Present Zoning	R2C – Medium Density Residential with Conditions
Proposed Zoning	R2C – Medium Density Residential with Conditions
Election District	2
Comprehensive Plan	Community Residential in the Urban Growth Area
Staff Recommendation	Table, September 27, 2018 Table, November 1, 2018
Planning Commission Recommendation	Tabled, October 2, 2018
Board of Supervisors Action	

**GENERAL INFORMATION**

**OVERVIEW/BACKGROUND:**

On October 26, 2005, the Board of Supervisors approved a rezoning request in Case #REZ05-10 of this parcel from A-2 General Agricultural to R2-C with conditions regulating phasing of the development, required infrastructure, and the provision of alternate road access to the proposed subdivision. The applicant has completed its first phase of development of 23 dwelling units and now seeks to amend certain proffered conditions, including the elimination of the required alternate road access.

**PROFFERS:**

The existing approved 2005 proffers restricted the R-2 uses to single family residences, totaling 74 units, with no more than 25 lots per calendar year to be platted. Requested changes to the amended proffers would continue utilizing the existing access through the Belmont Subdivision, but would forgo the previously proffered alternate access to either Erickson Avenue or Silver Lake Road. Other amended proffers would consolidate typical development standards for clerical purposes as they are standard requirements based upon County Code.

**STAFF AND AGENCY ANALYSIS**

**ENVIRONMENTAL**

This site is in the Cooks Creek watershed. There are no known surface waters on the property. There is a very small portion of 100- and 500-year floodplain in the northwest corner of the site. The site is underlain by carbonate rock material. Site soils are in Hydrologic Groups B and D with rock outcropping.

Group B soils are defined as having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

Group D soils are defined as having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

**PUBLIC WORKS**

Rockingham County Public Works Department

Public sewer can be extended to the site from the existing sewer system serving the existing Belmont Estates lots. The existing sewage pump station that serves this area has adequate capacity to serve the area in the rezoning application. Public water in this area is provided by the City of Harrisonburg.

City of Harrisonburg Public Utilities

The most recent application for Public Utilities to Facilities Located in Rockingham County (a.k.a. Public Utility Application) for this development was approved by City Council on July 10, 2018. A condition of the Harrisonburg Department of Public Utilities' (HPU) engineering review and approval of the application to City Council was that, prior to the sale/development of the 26<sup>th</sup> lot, a second feed pipe shall be connected to Silver Lake Road or Erickson Avenue. The developer should plan to prepare construction drawings for review by HPU and then construct the waterline prior to sale/development of the 26<sup>th</sup> lot.

**ZONING**

From a zoning standpoint, there are no concerns with this request.

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

**Roadway Information:**

**Erickson Avenue (Route 726)**

Functional Class.: Major Collector  
 Geometry: 2 Lane Non-Divided Highway  
 Traffic Count: Traffic Count: 6,100 VPD (2017)  
 Posted Speed: 35 MPH

**Nutmeg Court (Route 1173)**

Functional Class.: Local Roadway  
 Geometry: 2 Lane Subdivision Street  
 Traffic Count: 1,100 VPD (2009)  
 Posted Speed: 25 MPH

VDOT Comments:

Upon review of the files dating back to the 2005 rezoning of this parcel, VDOT has found significant public input citing concerns about the potential increase in traffic volume that would be generated by this additional development through the established sections of Belmont Estates. The original proffers were not intended as an access restriction to other sections of the development, they were put in place to prevent a significant increase in traffic volume in certain sections of Belmont until such a time as an additional access could be constructed to help even out traffic volumes by giving residents another point of ingress/egress from the development.

It is likely that the pavement structure on the existing streets was also a concern when evaluating the potential impacts of added development. VDOT couldn't find any records that indicated pavement was addressed at the time. Pavement design and condition should be evaluated as part of this proffer amendment to determine if the roadway structure is adequate to accommodate the additional traffic volume. In regards to the Knox box gates that were mentioned in the original proffers, VDOT generally is not in favor of restricting access in such a way and would be amenable to discussing alternative methods for addressing traffic flow.

VDOT deems that the traffic volume and pavement structure concerns would be no less valid today and would not support the removal of any proffer that would reduce the likelihood of an additional access to this subdivision being developed. Furthermore, any potential changes to the layout could require any subsequent construction plans to meet current SSAR standards, which includes connectivity to adjacent property.

**PLANNING**

**Case History**

Case #	Approval Date	Original Zoning	Approved Zoning	Conditions
REZ05-10	10/26/05	A-2	R-2C	<ul style="list-style-type: none"> <li>• Use limited to single family residences,</li> <li>• Max. 74 units,</li> <li>• Max. 25 lots / yr.</li> <li>• Alt. access to Erickson Ave. or Silver Lake RD after 23<sup>rd</sup> unit;</li> <li>• Knox Box possible to limit access.</li> </ul>
REZ18-273	<i>Scheduled 10/2/18</i>	R-2C	R-2C *	<ul style="list-style-type: none"> <li>• No change to use limitations, # of units or phasing.</li> <li>• Clarified screening requirements</li> <li>• Elimination of the required alternate road access</li> <li>• Consolidates typical development standards.</li> </ul>

**Comprehensive Plan Consistency:**

The parcel is designated as a Community Residential in the Urban Growth Area, which encourages planned and orderly residential development in existing nodes of activity.

1. Section II--C-3: Policies for Integrating Land Use, Transportation & Utilities:  
The designated Urban Growth Areas...are areas that are planned for public infrastructure expansion and urban growth.
2. Section: II-B-Goals:  
Goal #10. Preserve and Improve Free Flow of Traffic and Improve the Safety of the Road System.

**HEALTH DEPARTMENT**

The Health Department offers no comments on this request as there are public utilities to serve the subject parcel.

**FIRE AND RESCUE**

The subject parcel in REZ18-273 is located within the Hose Company #4 Fire Department and Harrisonburg Volunteer Rescue Squad's respective first due area. The development connectivity to Swope Road is no longer desired, even as an emergency access point, due to the condition and relative construction of the roadway from Silver Lake to the last residence. The County Department of Fire & Rescue believes that interconnectivity within the subdivision can be met by connecting Walnut Creek Drive & Tulip Terrace during construction and would be acceptable for emergency services and citizens' ingress and egress.

**CONSIDERATIONS**

The County Department of Fire & Rescue states that an alternative access to the subdivision is not necessary to meet its needs.

The applicant has met with VDOT and intends to address its comments.

**STAFF RECOMMENDATION:** Table  
 Table

September 27, 2018  
**November 1, 2018**

Staff has not received any supplemental information from the applicant since the October 2<sup>nd</sup> hearing and therefore recommends tabling the request to allow the applicant time to address outstanding issues.

**PLANNING COMMISSION RECOMMENDATION:** Table

**October 2, 2018**

Concurring with staff's recommendation, the Planning Commission tabled the request on a 5-0 vote.

Staff Note – During the Planning Commission's October 2<sup>nd</sup> public hearing, staff was informed that some adjoining landowners were not in receipt of notice letters. Subsequent to that hearing, staff confirmed that some adjoining landowners were inadvertently omitted from the mailing and therefore, the case will be re-advertised for a November 7<sup>th</sup> public hearing with new letters sent to all adjoining landowners.

**BOARD DECISION**