



**ROCKINGHAM COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT**

REZONING CASE REPORT REZ18-292

Applicant	Randy Cosner
Address/Location	Northwest side of Boyers Rd. (Rt. 704) approximately north of Cullison Court (Rt. 1013)
Tax Map#	125-(A)-L223 & L223B
Acreage	2.741 (both lots combined)
Present Zoning	A-2 - General Agricultural District (L223) & R-3C - General Residential District with Conditions (L223B)
Proposed Zoning	PMF - Planned Multi-Family
Election District	3
Comprehensive Plan	Mixed Use Center in the Urban Development Area
Staff Recommendation	Approval, November 1, 2018
Planning Commission	
Board of Supervisors	

GENERAL INFORMATION

OVERVIEW/BACKGROUND:

The subject property contains two small, undeveloped parcels bordered by Sentara RMH Hospital to the west and bordered by two similar-sized A-2 parcels with home sites on the north and south. Properties on the opposite side of Boyers Road are zoned for residential uses including, single family homes, duplexes, and rowhouses.

Case #REZ18-011 was approved June 27, 2018 by the Board of Supervisors that changed the zoning designation of parcel Tax Map #125-(A)-L223B) only from A-2 to R-3C. Subsequent to that approval, the applicant entered into a contract to purchase the adjacent parcel and has submitted a Master Plan to develop both parcel under a unified Planned Multi-Family zoning district designation. The applicant has discussed developing rowhouses and has submitted a proffer statement limiting the property to residential uses. If the request is approved, the two parcels would be combined; ownership and maintenance of common areas and internal streets would be transferred to a property owners association

PROFFERS

The applicant has submitted a proffer statement limiting the property to residential rowhouses only and reiterates the applicant’s commitment to construct a shared use path along Boyers Road. While the proffer statement mirrors the existing approved statement, it would supersede the proffers approved in Case #REZ18-011, thus extending the shared use path along both parcels. The proffer statement is attached. In addition to the proffer statement, all information in the Plan Description and Master Plan – which are required components for projects within a Planned Zoning District – are legally binding documents.

STAFF AND AGENCY ANALYSIS

ZONING

The Zoning Administrator has no concerns with this request provided that all of the development standards for Planned Multi-Family zoning district are met.

Section 17-403.01. – Definition [Planned Multifamily district (PMF)].

The PMF district provides residential opportunities, common area, and commercial opportunities in a clustered development. While allowing for a variety of uses, this district is primarily residential.

Element	Code Section	Code Requirement	Master Plan Submitted
PMF Location	17-403.02 & .03	<ul style="list-style-type: none"> • Shall be within urban growth areas; • No min. acreage • Nonresidential uses shall be compatible with the residential nature 	<ul style="list-style-type: none"> • Within the designated Urban Development Area • Use limited to residential rowhouses
Water & Sewer	17-403.04	All uses shall be served by public water and sewer.	<ul style="list-style-type: none"> • Proposed water connections shown • Sewer easements provided and note added to address Public Works comments (see below)
Common Area	17-403.05 & 17-700.02	<ul style="list-style-type: none"> • Minimum 15% of the total project area • At least 75% shall be outdoor space 	<ul style="list-style-type: none"> • 22.4% of total reserved • Entirely outdoors • Tot lot & Bon Fire Pit • Shared Use Path to be constructed
Streets & Connectivity	17-701	<ul style="list-style-type: none"> • Streets to meet VDOT standards • Connectivity within development and to adjoining properties 	<ul style="list-style-type: none"> • All streets to be private and meet requirements • Stub street to future access easement provided • Sidewalks and path meet connectivity requirements

ENVIRONMENTAL SERVICES

This site is partially in the Pleasant Run watershed and partially in the Mill Creek watershed. The site is wooded. There are no identified surface waters on the property, nor mapped floodplain. The area is underlain by carbonate rock material, with no mapped sinkholes on the property. Site soils are in Hydrologic Group B. 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.

PUBLIC WORKS

County water and sewer utilities are available to the property.

Water:

An 8" water-main is located on the opposite side of Boyers Road. The water main will need to be extended and a casing installed to cross Boyers Road while also leaving a stub at the connection point for a future parallel extension along Boyers Road.

Sewer:

A sewer force main is located along the northeastern property line which discharges to a manhole on the Sentara RMH property. Connecting to the force main would require a pump station for the property which would not be supported by Public Works. In previous discussions based upon rezoning REZ18-011, the applicant indicated installing a gravity line that parallels the existing force main from the property and connecting to the existing discharge manhole.

It is unclear if this is still feasible with the additional property added due to the grade change from the east to the west end. If the new sewer can be installed along the existing force main, Public Works would require the new gravity line to be sized (possibly 18" line) to accommodate the abandonment of the force main where it parallels the new line. Otherwise easements will need to be obtained through the Sentara property to install new gravity sewer.

STAFF NOTE:

The applicant has submitted a revised Master Plan to clarify the proposed utility connections and location based upon the Department of Public Works comments.

Applicant's response:

"It is proposed to connect the existing force main to a new gravity manhole located in the northeast corner of the development. (shown on plan) The existing force main will be abandoned from that point. If arrangements can be made to obtain an easement from RMH-Sentara, the proposed sewer line will be installed directly from the site to the existing manhole on RMH-Sentara property. Otherwise, the new sewer line will parallel the abandoned force main as shown on the plan".

VIRGINIA DEPARTMENT OF HEALTH

The Health Department has no comment on this proposal. Public water and sewer will serve the project.

VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)**Roadway Information:****Boyers Road (Route 704)****Functional Class.:** Local Road **Geometry:**2 Lane Non-Divided Highway **Traffic Count:**

3,900 VPD (2012)

Posted Speed: 45 MPH**VDOT Comments:**

1. This proposed rezoning should not have a significant impact to the roadway network and would not warrant a VDOT Chapter 527 Traffic Impact Analysis.
2. Right-of-way for the proposed shared use path should be addressed in this rezoning application. Bike/ pedestrian facilities that are part of the state maintained transportation network are to be fully encompassed in the right-of-way. The right-of-way it to extend to a minimum one foot (1') past any state maintained facility.
3. The entrance to the site will need to meet all the applicable standards and regulations found in the VDOT Road Design Manual (Appendix F), Road and Bridge Standards, and Road and Bridge Specifications.

STAFF NOTE:

The applicant has submitted a revised Master Plan depicting the requested right-of-way delineation along the extent of the shared use path.

Applicant's Response:

"Lot size does is not large enough to provide right-of-way to 1' behind Shared Use Path. An Access/Maintenance Easement has been added that accomplishes the same purpose".

FIRE AND RESCUE

The site is located within the Hose Company #4's Port Republic Road sub-station and the Harrisonburg Volunteer Rescue Squad's respective fire due area. With the continued construction and growth within the County, our office has concerns with being able to provide emergency services to new and upcoming projects while maintaining the current emergency response call load. This project will have to meet the requirements of the Rockingham County Fire Prevention Code.

PLANNING**Planning Consistency:**

As noted in the VDOT comments, a privately-owned single point of access from Boyers Road will serve the proposed development and align with a future access road to serve proposed residential development on the southeast side of Boyers Road. A secondary restricted (gated) access will connect across from Cullison Court to serve fire and emergency services only.

Case History

Case #	Approval Date	Original Zoning	Approved Zoning	Conditions
REZ18-011	6/27/18	A-2	R-3C	<ul style="list-style-type: none"> • Use limited to residential • Shared Use Path to be constructed • (only included TM#125(A)-L223B)
REZ18-292 (previously REZ18-202)	Scheduled 11/718	A-2 & R-3C	PMF *	<ul style="list-style-type: none"> • Use limited to residential rowhouses • Shared Use Path extended • (Includes both TM#125(A)-L223B + L223)

Comprehensive Plan Consistency:

The parcel is designated as a Mixed Use Center within the Urban Growth Area, which encourages a planned orderly combination of residential and commercial development in existing nodes of activity. Adjoining the hospital property and within one mile of the commercial development at the intersection of Port Republic Road and Stone Spring Road, this development would be in conformance with the Comprehensive Plan.

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. The rezoning request is compatible with this Comprehensive Plan designation and advances the goals of the Comprehensive Plan.

STAFF RECOMMENDATION Approval,

November 1, 2018

This request is in conformance with the Comprehensive Plan for planned residential development within the Urban Development Area. The requested PMF designation is compatible with existing and projected future surrounding uses being contiguous to additional planned compact residential development and would contribute towards the planned shared use path enhancing pedestrian and bicycle connectivity therein. Staff has reviewed the Master Plan and finds the proposed amenities are consistent with the requirements of the PMF District and Planned District Development Standards, although final design is to be approved upon subdivision and site development plan approval and may change.

PLANNING COMMISSION RECOMMENDATION

BOARD DECISION