



**ROCKINGHAM COUNTY  
DEPARTMENT OF COMMUNITY DEVELOPMENT**

**REZONING CASE REPORT REZ18-360**

Applicant	Cosner Investments, LLC
Address/Location	Southeast side of Boyers Road (Route 704) approximately 0.5 mile south of Stone Spring Road (VA 280)
Tax Map#	Portion of 125-(A)-L220B
Acreage	Rezoning a 5.9 acre-portion of a 10-acre parcel
Present Zoning	A-2 – General Agricultural
Proposed Zoning	PMF - Planned Multi-Family
Election District	3
Comprehensive Plan	Community Residential in the Urban Growth Area Located within the Stone Spring Urban Development Area
Staff Recommendation	Table, December 21, 2018
Planning Commission	
Board of Supervisors	

## GENERAL INFORMATION

### OVERVIEW/BACKGROUND:

The subject parcel comprises 10 acres containing a single-family residential dwelling and undeveloped land bordered by undeveloped parcels zoned A-2 to the north and south. Parcels on the opposite side of Boyers Road are zoned for residential uses including, single-family homes, duplexes, and rowhouses. The applicant proposes retaining the A-2 district on approximately 4.1 acres on the back (southeastern) portion of the parcel while developing up to 86 condominium units on the portion fronting Boyers Road (Route 704) subject to the rezoning request. The development would result in no more than 186 total bedrooms of various 1-, 2-, and 3-bedroom condominium units within 4 separate buildings surrounding common areas.

### PROFFERS

The applicant has submitted a proffer statement limiting the property to 86 condominiums, which shall conform with the styles provided in the applicant's attachment with masonry materials covering at least 30% of the facades. Additionally, a shared-use path and right-turn lane will also be constructed by the applicant along Boyers Road with inter-parcel connectivity to adjoining parcels. The proffer statement is attached. In addition to the attached 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

### PLANNING

#### **Comprehensive Plan Consistency:**

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

1. Section II--C-3: Policies for Integrating Land Use, Transportation & Utilities:

2.

The designated Urban Growth Areas...are areas that are planned for public infrastructure expansion and urban growth.

3. The rezoning request is compatible with this Comprehensive Plan designation relating to transportation connectivity between parcels and through the construction of a shared-use path along Boyers Road.

4. The Master Plan proposes water and sewer line extensions to serve the parcel, although there are outstanding issues to address with the Public Works Department as referenced herein in order to achieve compliance with the Comprehensive Plan.

### ZONING

The Zoning Administrator expresses some concern with the single point of ingress and egress, but otherwise defers to VDOT and the Department of Fire & Rescue analysis 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
<b>PMF Location</b>	17-403.02 & .03	<ul style="list-style-type: none"> <li>• Shall be within urban growth areas;</li> <li>• No min. acreage</li> <li>• Primarily Residential uses with some commercial uses.</li> </ul>	<ul style="list-style-type: none"> <li>• Within the designated Urban Development Area</li> <li>• 86 condominium units and common area.</li> <li>• Mix of 1-, 2- &amp; 3-bedroom models of 20-22 units each in 4 buildings.</li> </ul>
<b>Water &amp; Sewer</b>	17-403.04	All uses shall be served by public water and sewer.	<ul style="list-style-type: none"> <li>• Proposed water and sewer connections shown across adjacent Sours parcel.</li> <li>• Easements for extension of lines not yet secured.</li> </ul>
<b>Common Area</b>	17-403.05 & 17-700.02	<ul style="list-style-type: none"> <li>• Minimum 15% of total project area</li> <li>• At least 75% shall be outdoor space</li> </ul>	<ul style="list-style-type: none"> <li>• 15% of total reserved</li> <li>• Entirely outdoors</li> <li>• Gazebo-style shelter, grills, and benches (Proffer #8).</li> <li>• Sidewalks to be constructed throughout neighborhood.</li> </ul>
<b>Streets &amp; Connectivity</b>	17-701	<ul style="list-style-type: none"> <li>• Streets to meet VDOT standards</li> <li>• Connectivity within development and to adjoining properties</li> </ul>	<ul style="list-style-type: none"> <li>• Streets to be private</li> <li>• Stub streets to future access provided to both north and south parcels (Proffer #7)</li> <li>• Shared-use path to be constructed along Boyers Road (Proffer #5)</li> <li>• Sidewalks and path meet connectivity requirements.</li> </ul>

**ENVIRONMENTAL SERVICES**

This site is partially in the Pleasant Run- North River watershed and partially in the Mill Creek- North River watershed. There are no known surface waters on the property. There is no mapped floodplain. The site is underlain by carbonate rock material. 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.

**VIRGINIA DEPARTMENT OF HEALTH**

The Health Department has no comment on this proposal. Public water and sewer is proposed to serve the project and would need to comply with applicable public works requirements for extension of service.

**PUBLIC WORKS**

There are some questions from Public Works regarding the availability of utilities without sufficient easement or consent of adjoining property owners. Public water and sewer are not directly available to the site.

**Water:**

- Currently, an approximate 1,650' water-main extension would be required along Boyers Road to serve the property and may require construction and/or permanent easements for installation of the line. There are multiple developments being proposed that may extend the line and shorten this distance so coordination between the parties will be necessary.
- The consultant for Public Works has reviewed the project and minimum fire flows can be provided.

#### **Sewer:**

- Public sewer needs to be extended to the site which is located to the southwest of the property. Gravity sewer is currently located on the Sentara/RMH property or within the Cullison Creek subdivision.
- There is also a County force main located within 1,000' of the property. However, Public Works does not support a connection to this force main since it would require a sewage pump station. The Cullison Creek gravity line is not supported for a connection for this property. The sewer flow from this location is pumped through multiple stations before eventually reaching a gravity line. Public Works recommends that the development extend a gravity line that connects to the County line located on the Sentara/RMH property.
- As stated in the water comments, there are multiple developments being proposed in this area and coordination between the parties is necessary in order to accommodate all the gravity sewer needs to the projects. All gravity sewer extensions will also need to be designed to accommodate the existing flow discharge from the County's force main and potential future discharge depending on where the lines intercept each other.

#### **Applicant's Response:**

The applicant has met with Director of Public Works Philip Rhodes several times to review the most appropriate routing of utilities. Regarding sanitary sewer, the plan of action is to tie the current force main into a new gravity line on the applicant's other property on Boyers, which was recently rezoned for development. This gravity line will extend to the existing gravity line on the Sentara property, replacing that section of the current force main. The applicant will then extend new gravity main up Boyers to the subject property, crossing Boyers from the west to the east in a manner that would only affect the applicant's property and that of the adjoining land owner, Ronnie Sours. These matters will be finalized during the design/engineering phase of the project, if and when the property is rezoned.

#### **VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)**

##### **Roadway Information:**

Boyers Road (Route 704)

**Functional Classification:** Local Road

**Geometry:** 2 Lane 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 Chapter 527 Traffic Impact Analysis.
2. The sketch shows a 25' right-of-way dedication. However, this amount of right-of-way does not appear to encompass the entire shared use path. The right-of-way dedication will need to extend to a minimum 1' beyond any VDOT maintained facility, which includes the shared use path.

3. The cross section of the divided entrance shows a roadway width of 12' on each side of the median. Per VDOT requirements, the minimum width of a one way entrance is 15'. The minimum width may also be governed by Rockingham County Fire and Rescue requirements. This can be addressed on the construction plan.
4. The shared use path needs to be designed in such a way as to provide a perpendicular crossing at the entrance. This can be addressed on the construction plan.

**FIRE AND RESCUE**

This site is located within the Hose Company #4 Fire Department and Harrisonburg Volunteer Rescue Squad's respective first due areas. 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 and locations while maintaining current emergency responses. This project will have to meet the requirements of the Rockingham County Fire Prevention Code.

**ROCKINGHAM COUNTY PUBLIC SCHOOLS**

1. This proposed development is the in the Spotswood School District. It would be served by Cub Run Elementary School, Montevideo Middle School, and Spotswood High School.
2. Currently there is room for these children with the exception of Montevideo Middle School which is currently at capacity. RCPS will continue to work with the County Planning Staff on this issue. In the meantime, if possible it would be good for us to know build out projections.
3. The school system projects the following number of students from this proposed development:

	<b>Spotswood High</b>	<b>Montevideo Middle</b>	<b>Cub Run Elementary</b>
<b>PMF (86 Condo Units)</b>	5.2	4.3	10.3
<b>Capacity/Enrollment</b>	1016/922	716/765	584/463

4. Transportation would be provided at the entrance to Boyers Road. Sidewalks and an adequate gathering area for students to wait on the school bus would be desired.

**STAFF RECOMMENDATION**

**Table, December 21, 2018**

Staff recommends tabling the request in order to allow the applicant the opportunity to address agency comments.

**PLANNING COMMISSION RECOMMENDATION**

**BOARD OF SUPERVISORS DECISION**