



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Ande Banks, City Manager  
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission  
Date: January 10, 2024 (Regular Meeting)  
Re: Preliminary Plat – Bluestone Town Center Phase 1

### **Summary:**

Project name	Bluestone Town Center Phase 1
Address/Location	1010 Garbers Church Road, 1645 Erickson Avenue
Tax Map Parcels	117-C-3, 115-B-1 & 4
Total Land Area	+/- 28.31
Property Owner	EP Harrisonburg Owner LLC
Owner's Representative	AES Consulting Engineering
Subdivision Ordinance Variances	Sections 10-2-41 (a), 10-2-42 (c), 10-2-43, 10-2-61 (a)
Staff Recommendation	Approval
Planning Commission Recommendation	January 10, 2024 Approval (6-0)
City Council	February 13, 2024

### **Background:**

The following land uses are located on and adjacent to the property:

**Site:** Undeveloped land, zoned R-7

**North:** Single-family detached dwellings, Heritage Oaks Golf Course, zoned R-1

**East:** Undeveloped land, Heritage Oaks Golf Course, zoned R-7 and R-1

**South:** Professional offices and retail uses, zoned B-2; non-conforming agricultural use, zoned R-1

**West:** Non-conforming agricultural use and across Garbers Church Road, Harrisonburg High School, zoned R-1

In February 2023, City Council approved a rezoning of +/- 99.75-acres from R-1, Single-Family Residential District, R-3, Medium Density Residential District, and B-2, General Business District to R-7, Medium Density Mixed Residential Planned Community District. The rezoning included the submission of a required master plan regulating text and an associated master plan layout, which together with the submitted proffers are the “zoning” by which the development must abide. A copy of the master plan and proffers are attached herein.

Note that the acreage impacted is 63.65 acres, however this preliminary plat request is to plat +/- 28.31-acres of the total +/- 99.75-acres of the master planned development.

**Key Issues:**

The applicant is requesting to preliminarily subdivide +/- 28.31-acres of property by dedicating public street right-of-way for new public streets and by creating 106 townhome lots, 38 single-family detached/manufactured home lots, two multi-family lots, five common area lots, three lots for stormwater management ponds, and one lot for a private street. The applicant plans to construct 83 multifamily dwelling units on lot 145 and 63 multifamily dwelling units, which are planned to be senior housing, on lot 146. The applicant intends to construct the multifamily buildings after construction of the for-sale housing (single-family detached/manufactured homes and townhomes) begins.

The preliminary plat also includes requests for variances to deviate from requirements of the Subdivision Ordinance.

Note that the proposed street names are preliminary. As part of the administrative final platting process, staff will ensure compliance with street naming and addressing standards. The applicant is also aware that the name of the development will likely not be able to be “Bluestone Town Center” due to other streets and developments in the City having similar names. The applicant is working to propose a new name for the development.

*Land Use*

The Comprehensive Plan designates this site as Low Density Mixed Residential and states:

These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. The intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas should be around 7 dwelling units per acre and commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

The preliminary plat complies with the general layout of public streets and housing areas illustrated in the development’s master plan.

The development’s master plan requires that parcels containing single-family detached homes, manufactured homes, duplexes, townhomes, and multifamily units shall have a minimum of one (1) parking space per dwelling unit. For multifamily dwellings designated as senior housing, the master plan requires a minimum of one half (0.5) of a parking space per dwelling unit. Off-street parking

requirements for the proposed multifamily dwellings will be reviewed more closely during the engineered comprehensive site plan review.

The applicant has explained that they plan to have the front facades of most dwellings face public and private streets. The exceptions would be for townhome lots 1-10 and 61-91, which will have the front facades of the dwellings oriented towards the parking lots located in Common Areas 1, 2, and 5. Staff has no concerns with the front facades of lots 61-91 being oriented towards parking lots. However, staff believes lots 1-10 should orient toward the public street. Staff acknowledges that the townhomes would be between four to nine feet above the grade of the Blazing Star public street and believes that despite the grade difference, the community would be better served if the front facades of lots 1-10 are oriented toward the public street. As discussed below, staff is recommending a condition to require the units on those lots to front a public street.

#### *Transportation and Traffic*

A Traffic Impact Analysis (TIA) for this development was performed during the rezoning process. The subject property's existing regulating proffers, a Street Improvement Agreement with the City, and the Master Plan – Public Road Layout document, together provide for the necessary mitigations to address the development's impact on the existing streets, as well as, to create a network of connected streets within the development to distribute traffic. The necessary transportation improvements will be constructed as the development progresses.

On sheet 4 of the preliminary plat, while not a requirement of the master plan, the applicant shows a 10 to 20-foot wide public sidewalk easement between the private street identified as Larkspur to Garbers Church Road. Should the need arise in the future for sidewalks at this location, the City could build a sidewalk here. The applicant has also illustrated that they will dedicate public access easements over the Larkspur private street and on Lot 145, which are privately owned and maintained streets, travelways, and sidewalks that will be open for the public to use.

#### *Public Water and Sanitary Sewer*

As required, all lots would be served by public water and public sanitary sewer. The preliminary plat illustrates where water and sanitary sewer lines would be provided so that each new lot would have access to public water and sewer.

#### *Subdivision Ordinance Variance Requests*

Section 10-2-42 (c) of the Subdivision Ordinance requires all parcels to have public street frontage. The applicant is requesting a variance from Section 10-2-42 (c) to allow townhome lots 1-10 and 34-91 to not have public street frontage. This deviation from the Subdivision Ordinance has been approved multiple times throughout the City for many existing townhome communities and staff has no concerns for this project. The same variance is also needed to allow the creation of common area lot 153.

The second variance request is to Section 10-2-43 of the Subdivision Ordinance, which requires a 10-foot-wide public general utility easement along front lot lines and any lot adjacent to public right-of-way and requires at least a 10-foot-wide public general utility easement centered on the sides or rear of lot lines. Sheet 3 of the preliminary plat illustrates the proposed locations of 10-foot-wide public general utility easements, where some of the locations are modified. Public general utility easements are provided for utilities, including water, sanitary sewer, storm sewer, electric, natural gas, television cable, telephone cable, and others deemed a utility by the City. The proposed public general utility easements would not preclude utility companies from negotiating alternative easements with the property owner(s).

The requirements, as specified in Section 10-2-43, are intended to ensure that necessary areas are reserved for the needed utilities in traditional subdivisions. Staff does not have concern with the proposed development deviating from this section of the Subdivision Ordinance.

The final two variances being requested are from Sections 10-2-41 (a) and 10-2-61 (a), which are associated with public street design standards. Specifically, Section 10-2-41 (a) states that “[p]roposed streets shall conform to the standards and specifications outlined in the Design and Construction Standards Manual (DCSM) except that variances to the standards for streets, alleys, blocks, easements, sidewalks, and all such related features may be approved on a case-by-case basis by the city council when” particular objectives are met. Section 10-2-61 (a) states that “[t]he subdivider is required to make all such improvements to streets, including grading, subgrade, surface, and curbs and gutters, in accord with the requirements of the city's DCSM.” In particular, the applicant is requesting to deviate from DCSM Sections 3.10.2.3 and 3.6.4.1. The applicant has submitted supporting documentation explaining the reasons for the requested variances. Staff supports all of the variances that have been requested.

*Housing Study*

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type B, which has “neighborhoods [that] are characterized by high income earning households, large volumes of housing sales and lower population growth.” The Housing Study further notes that houses in these markets are quick to sell and that “[p]riorities and policies that are appropriate to Market Type B areas include the preservation of existing affordable housing while at the same time working to increase access to amenities.”

*Public Schools*

The student generation attributed to the proposed residential units is estimated to be 100 students. Based on the School Board’s current adopted attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted that schools are over capacity in three of the six elementary schools. Note that the City has been planning for the purchase of land for a 7th elementary school for a number of years as such a project continues to be listed in the City’s Capital Improvement Program.

*Recommendation*

Aside from the variance requests as described herein, the preliminary plat meets all other requirements of the Subdivision Ordinance. Staff supports the variance requests and recommends approval of the preliminary plat with the following condition attached to the variance from Section 10-2-42 (c):

- Units 1-10 shall have their front façade facing the public street.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Approve the preliminary plat and variances as requested;
- (b) Approve the preliminary plat and variances with conditions; or
- (c) Deny the request.

**Community Engagement:**

As required by the Subdivision Ordinance, a sign was posted giving public notice to the request for a variance to deviate from the standards of the Subdivision Ordinance.

**Recommendation:**

Staff recommends alternative (b) approval of the preliminary plat and variances with conditions.

**Attachments:**

1. Extract from Planning Commission
2. Site maps
3. Application and supporting documents
4. 2023 Bluestone Town Center Master Plan and Proffers

**Review:**

Planning Commission recommended approval (6-0) of the preliminary plat request and variances with the following condition attached to the variance from Section 10-2-42 (c):

- Units 1-10 shall have their front façade facing the public street.

(Commissioner Armstrong was absent.)