



# City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

409 South Main Street

Harrisonburg, Virginia 22801

Website: <http://www.harrisonburgcommdev.com/>

Telephone: (540) 432-7700 Fax: (540) 432-7777

August 4, 2015

## **TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA**

**SUBJECT:** Public hearing to consider a request from Chatham Land Co.; 126 Belmont, LLC; Nancy Lantz; Delbert and Lela Snyder, Trustees; and Tonya Taylor Price to rezone 37 lots comprising of 7.6 +/- acres of property zoned R-6, Low Density Mixed Residential Planned Community District by amending the development's master plan originally approved in July 2006. The proposed amendment would reduce the total number of master planned lots from 38 to 26 single family home lots and make amendments to the allowable area and dimensional regulations of the community. The development is located along Betts Road and East Market Street and is served by Alston Circle and Payton Randolph Court—both private streets. The properties are addressed as 2302, 2310, 2313, 2314, 2318, 2319, 2322, 2326, 2330, 2334, 2337, 2338, 2341, 2342, 2346, 2347, 2350, 2354, 2358, 2362, 2366, 2370, 2371, 2374, 2375, 2382, 2386, 2390 Alston Circle and 40, 41, 50, 51, 60, 61, 70, 71, 80, and 90 Peyton Randolph Court. The properties are identified as tax map parcels 74-J-0 through 26, 28 through 30, and 32 through 38.

## **EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: July 8, 2015**

Chair Fitzgerald read the next request and asked staff to review.

Mr. Fletcher said the Comprehensive Plan designates this area as Low Density Residential. This designation states that these areas consist of single family detached dwellings with a maximum density of 1 to 4 units per acre. Low density sections are found mainly in and around well established neighborhoods and are designed to maintain the existing character of neighborhoods and to provide traditional areas for home ownership.

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

- Site:** Chatham Square residential community, zoned R-6
- North:** Across Betts Road, single family dwellings and an undeveloped parcel, zoned R-1
- East:** Single family dwellings, and across Betts Road, single family dwellings, zoned R-1
- South:** Undeveloped wooded property, zoned R-1
- West:** Across East Market Street, commercial uses, zoned B-2

Multiple property owners from the Chatham Square residential community are requesting to rezone most of the Chatham Square community by amending the 2006 approved R-6, Low Density Mixed Residential Planned Community District master plan. The primary objective is to reduce the number of permissible single family dwellings from 38 to 26. The proposed changes maintain the original layout, the planned look of the single family homes, the planned brick wall surrounding the community, and

the walking path and gazebo. If approved, two existing developed single family home properties addressed at 2394 and 2378 Alston Circle (tax map parcels 74-J-27 and 74-J-31) would continue being regulated by the original 2006 Chatham Square master plan. (Included within the packet is the existing master plan narrative and layout for ease of comparison with the proposed changes.)

In July 2006, the property was rezoned from R-1, Single Family Residential District to R-6 to allow for 38 single family homes along private streets. By August 2007, an engineered comprehensive site plan was approved allowing for the site development to begin. In November 2008, the property was preliminarily platted with a variance to the Subdivision Ordinance allowing the lots to be created without the required public street frontage. The existing lots were created after staff approved the final plat in April 2009, when the subdivision was recorded later in June of the same year. To date, the development's infrastructure (private streets, sidewalks, utilities, etc.) is complete along with the street improvements the developers were required to make for Betts Road and the pedestrian improvements along East Market Street. Six single family homes are complete, portions of the brick wall have been built, and the community's gazebo is in place.

As proposed, along with reducing the number of allowable single family homes, the amendment process is allowing them to clarify how matters normally regulated by the Zoning Ordinance's Article T will be governed within the community (i.e. accessory buildings and allowable heights of walls and fences) and to more clearly specify minimum lot dimensions and permissible parcel square footages. In the end, the proposed amendments herein provide more flexibility for the development and do not change the original intent of Chatham Square.

If approved, the desired changes to the lot configurations do not need to be approved by Planning Commission or City Council. Rather, these changes can be accommodated via an administrative minor subdivision process.

Reducing the number of parcels will probably impact water and sewer service connections. The 2007 approved comprehensive site plan demonstrated that 38 water and sewer services would be installed for the planned units/lots. Because these services have already been installed per the approved comprehensive site plan and approved final plat line locations, some services may be required to be removed while new service connections may be required to be installed and/or new easements dedicated to reach the new lots. This impact will be evaluated during the subdivision process. The applicants should be aware a revised comprehensive site plan sheet will likely be needed to accommodate the changes.

Staff believes the changes herein proposed are in the best interest of the community and the City and recommends approving the rezoning to amend the governing regulations of the Chatham Square master plan (except for the two parcels as identified).

Chair Fitzgerald asked if there were any questions for staff. Hearing none, she opened the public hearing and asked

Mr. Dick Blackwell, Blackwell Engineering, said I do not have many clients that want to reduce the number of lots for their development. First of all they have built several very large, nice homes, which they desire to continue; however, they need a bit more space for the lots, some were only 4,000 square feet. This rezoning does not change anything – it is the same road system, all the amenities are there. We will meet whatever the Public Utilities Department needs to handle the extra utilities.

Chair Fitzgerald asked if there were any questions for the applicant. Hearing none and with no one else present to speak, she closed the public hearing and asked Planning Commission if there was a motion.

Mr. Way moved to recommend approval of the rezoning request as presented.

Mr. Da'Mes seconded the motion.

Chair Fitzgerald asked if there was any further discussion on this. Hearing none, she called for a voice vote on the motion to recommend approval.

All voted in favor (6-0).

Chair Fitzgerald said this will go to City Council on August 11<sup>th</sup> with a favorable recommendation.

Respectfully submitted,

Alison Banks  
Planner