



# City of Harrisonburg, Virginia

## Department of Planning & Community Development

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Building Inspections  
Engineering  
Planning & Zoning

To: Eric Campbell, City Manager  
From: Adam Fletcher, Director – Department of Planning and Community Development and Harrisonburg Planning Commission  
Date: October 8, 2019 (Regular Meeting)  
Re: Preliminary Plat – Heifer Investments Subdivision (Sub. Ord. Variances to Section 10-2-61 (a), 10-2-66, and 10-2-67)

### **Summary:**

Consider a request from Heifer Investments, LLC to preliminarily subdivide a +/-5.69 acre parcel into three parcels of +/-0.95 acres, +/-2.51 acres, and +/-2.22 acres with road frontage on Waterman Drive and Rockingham Drive. The applicant is requesting three Subdivision Ordinance variances per Sections 10-2-61 (a), 10-2-66, and 10-2-67. The variances would allow the applicant not to construct required street improvements along the road frontages. The property is zoned M-1, General Industrial District, is addressed as 560 Waterman Drive, and is identified as tax map parcel 38-A-1.

### **Background:**

The Comprehensive Plan designates this area as Commercial. Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

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

**Site:** Automotive and industrial uses; zoned M-1

**North:** Vacant building; zoned M-1

**East:** Across undeveloped portion of Rockingham Drive, single family home and vacant parcels; zoned R-1

**South:** Industrial use; zoned M-1

**West:** Across Waterman Drive, Quarry; zoned M-1

### **Key Issues:**

The applicant is requesting to preliminarily subdivide one parcel into three lots of +/- 0.95 acres, +/- 2.51 acres, and +/- 2.22 acres. The subject site has public street frontage along Waterman Drive and along an undeveloped section of Rockingham Drive. Presently, there are three principal structures on the property and if approved, the subdivision will place each structure on its own parcel. The applicant has stated they intend to continue to use the parcels as they are currently being used. The subdivision would allow for a future sale of the divided parcels.

The subdivision of the property is required to be reviewed by Planning Commission because the parent tract is larger than 5 acres and the end result establishes parcels that are less than 5 acres in size. If the subdivision of the site met all requirements of the Subdivision Ordinance, Planning Commission approval is all that would be needed to allow them to perform an administrative final subdivision plat. However, because the applicants are requesting to deviate from sections of the Subdivision Ordinance, the request must be reviewed and approved by City Council, and thus a recommendation from staff and Planning Commission is necessary.

With regard to public water and sewer utilities, there is a 16-inch public water line within the Waterman Drive right-of-way that will serve the three proposed parcels. Proposed Lot 3 has an existing water meter; a double water meter will be set where proposed Lots 1 and 2 adjoin along Waterman Drive in order to serve those parcels. A 6-inch public sanitary sewer line currently runs from within the Rockingham Drive right-of-way, west across the subject property and into a 15-inch public sanitary sewer line within Waterman Drive. The applicant illustrates on the preliminary plat that the existing 6-inch public sanitary sewer line, which runs through proposed Lot 3 will be placed within a 25-foot public sanitary sewer easement, which the applicant will dedicate during final platting. Additionally, proposed Lots 2 and 3 are served from this 6-inch public sanitary sewer line, and the applicant has indicated that the private sanitary sewer line serving proposed Lot 2 will be placed within a private sanitary sewer easement where it crosses Lot 3. Proposed Lot 1 is served by an existing privately maintained sanitary sewer line extending from Waterman Drive.

The City's Subdivision Ordinance and Design & Construction Standards Manual require the applicant to dedicate right-of-way and construct street improvements at the time of subdivision. Presently, there are no sidewalks, or curb and gutter along the Waterman Drive frontage of the property, and as stated earlier, Rockingham Drive is predominately undeveloped in this area. The applicant is requesting three Subdivision Ordinance variances per Sections 10-2-61 (a), 10-2-66, and 10-2-67, which together require the property owner to construct the street improvements. If approved, the variances would allow the applicant not to construct required street improvements along the frontages of Waterman Drive and Rockingham Drive. As indicated on the preliminary plat, however, as part of this subdivision, the applicant would dedicate one foot of right-of-way and a 10-foot Public General Utility Easement along the frontage of Waterman Drive. They would also dedicate 10 feet of right-of-way and a 10-foot Public General Utility Easement along the frontage of Rockingham Drive. The 10-foot Public General Utility Easement will be placed along the exterior side lot lines of proposed Lots 1 and 3 and centered on all interior lot lines.

Staff agrees with the applicant's statement within their application that "street improvements along Waterman Drive and Rockingham Drive will require a more comprehensive design for street and stormwater improvements, which would be more appropriate to do with either a future road improvement project by the City or with redevelopment of the sites along Waterman Drive and Rockingham Drive with an engineered comprehensive site plan."

At this time, there are no City plans to construct the undeveloped Rockingham Drive right-of-way and the City would like a more comprehensive design for Waterman Drive that would include stormwater improvements.

Staff recommends approval of the preliminary plat and variances as requested.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Recommend approval of the preliminary plat and variances as requested;
- (b) Recommend approval of the preliminary plat and variances with conditions; or
- (c) Recommend denial of 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 (a) approval of the preliminary plat and variances as requested.

**Attachments:**

- 1. Planning Commission extract
- 2. Site maps (2 pages)
- 3. Application and supporting documents (3 pages)
- 4. Preliminary Plat (1 page)

**Review:**

Planning Commission recommended (6-0) approval of the preliminary plat and variances as requested.