



City of Harrisonburg, Virginia

Department of Planning & Community Development
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To: Kurt Hodgen, City Manager
From: Harrisonburg Planning Commission and
Adam Fletcher, Director - Department of Planning and Community Development
Date: May 9, 2017 (Regular Meeting)
Re: Campus View Apartments Rezoning – R-3, Medium Density Residential District to R-5C, High Density Residential District Conditional

Summary:

Public hearing to consider a request from Davis Mill, LLC, Mary L. Shifflett, and Brent Mumbert with representative Blackwell Engineering to rezone a 4.34 +/- acre area zoned R-3, Medium Density Residential District to R-5C, High Density Residential District Conditional. The site is located at 2465, 2485, 2511 and 2521 Reservoir Street, and 2401, 2402 and 2408 Clubhouse Court, and is identified as tax map parcels 81-A-7, 9, 10 and 11, and a portion of 81-E-7. Parcel 81-E-7 is split-zoned and if the request is approved, the entire lot would be zoned R-5C.

Background:

The Comprehensive Plan designates this area as Medium Density Mixed Residential. This designation states that these largely undeveloped areas continue the existing medium density character of adjacent areas, but in a different form. They are planned for small-lot single family detached and single family attached neighborhoods where green spaces are integral design features. Apartments could also be permitted under special circumstances. They should be planned communities that exhibit the same innovative features as described for the low density version of mixed residential development. The gross density of development in these areas should be in the range of 4 to 12 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 following land uses are located on and adjacent to the property:

Site: Single-family dwellings and Campus View Apartments & Clubhouse (under development), zoned R-3

North: Vacant lots and multiple-family dwellings, zoned R-3

East: Multiple-family dwellings, zoned R-3 and R-5C

South: Vacant lots and townhomes, zoned R-3

West: Single-family dwellings and multiple-family dwellings, zoned R-3

Key Issues:

The applicant, Davis Mill, LLC, a development company and owner of Campus View Apartments, is requesting to rezone four parcels and a portion of a fifth parcel from R-3, Medium Density Residential District to R-5C, High Density Residential District Conditional. If approved, the applicant plans to vacate

interior property lines and add the acreage to the existing Campus View Apartment development in order to construct three additional multiple-family apartment buildings on the subject property.

Before discussing the R-5C rezoning request, it is best to understand how the Campus View Apartment project has evolved.

The current 7.03-acres of R-5C property known as Campus View Apartments was originally part of an R-3, Multiple Dwelling Residential project with a very similar name: Campus View Condominiums. In June 2008, the Campus View Condominiums project received engineered comprehensive site plan approval on a 12+ acre site to build 14 buildings; 13 residential buildings consisting of a total of 156 dwelling units, and one building consisting of 11 dwelling units and a clubhouse unit. Four buildings (47 units and the clubhouse) were constructed and a fourth building was issued building permits, but only a “building pad” was constructed. Unfortunately, Campus View Condominiums went into foreclosure and the entire project was not completed.

In May 2012, Davis Mill, LLC purchased portions of the Campus View Condominiums property. After receiving multiple setback and lot area variances from the Board of Zoning Appeals, the property was subdivided into two parcels; one parcel that is just over five acres and a second parcel of 7.03 acres. Located on the five acre parcel were the four constructed multiple-family buildings and the “building pad,” which Davis Mill, LLC eventually completed and now owns. In total, 58 units exist on the five-acre site, which is now known as Campus View Condominiums. The 7.03 acre site was proposed to be developed with the remaining nine, 12-unit buildings of the original 14 structures that were approved as part of the June 2008 engineered comprehensive site plan and would be known as Campus View Apartments (rather than condominiums).

In November 2012, Davis Mill, LLC received approval to rezone the 7.03-acre site from R-3 to R-5C, proffering to build no more than 108 units within eight buildings (which is the density of the R-3 district), while simultaneously requesting a SUP per Section 10-3-55.4 (1) to allow multiple-family dwellings of more than 12 units per building. To do this, the applicant proposed to remove a building and to redistribute those 12 units by placing two additional units within six of the remaining buildings. Due to the topography of the property and because of the exposed foundations that were already planned for many of the multiple-family buildings, the majority of the additional two units were added as basement units.

In early 2014, Davis Mill, LLC purchased a 2.04 acre parcel adjacent to the existing R-5C Campus View Apartments and in August 2014 received approval for a SUP per Section 10-3-48.4 (6) to allow multiple-family dwellings of up to 12 units per building within the R-3, Medium Density Residential District. Currently, that acreage is under construction with two multi-family buildings, totaling 24 dwelling units, and a separate clubhouse facility. As part of the engineered comprehensive site plan approval for this phase of Campus View Apartments, the property line between the 2.04 acres was vacated to accommodate for building setbacks and added to the R-5C acreage creating a 9.07-acre, split zoned property.

In January 2017, the applicant purchased two parcels (identified as tax map parcels 81-A-7 and 81-A-9), zoned R-3, with frontage along Reservoir Street from the City of Harrisonburg. The applicant also has two adjacent parcels (identified as tax map parcel 81-A-10 and 11) along Reservoir Street, zoned R-3, under contract to purchase. The current request is to rezone the four parcels, totaling 2.3 +/- acres, and a 2.04 +/- acre portion of a fifth parcel, from R-3, Medium Density Residential District to R-5C, High Density Residential District Conditional. The applicant has proffered the following (written verbatim):

- There shall be no more than 42 additional units constructed on the subject properties, beyond those already approved by the SUP (8/2014) and as shown on the engineered comprehensive site plan revised and approved on 4/13/16;

- There shall be 19 additional trees (beyond the Parking Landscape Requirements) comprised of deciduous and evergreens. They shall be located along the southern boundary of the property.

The applicant further proffered that once completed the entire 11.37 acre development known as Campus View Apartments will consist of 13 residential buildings with a total of not more than 174 units, and one clubhouse/community building.

If approved, there would be 11 more units than what would be allowed by special use permit within the R-3, Medium Density Residential District and 97 fewer units than what is permitted by-right in the R-5, High Density Residential District. The applicant is not proposing to construct additional multiple-family buildings; but desires the flexibility to come back to request a SUP per Section 10-3-55.4 (1) to allow more than twelve units per building for the proposed two new buildings shown on the site plan submitted with this rezoning application. Approval of the rezoning gives the property owner five more units than could be built with an R-3 SUP allowing multiple-family dwelling units.

Because the applicant is proffering the total number of units at 174, which is an overall density of 15.3 units per acre, staff is recommending in favor of the request. Although the property is designated Medium Density Residential by the Comprehensive Plan's Land Use Guide, the specific circumstances involving this property are such that staff believes a precedent would not be set for rezoning other properties in this area to the High Density Residential District without appropriate reviews and potential limitations. At this time, staff's favorable recommendation for the rezoning request has no bearing on our opinion for any future SUP request to increase the allowable units within any building on this property.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the rezoning request as submitted by the applicant;
- (b) Deny the rezoning request as submitted by the applicant.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for both Planning Commission's and City Council's public hearings for the rezoning request. The advertisement was published as shown below:

Rezoning – 2465, 2485, 2511, 2521 Reservoir Street (Campus View) (R-3 to R-5C)

Public hearing to consider a request from Davis Mill, LLC, Mary L. Shifflett, and Brent Mumbert with representative Blackwell Engineering to rezone a 4.34 +/- acre area zoned R-3, Medium Density Residential District to R-5C, High Density Residential District Conditional. The Zoning Ordinance states that the R-3, Medium Density Residential District is intended for medium density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The residential density ranges for R-3 are single-family, 6,000 sq. ft. minimum; duplex, 4,000 sq. ft/unit; townhouses, 2,000 sq. ft. minimum per unit; other uses, 6,000 sq. ft. minimum and by special use permit multi-family, 3,000 sq. ft. minimum per unit. The R-5, High Density Residential District is intended for medium to high density residential development, including townhouses and multiple family dwelling units, together with certain governmental,

educational, religious, recreational and utility uses. The residential density ranges for R-5 district are multifamily, 1,800 sq. ft. minimum; multifamily quadraplex, 3,000 sq. ft./unit minimum; and townhouse, 2,000 sq. ft./unit minimum. The Comprehensive Plan designates this area as Medium Density Mixed Residential. This designation states that these largely undeveloped areas continue the existing medium density character of adjacent areas, but in a different form. They are planned for small-lot single family detached and single family attached neighborhoods where green spaces are integral design features. Apartments could also be permitted under special circumstances. They should be planned communities that exhibit the same innovative features as described for the low density version of mixed residential development. The gross density of development in these areas should be in the range of 4 to 12 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 site is located at 2465, 2485, 2511, and 2521 Reservoir Street, and 2401, 2402, and 2408 Clubhouse Court, and is identified as tax map parcels 81-A-7, 9, 10, 11 and a portion of 81-E-7. Parcel 81-E-7 is split-zoned and if the request is approved, the entire lot would be zoned R-5C.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends alternative (a) to approve the rezoning request as submitted by the applicant.

Attachments:

1. Site maps (2 pages)
2. Application, applicant letter, and supporting documents (7 pages)
3. Proposed site development layout (1 page)
4. Public comment (1 page)

Review:

Planning Commission recommended to approve the rezoning 7-0 for 2465, 2485, 2511, & 2521 Reservoir Street (Campus View) (R-3 to R-5C) as presented by staff.