



**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

**Change of Zoning District
(Rezoning) Application**
www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

1231 Smithland Road, 1211 Smithland Road 071 A 3 / 071 A 4 10.14 acres or sq.ft.
 Property Address Tax Map Parcel/ID Total Land Area (circle)
 Existing Zoning District: R-1 Proposed Zoning District: R-8
 Existing Comprehensive Plan Designation: Low Density Mixed Residential

PROPERTY OWNER INFORMATION

JANIS BROWN ENTERPRISES LLC 540-435-1961
 Property Owner Name Telephone
 641 NORTH LAUREL ST mskbrown2000@yahoo.com
 Street Address E-Mail
 SUMMERVILLE SC 29483
 City State Zip

OWNER'S REPRESENTATIVE INFORMATION

David Gast (703) 395-6366
 Owner's Representative Telephone
 8300 Greensboro Dr., Suite L1-634 david@riverbend-investments.com
 Street Address E-Mail
 McLean VA 22102
 City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

Kathleen Kelly Ganoë, POA for Janis Brown 01/02/2025
 PROPERTY OWNER DATE
 DocuSigned by: *Kathleen Kelly Ganoë*
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REQUIRED ATTACHMENTS

- Letter explaining proposed use & reasons for seeking change in zoning.
- Statement on proffers, if applying for conditional rezoning.
- Survey of property or site map.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

Date Application and Fee Received Total Fees Due: \$ _____
 Application Fee: \$550.00 + \$30.00 per acre
 Received By _____

PROJECT NARRATIVE

Project Overview

Riverbend Acquisitions, LLC, (the “Applicant”) intends to rezone approximately 10.14 acres of land on two parcels located at 1231 and 1211 Smithland Road (the “Property”), from R-1 Single Family Residential District to R-8 Small Lot Residential District. The Property Tax Map IDs are 071 A 3 and 071 A 4, respectively. The Applicant intends to develop a by-right single-family home community consisting of between 50 and 60 single-family detached homes to be offered for sale. The exact number of homes built will be subject to site engineering and final site plan approval. The Property is currently vacant forest and field. Adjacent parcel uses consist of single-family homes or additional vacant forest and field land.

Demonstrated Need

The Applicant’s proposed residential development would serve to address a critical housing shortage in Harrisonburg. On September 10, 2024, City Council heard from city housing officials that 455-616 units of residential housing and 558 for-sale units will be needed in the city by 2025. Yet, since 2021, only 209 total units have been added across the city, of which only 54 were detached units. The Applicant’s proposed development of small-lot single family homes would help alleviate the city’s housing shortage and would offer an opportunity for young families and other individuals to purchase homes in a new community with modern amenities.

Comprehensive Plan Conformity

The land is currently designated in the Comprehensive Plan as “Low Density Mixed Residential.” The Comprehensive Plan describes the following densities as they relate to each land designation:

Comprehensive Plan Designation	Density (units/acre)
Low Density Residential	4
Low Density Mixed Residential	7
Medium Density Residential	15
Medium Density Mixed Residential	20
High Density Residential	24

While the Zoning Ordinance describes the R-8 district as “intended for medium- to high-density residential,” the Comprehensive Plan designation of Low Density Mixed Residential suggests a density of “around” 7 units per acre. The Applicant’s proposed development would have a density of approximately 5 to 6 units per acre, aligning with the Comprehensive Plan’s designation. Furthermore, the proposed development’s density would align with the nearby previously approved rezoning at 1820 Country Club Ln for the Tuscan Village development. The

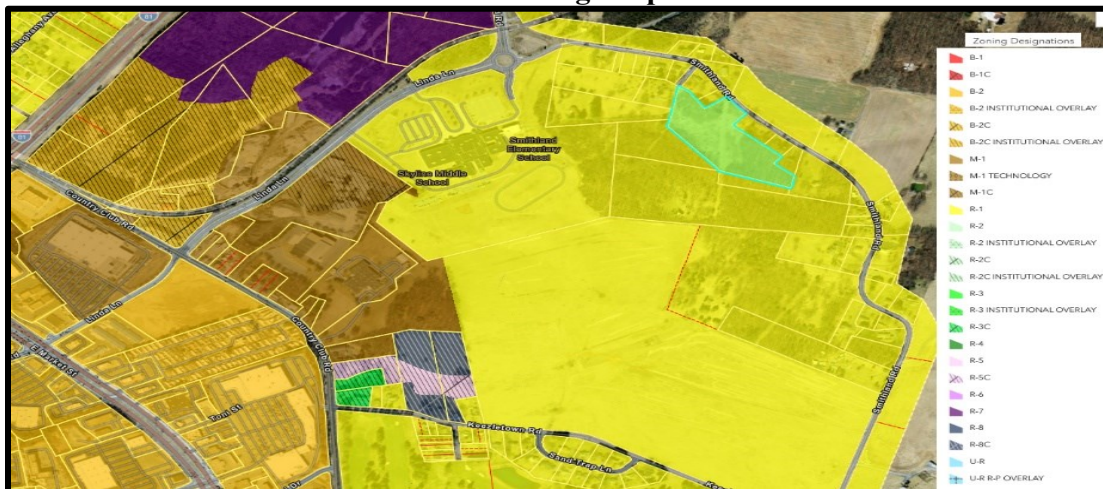
R-8 portion of the Tuscan Village rezoning covered 6.89 acres and had a density of 8.56 units per acre.

The Comprehensive Plan states that the Low Density Mixed Residential is intended 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 area.” The Applicant’s proposed development meets these intentions and offers a community-driven design of detached single-family homes with a community play space, open green space, sidewalks, bike lanes, and future connectivity to internal parcels that will likely be developed in the future. Additionally, in Chapter 7 of the Comprehensive Plan, Objective 5.2 states that the City will work “to develop approaches to increase the percentage of single-family detached and duplex housing units.” The Applicant’s proposed development will help the City work towards this objective.

Comprehensive Plan Map Land Designation – Low Density Mixed Residential



Current Zoning Map – R-1



Adjacent Property Owner List

Address	Tax Map ID	Direction from Property	Owner	Owner Address
1175 SMITHLAND RD	071 A 5	North	MICHAEL G WILLI & BETHANY L WILLI	1150 SMITHLAND RD ROCKINGHAM, VA 22802
1165 SMITHLAND RD	071 A 6	North	JOSHUA SOTO NAVEZ & ALMA NAVEZ PEREZ	1165 SMITHLAND RD HARRISONBURG, VA 22802
1145 SMITHLAND RD	065 C 7	East	TONGEN ANTHONY L MEGAN L	1145 SMITHLAND RD HARRISONBURG , VA 22802
1260 SMITHLAND RD	071 A 13	South	AD ARM LLC	1909 FINANCIAL DR HARRISONBURG , VA 22801
1241 SMITHLAND RD	071 A 12	South	AD ARM LLC	1909 FINANCIAL DR HARRISONBURG , VA 22801
1264 SMITHLAND RD	064 B 5	West	BEAR POND LLC	530 EAST MAIN ST CHARLOTTESVILLE , VA 22902
1270 SMITHLAND RD	064 B 4-A	West	LEE C GASCHO & LANA R GASCHO	1270 SMITHLAND RD HARRISONBURG, VA 22802
1311 SMITHLAND RD	064 B 3	West	STEELE RONNIE KENNETH LINDA K	1311 SMITHLAND RD HARRISONBURG , VA 22802
1251 SMITHLAND RD	071 A 1	North	RUBLEE DANIEL J MARIE P	1251 SMITHLAND RD HARRISONBURG, VA 22802
1241 SMITHLAND RD	071 A 2	North	MICHAEL G WILLI & BETHANY L WILLI	1150 SMITHLAND RD ROCKINGHAM, VA 22802
1256 SMITHLAND RD	064 A 8	North	DEVIN T OBERDORFF & HUNTER OBERDORFF	1636-C VIRGINIA AVE HARRISONBURG, VA 22802
1130 SMITHLAND RD	065 B 1	North	PAUL FREED INC	PO BOX 100 WAYNESBORO , VA 22980

UPDATED PROFFERS

Proffer Statement

In connection with the rezoning request for the property located at 1211 and 1231 Smithland Road (the "Property") and identified as tax map parcels 71-A-3 and 71-A-4. The final layout of the development will be determined upon comprehensive site plan approval. The included Concept Plan in Exhibit A is for illustrative purposes only except where specifically referenced in these proffers.

I hereby proffer that the use and development of the subject Property shall be in strict accordance with the conditions set forth in this submission.

1. The overall density of the development shall not exceed 70 units.
2. Only single-family detached and duplex dwellings are permitted as principal uses.
3. No more than one public street connection to Smithland Road shall be permitted. The public street shall end in a street stub to provide connectivity to the parcel identified as tax map number 71-A-13. No driveways will be located on this new public street. Location and alignment of the public street shall be as approved by the Department of Public Works.
4. In addition to the public street stub described above, a minimum of one additional public street stub shall be constructed to the boundary of the development to provide additional connectivity to the parcel identified as tax map number 71-A-13. Location of the street stub shall be as approved by the Department of Public Works.
5. Upon request from the City, the Owner/Applicant will dedicate the necessary public street right-of-way along Smithland Road approaching the intersection into the development; up to twenty feet (20') in width to allow for a two-hundred-foot (200') right turn lane and a two-hundred-foot (200') right taper and to include curb and gutter and a five-foot (5)' sidewalk with a two-foot (2)' grass buffer . In addition, a ten foot (10') temporary construction easement shall be provided.
6. Upon request from the City, the Owner/Applicant shall dedicate land adjacent to tax map parcel 64-B-4-A for public street right-of-way as generally depicted in Exhibit A.
7. A shared-use path shall be constructed along one side of the new public street connection between Smithland Road and tax map parcel 71-A-13. A sidewalk will be constructed on the other side of the public street.
8. A ten foot (10') wide shared use path will be constructed between a public street and tax map parcel 71-A-13 in the location generally in Exhibit B. A twenty foot (20') wide public shared use path easement shall be conveyed to the City upon completion. The shared use path shall be constructed and dedicated to the City of Harrisonburg as a public shared use path easement prior to the completion of the Development.

9. A recreational play area of no less than 500 square feet shall be provided. If provided adjacent to Smithland Road, then a privacy fence at least six feet (6') in height shall be constructed between the recreational play area and Smithland Road. Between the privacy fence and Smithland Road, a staggered double row of evergreen trees shall be planted and maintained by a Homeowner's Association, with the trees in each row planted not more than ten feet apart and a minimum of six feet (6') in height at the time of planting.
10. Screening in the form of a privacy fence at least six feet (6') in height shall be constructed along the boundaries of Parcels 71-A-5, 64-B-4-A, and 64-B-5 and maintained by a Homeowner's Association.

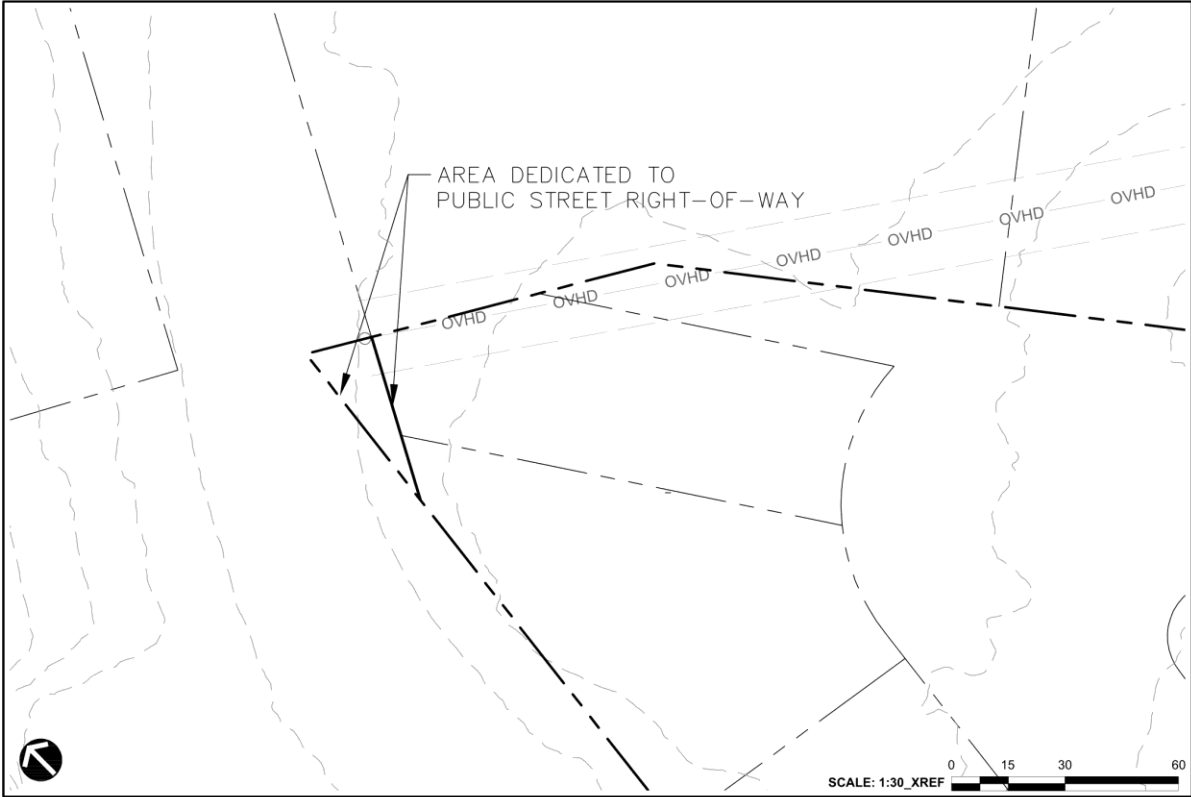
Kathleen Kelly Ganoë, POA for Janis Brown, Property Owner

Date

David Gast, Smithland Village, LLC, Applicant

Date

Exhibit A

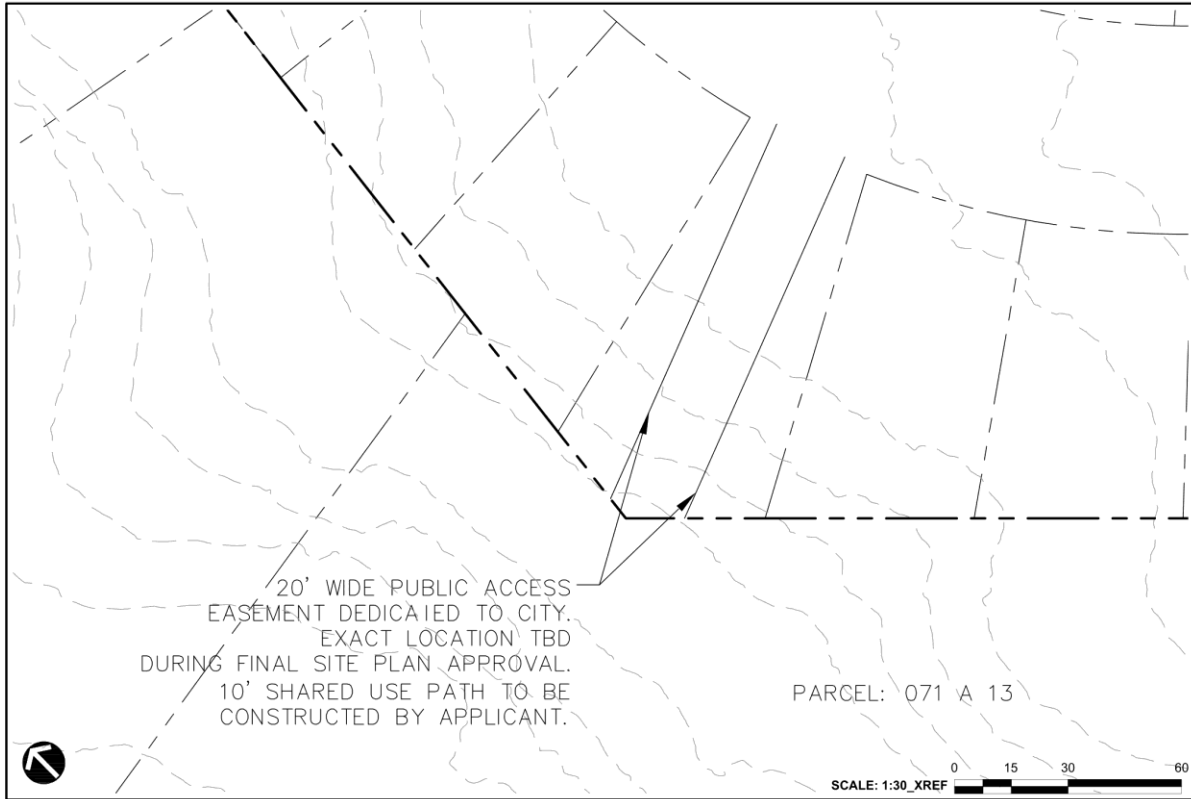


SMITHLAND VILLAGE ▪ HARRISONBURG, VA ▪ PUBLIC ROW DEDICATION

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LandDesign.

Exhibit B



SMITHLAND VILLAGE ▪ HARRISONBURG, VA ▪ PUBLIC ACCESS

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LandDesign.

UPDATED PROFFERS WITH TRACK CHANGES

Proffer Statement

In connection with the rezoning request for the property located at 1211 and 1231 Smithland Road (the "Property") and identified as tax map parcels 71-A-3 and 71-A-4. The final layout of the development will be determined upon comprehensive site plan approval. The included Concept Plan in Exhibit A is for illustrative purposes only except where specifically referenced in these proffers.

I hereby proffer that the use and development of the subject Property shall be in strict accordance with the conditions set forth in this submission.

1. The overall density of the development shall not exceed 70 units.
2. Only single-family detached and duplex dwellings are permitted as principal uses.
3. No more than one public street connection to Smithland Road shall be permitted. The public street shall end in a street stub to provide connectivity to the parcel identified as tax map number 71-A-13. No driveways will be located on this new public street. Location and alignment of the public street shall be as approved by the Department of Public Works.
4. In addition to the public street stub described above, a minimum of one additional public street stub shall be constructed to the boundary of the development to provide additional connectivity to the parcel identified as tax map number 71-A-13. Location of the street stub shall be as approved by the Department of Public Works, ~~which shall also have the authority to waive this requirement upon petition by the Applicant and demonstration of significant site constraints.~~
5. Upon request from the City, the Owner/Applicant will dedicate the necessary public street right-of-way along Smithland Road approaching the intersection into the development; up to twenty feet (20') in width to allow for a two-hundred-foot (200') right turn lane and a two-hundred-foot (200') right taper and to include curb and gutter and a five-foot (5)' sidewalk with a two-foot (2') grass buffer . In addition, a ten foot (10') temporary construction easement shall be provided.
6. Upon request from the City, the Owner/Applicant shall dedicate land adjacent to tax map parcel 64-B-4-A for public street right-of-way as generally depicted ~~on the Concept Plan,~~ in Exhibit A.
7. A shared-use path shall be constructed along one side of the new public street connection between Smithland Road and tax map parcel 71-A-13. A sidewalk will be constructed on the other side of the public street.
8. A ten foot (10') wide shared use path will be constructed between a public street and tax map parcel 71-A-13 in the location generally ~~depicted on the Concept Plan~~ in Exhibit

BA. A twenty foot (20') wide public shared use path easement shall be conveyed to the City upon completion. The shared use path shall be constructed and dedicated to the City of Harrisonburg as a public shared use path easement prior to the completion of the Development.

9. A recreational play area of no less than 500 square feet shall be provided. If provided adjacent to Smithland Road, then a privacy fence at least six feet (6') in height shall be constructed between the recreational play area and Smithland Road. Between the privacy fence and Smithland Road, a staggered double row of evergreen trees shall be planted and maintained by a Homeowner's Association, with the trees in each row planted not more than ten feet apart and a minimum of six feet (6') in height at the time of planting.

9.10. Screening in the form of a privacy fence at least six feet (6') in height shall be constructed along the boundaries of Parcels 71-A-5, 64-B-4-A, and 64-B-5 and maintained by a Homeowner's Association.

~~10. One (1) large deciduous tree for every forty feet (40') of public road frontage shall be planted and maintained by a Homeowner's Association along the frontage of all streets. At the time of planting, trees must be at least two inches (2") in caliper and at least six feet (6') in height.~~

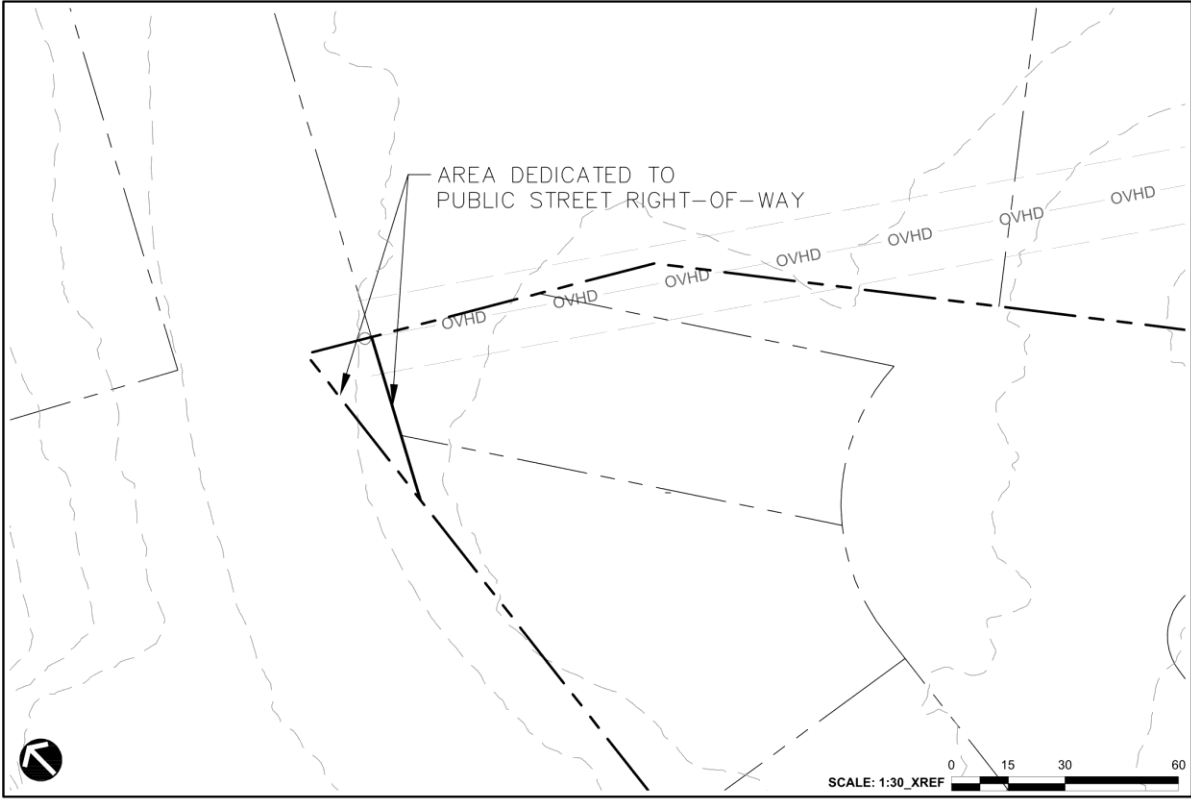
Kathleen Kelly Ganoë, POA for Janis Brown, Property Owner

Date

David Gast, Smithland Village, LLC, Applicant

Date

Exhibit A

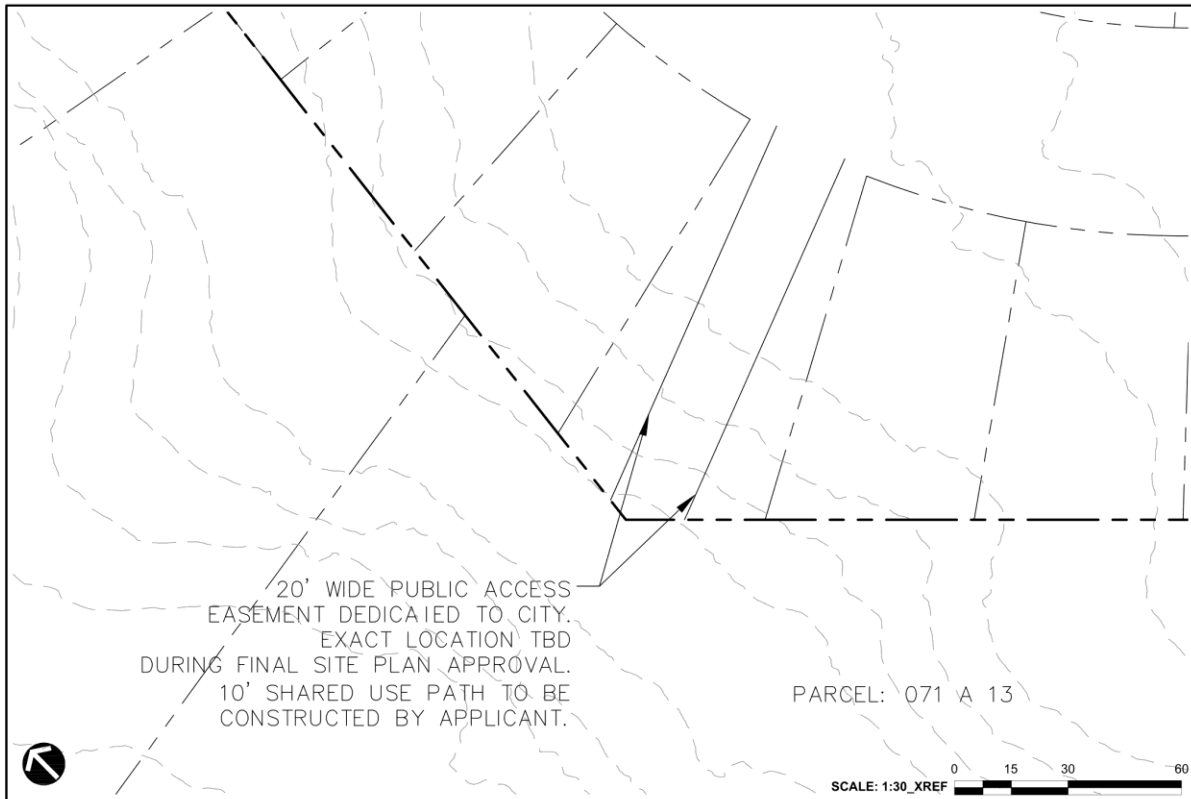


SMITHLAND VILLAGE ▪ HARRISONBURG, VA ▪ PUBLIC ROW DEDICATION

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LandDesign.

Exhibit B



SMITHLAND VILLAGE ▪ HARRISONBURG, VA ▪ PUBLIC ACCESS

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LandDesign.



For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Information	
Consultant Name: Telephone: E-mail:	Gentry Locke Attorneys 804-956-2074 odonnell@gentrylocke.com
Owner Name: Telephone: E-mail:	David Gast (Contract-Purchaser) (703) 395-6366 david@riverbend-investments.com
Project Information	
Project Name:	Smithland Rd Rezoning
Project Address: TM #:	1231 Smithland Road & 1211 Smithland Road 071-A-3 & 071-A-4
Existing Land Use(s):	R-1, Vacant land
Proposed Land Use(s): (if applicable)	R-8, Single-family detached home development
Submission Type:	Comprehensive Site Plan <input type="radio"/> Special Use Permit <input type="radio"/> Rezoning <input checked="" type="radio"/> Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	Riverbend Investments, LLC, (the "Applicant") intends to rezone approximately 10.14 acres of land on two parcels located at 1231 and 1211 Smithland Road (the "Property"), from R-1 Single Family Residential District to R-8 Small Lot Residential District. Access to the development will be through a developer-constructed public road connecting the neighborhood to Smithland Rd.
Peak Hour Trip Generation (from row 15 on the second page)	
AM Peak Hour Trips:	46
PM Peak Hour Trips:	61

(reserved for City staff)

TIA required? Yes _____ No

Comments:

Accepted by: *Zenith Mason* Date: 01/02/2025

Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
	Proposed #1	Proposed #2					
1	Proposed #1	Single-Family Housing (Detached)	210	Dwelling Unit	65	46	61
2	Proposed #2						
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					46	61
8	Existing #1	Vacant	NA			0	0
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					0	0
15	Final Total (Total New – Total Existing)					46	61

Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

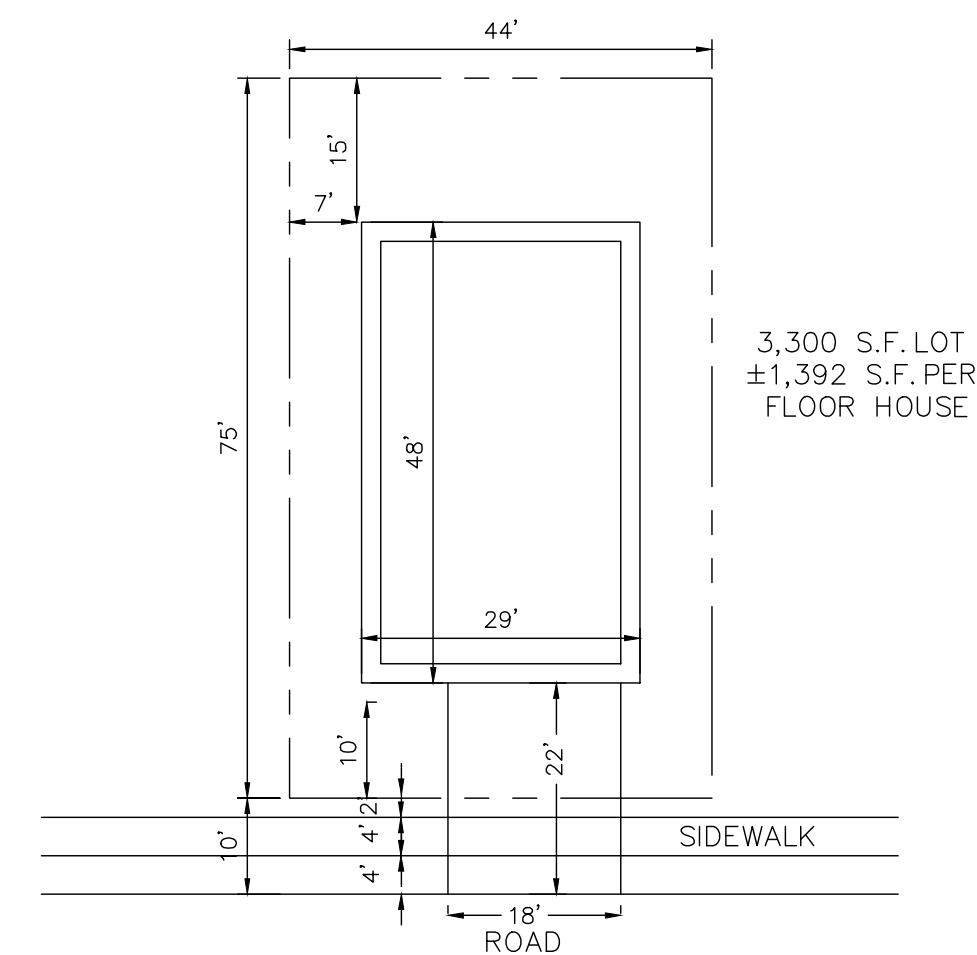
1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

ZONING INFORMATION

LOCATION: ROCKINGHAM COUNTY, HARRISONBURG, VA				
ZONE: CURRENT R-1, PROPOSED ZONE CHANGE TO R-8 (SMALL LOT RESIDENTIAL DISTRICT)				
USE: SINGLE FAMILY (PERMITTED USE), DUPLEX (PERMITTED USE), TOWNHOUSE (SPECIAL USE PERMIT)				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	MINIMUM LOT AREA	2,800 S.F.	OVERALL LOT = ±9.9 AC. MIN. INDIVIDUAL LOT = 3,300 S.F.	NO
2	MINIMUM LOT WIDTH	35 FEET	44 FEET	NO
3	MINIMUM LOT DEPTH	60 FEET	75 FEET	NO
4	MINIMUM FRONT SETBACK	10 FEET	10 FEET	NO
5	MINIMUM SIDE SETBACK	7 FEET	7 FEET	NO
6	MINIMUM REAR SETBACK	15 FEET	15 FEET	NO
7	MAXIMUM BUILDING HEIGHT	40 FEET/ 3 STORIES	2 STORIES	NO
8	MAXIMUM DENSITY	8-10 UNITS/ ACRE (79 - 99)	45 TOTAL UNITS	NO

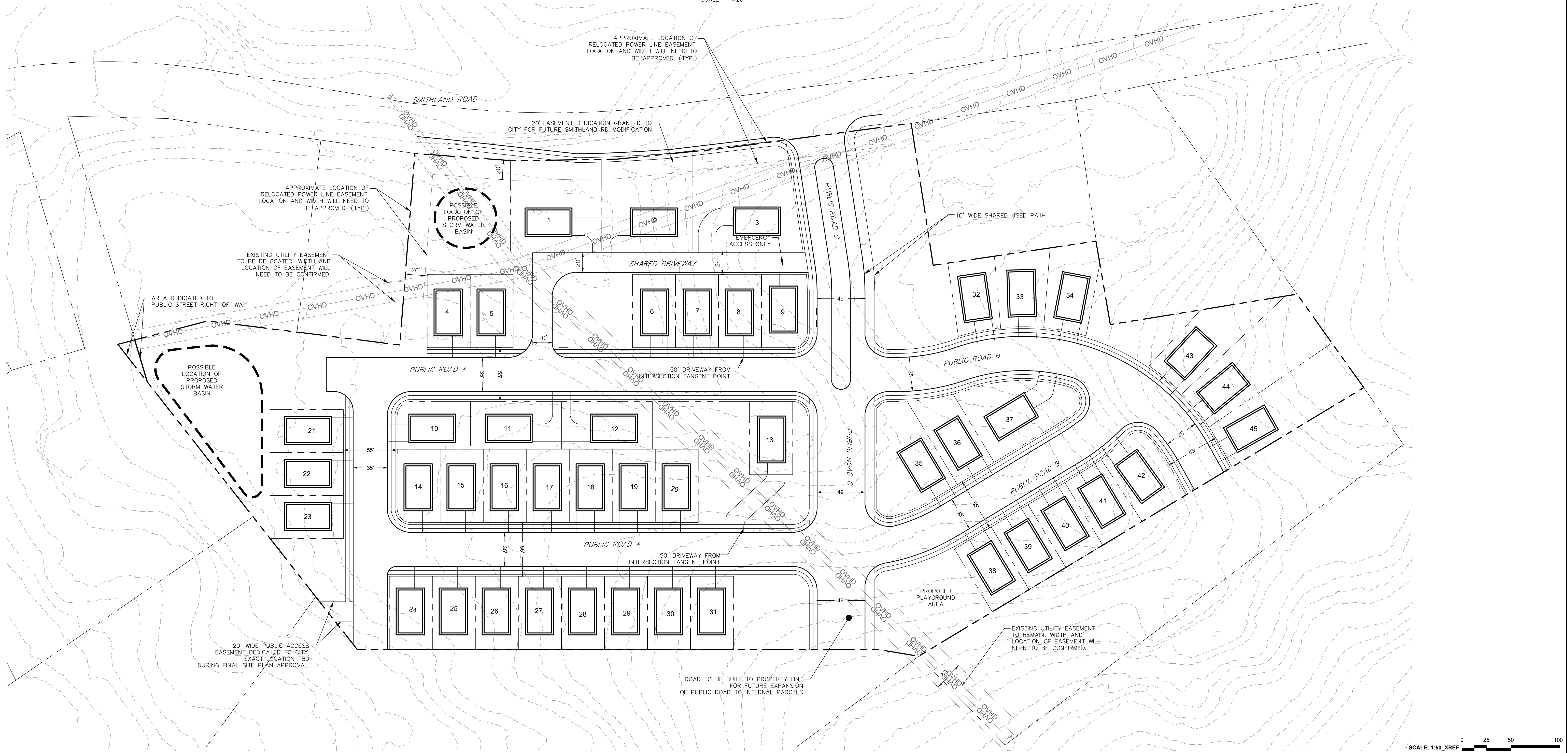
GENERAL NOTES

1. THIS CONCEPT PLAN WAS BASED ON LIMITED DATA. THE LOCATION OF BOUNDARIES, INLAND-WETLANDS, WATERCOURSES, AND RELATED TOPOGRAPHIC DATA WILL BE UPDATED UPON THE PREPARATION OF A DETAILED SURVEY.
2. WITHOUT A SITE VISIT, GRADING AND OTHER SITE CONSTRAINTS ARE NOT KNOWN.
3. A MORE DETAILED INVESTIGATION OF THE LOCAL ZONING REGULATIONS WILL BE REQUIRED.
4. LOT LINES SUBJECT TO FINAL PLATTING AND WILL EXTEND TO PARCEL BOUNDARIES. AREAS NOT CURRENTLY WITHIN LOT LINES ARE NOT INTENDED TO BE LEFT AS COMMON AREAS.



TYPICAL SINGLE-FAMILY LOT AND HOUSE LAYOUT

SCALE: 1"=20'



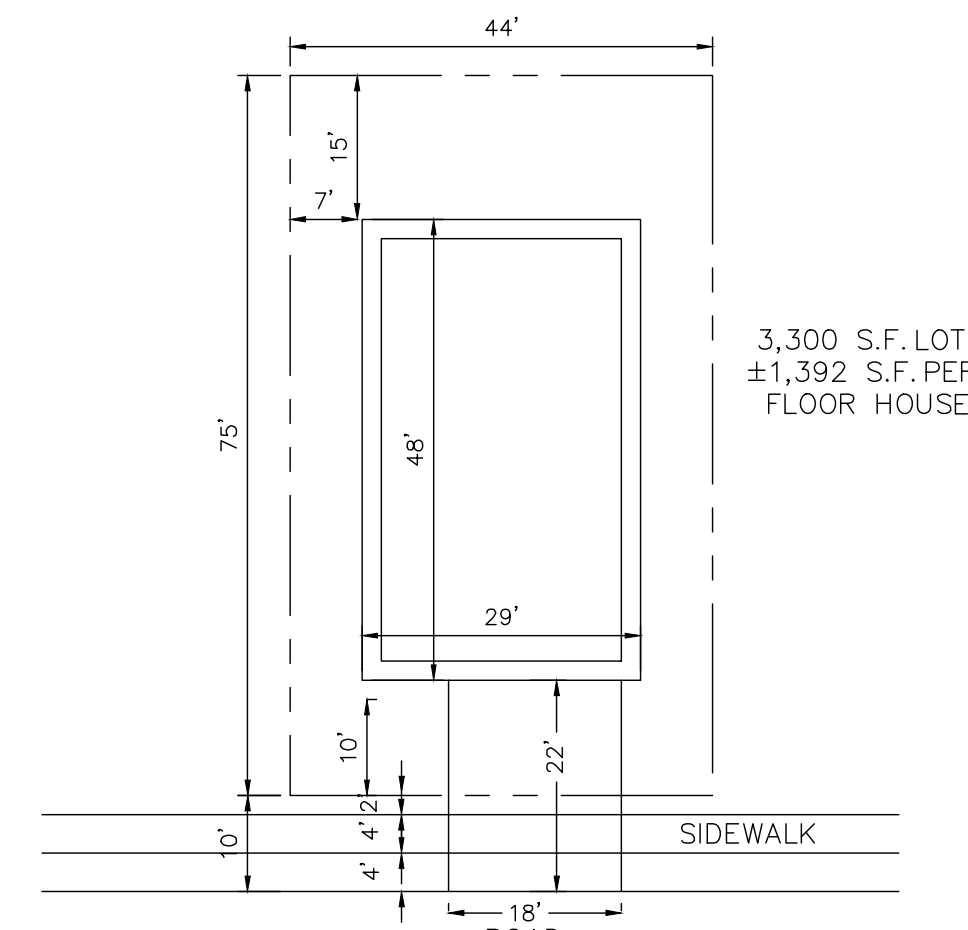
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ZONING INFORMATION

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ZONE: CURRENT R-1, PROPOSED ZONE CHANGE TO R-8 (SMALL LOT RESIDENTIAL DISTRICT)				
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3	MINIMUM LOT DEPTH	60 FEET	75 FEET	NO
4	MINIMUM FRONT SETBACK	10 FEET	10 FEET	NO
5	MINIMUM SIDE SETBACK	7 FEET	7 FEET	NO
6	MINIMUM REAR SETBACK	15 FEET	15 FEET	NO
7	MAXIMUM BUILDING HEIGHT	40 FEET/ 3 STORIES	2 STORIES	NO
8	MAXIMUM DENSITY	8-10 UNITS/ ACRE (79 - 99)	47 TOTAL UNITS	NO

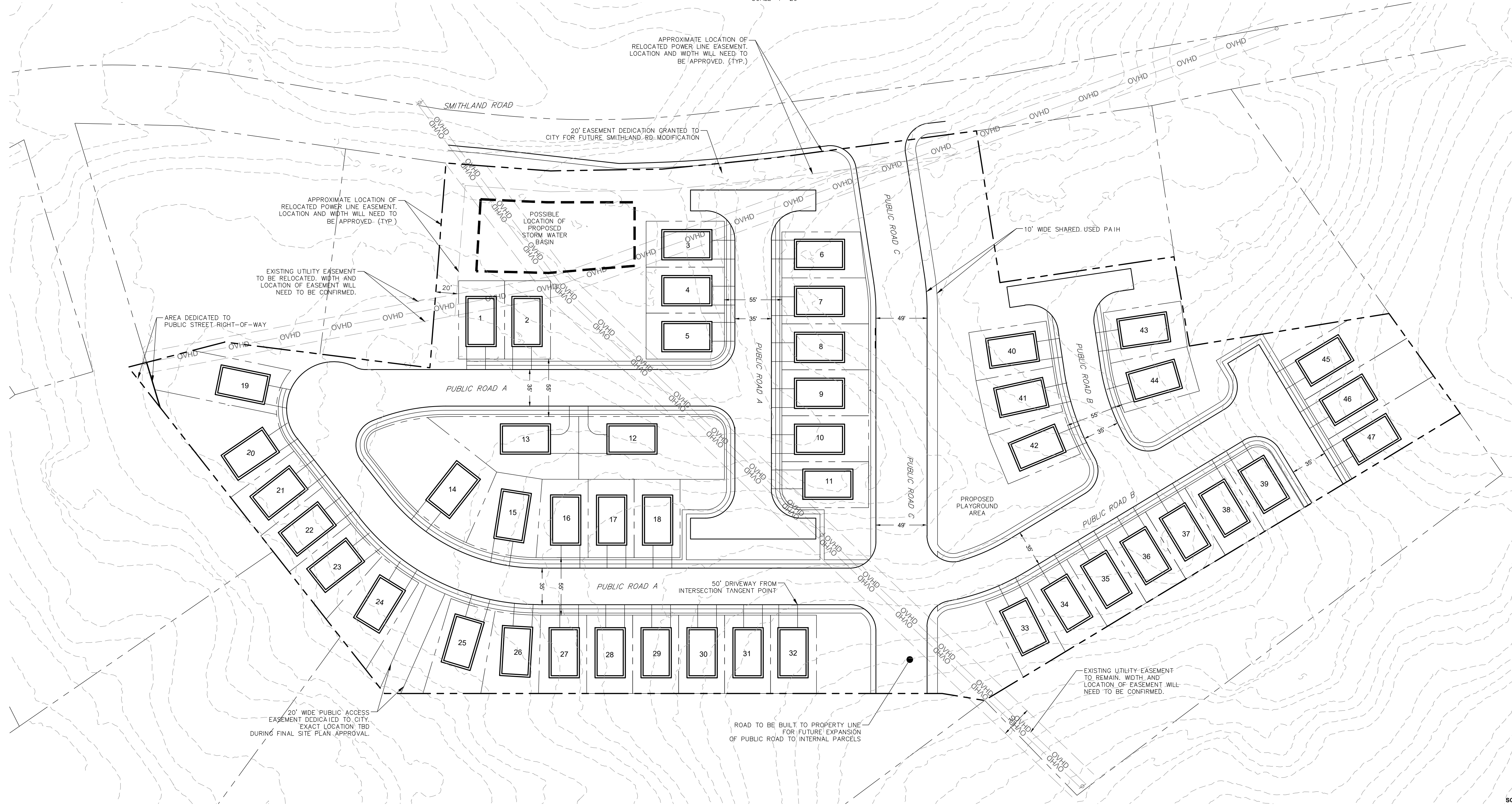
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TYPICAL SINGLE-FAMILY LOT AND HOUSE LAYOUT

SCALE: 1"=20'



SCALE: 1:50_XREF 0 25 50 100