



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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April 17, 2023

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

SUBJECT: *Consider a request from Greendale Road LLC to rezone 2720 Dorval Road*

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION
MEETING HELD ON:** March 8, 2023

Chair Finnegan read the request and asked staff to review.

Ms. Rupkey said The Crossings Subdivision is located at the southeastern edge of the City and straddles Greendale Road near its intersections with Dorval Road and Ramblewood Road. The portion of the subdivision within the City was rezoned to R-2C, Residential District Conditional in June 2007, with a proffer that there will be no more than 52 single-family detached dwelling lots within the City. In 2007, the overall design of the subdivision proposed a total of 91 single-family lots within the City and Rockingham County. The property was subdivided in 2007 and in 2021. There are 35 lots located entirely within the City that are part of The Crossings, Phase 1. The Crossings, Phase 2 subdivision created 9 additional single-family lots in the City and 40 lots in County.

In October 2018, City Council approved a public utility application to provide water and sanitary sewer services to the portion of the subdivision within the County. Later, in January 2019, the portion of the subdivision within the County was rezoned from R-3C, General Residential District Conditional to PSF, Planned Single Family. The approval authorized an increase of lots within the County from 32 to 40 and approved an accompanying Master Plan depicting 30.9 percent of gross area reserved as open space. In December 2022, City Council approved a rezoning for R-8C, Small Lot Residential District Conditional for six lots addressed as 2744, 2725, 2762, 2766, and 2770 Dorval Road that decreased the setback in a way that is mirrored for the current proposed rezoning. The project's engineered comprehensive site plan was approved by the City and County on February 6, 2020, and is actively under construction.

The parcel located at 2720 Dorval Road is part of a larger single-family detached housing development that is currently zoned R-2C, Residential District Conditional and R-8C, Small Lot Residential District Conditional (City), and PSF, Planned Single Family (County).

Proffers

The existing 2007-approved proffers for the subject site and the other R-2C-zoned City properties include (written verbatim):

1. The uses will be limited to all uses in Article H-R-1 Single Family Residential District. Only area and dimensional regulations for single family from the R-2 Residential District will govern for lot sizes.
2. Existing Ramblewood Road will be straightened with right and left turn lanes on Greendale Rd.
3. Greendale Rd. will be widened with curbs and gutter and sidewalk per city standards. In addition a left turn and through lanes will be provided at the Ramblewood intersection.
4. There will not be more than 52 lots in the City of Harrisonburg.

Similar to the recent application to rezone the nearby properties to R-8C, the applicant acknowledges that a rezoning to R-8 without proffers would open the opportunity to further subdivide the lot to create more dwelling units and would allow duplexes by right, thus, to be consistent with other proffers on nearby properties, the applicant has proffered the following (written verbatim):

1. Duplex dwellings are prohibited.
2. Area and Dimensional Regulations

Except as provided in article T, and as required in article CC for wireless telecommunication facilities, the following area and dimensional regulations shall apply:

Lot Area Sq. Ft.	Minimum Feet					Maximum	
	*Lot Width	Lot Depth	Front Yard	Side Yard	Rear Yard	Stories	Height
Single-Family Detached: 7,000	60	100	10	10	20	3	35
Other Uses: 6,000	60	100	10	10	25	3	40

* Measured at the point of require front setback line.

3. The driveway entrance will be located away from the intersection of Dorval Road and Greendale Road as generally illustrated on the attached work sheet labeled Exhibit A.

By prohibiting duplex dwellings, the proposed proffers would maintain the same by right uses as proffered in 2007. The proposed proffers would also maintain the same area and dimensional requirements as proffered in 2007, except that the minimum front yard setback would be 10 feet instead of 30 feet.

Proposed proffer #3 requires the driveway to be located further than the required 50 feet from the Greendale Road intersection.

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 proposed rezoning conforms with the Comprehensive Plan.

Recommendation

Given that all the use and area and dimensional regulations of the 2007 proffers would remain in place except for the front setback requirement and that the County properties within the development require only a minimum front yard setback of 5 feet, staff believes that this neighborhood would not be adversely affected and therefore, staff recommends approving rezoning the property from R-2C to R-8C.

Chair Finnegan asked if there were any questions for staff.

Vice-Chair Byrd said it sounds like someone trying to address the issue of the shape of the land with the setbacks.

Ms. Rupkey said it is a smaller lot. This gives the ability to face the same direction as the other houses.

Vice Mayor Dent said it is not just the size of the lot, it is the steepness of the terrain, as we saw in the previous agenda item.

Chair Finnegan asked if there were any more questions for staff. Hearing none, he opened the public hearing and invited the applicant or applicant's representative to speak to their request.

Bryan Nesselrodt, contractor for the project, came forward in support of the request. You are right. It is the challenge of the shape of the lot. As the setbacks are now, the house would sit farther back

from the existing homes. I am trying to make it match what is there already and give us a bigger buildable envelope.

Chair Finnegan asked if there were any questions for the applicant's representative. Hearing none, he asked if there was anyone in the room or on the phone wishing to speak to the request. Hearing none, he closed the public hearing and opened the matter for discussion.

Chair Finnegan said I agree with staff. I would support this. I think it is a good use of the lot that might not otherwise have housing built on.

Vice-Chair Byrd said the proffers address a lot of the things we would end up discussing. I will likely vote in favor.

Vice-Chair Byrd moved to recommend approval of the request, as presented.

Commissioner Orndoff seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Baugh	Aye
Vice-Chair Byrd	Aye
Vice Mayor Dent	Aye
Commissioner Orndoff	Aye
Commissioner Washington	Aye
Chair Finnegan	Aye

The motion to recommend approval of the rezoning request passed (7-0). The recommendation will move forward to City Council on April 11, 2023.