



**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

Special Use Permit Application

www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

585 Pear Street _____ 008 E 2A _____ 2.17 ac _____ acres or sq.ft.
 Property Address Tax Map Total Land Area (circle)

Existing Zoning Classification: R1 (R8 Proposed)

Special Use being requested: This request is in addition to an application for a rezoning to R-8 (Small Lot Residential), the special use permit is to allow attached townhomes of not more than eight units per section 10-3-59.4(1)

PROPERTY OWNER INFORMATION

Cobblers Valley Development Inc _____ 540-908-0428 _____
 Property Owner Name Telephone

2389 Grace Chapel Road _____
 Street Address E-Mail

Rockingham VA 22801 _____
 City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Same as Owner _____

Owner's Representative _____ Telephone _____

Street Address _____ E-Mail _____

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.

 _____ 11/3/23 _____
 PROPERTY OWNER DATE


REQUIRED ATTACHMENTS

- Site or Property Map
- Letter explaining proposed use & reasons for seeking a Special Use Permit.
- 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. This requirement is waived for the following SUPs: major family day homes, reducing required parking areas, reduction in required side yard setback, wireless telecommunication facilities, wall and fences, and short-term rentals. To prevent delays in reviewing your application, please consult with Planning staff to confirm your application does not require a TIA Determination Form or TIA Acceptance Letter.

Note: If applying for a Wireless Telecommunications Facility allowed only by SUP, then also submit a wireless telecommunications facility application.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

11/3/23 _____ Total Fees Due: \$ 515
 Date Application and Fee Received Application Fee: \$425.00 + \$30.00 per acre

 _____
 Received By



PROPERTY INFORMATION			
585 Pear Street	008 E 2A	2.17 ac	acres or sq.ft.
Property Address	Tax Map Parcel/ID	Total Land Area	(circle)
Existing Zoning District: R1	Proposed Zoning District: R-8 Small Lot Residential		
Existing Comprehensive Plan Designation: Medium Density Residential			
PROPERTY OWNER INFORMATION			
Cobblers Valley Development Inc		540-908-0428	
Property Owner Name		Telephone	
2389 Grace Chapel Road		dennis@skylinerroofingonline.com	
Street Address		E-Mail	
Rockingham	VA	22801	
City	State	Zip	
OWNER'S REPRESENTATIVE INFORMATION			
Same as Owner			
Owner's Representative		Telephone	
Street Address		E-Mail	
City	State	Zip	
CERTIFICATION			
<p><i>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.</i></p>			
 PROPERTY OWNER		11/3/23 DATE	
REQUIRED ATTACHMENTS			
<input checked="" type="checkbox"/> Letter explaining proposed use & reasons for seeking change in zoning. <input checked="" type="checkbox"/> Statement on proffers, if applying for conditional rezoning. <input checked="" type="checkbox"/> Survey of property or site map. <input checked="" type="checkbox"/> 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			
11/3/23 Date Application and Fee Received		Total Fees Due: \$ 640 Application Fee: \$550.00 + \$30.00 per acre	
 Received By			

November 3, 2023

City of Harrisonburg
Community Development
Attn: Adam Fletcher, Director
409 South Main St.
Harrisonburg, VA 22801

Re: Change of Zoning District (Rezoning) Application
Tax Map Parcel: 008 E 2A
Owners: Cobblers Valley Development Inc.
Address: 585 Pear Street

Dear Mr. Fletcher,

On behalf of the property owners, enclosed please find for submittal a Rezoning Application, Special Use Permit Application, Statement of Proffers, Site Map/Concept Plan, and check for \$1,155.00 (\$640.00 rezoning and \$515.00 for SUP). This fee includes the rezoning application fee (\$550 + \$30/acre=\$90) and the SUP application fee (\$425 + \$30/acre=\$90). This application requests a rezoning to R-8 (Small Lot Residential) with a special use permit per section 10-3-59.4(1) to allow attached townhomes of not more than eight units. The density/traffic generated by this development was included in the Traffic Impact Analysis submitted and approved by the County/City as part of County portion of Cobblers Valley.

Parcel 008 E 2A is currently zoned as R-1 and is located adjacent to the Rockingham County Portion of the Cobbler's Valley Subdivision. The Property is bounded by Cobbler's Court to the north, Pear Street to the east, vacant land owned by J&D Group LLC to the south, and a vacant land of common ownership to the west.

As planned, this project will provide up to 21 units of townhomes and is intended to be an extension of the adjacent approved townhome section of Cobblers Valley (in the County). Per the 2018 Comprehensive Plan and Land Use Guide this area is to be Medium Density Residential. Per the definition of "Medium Density Residential" in the comprehensive plan, single-family attached (townhomes) uses are allowed with density of around 15 dwelling units per ac. This project includes a maximum of 21 units (9.67 DU/ac.). The proposed rezoning will provide for planned vehicular and pedestrian interconnectivity within the Cobblers Valley and Zephyr Hill communities with no additional points of access onto Pear Street. Both developments have been accounted for in the recent design, approval, and installation of the primary stormwater management facility of which they both drain to. This facility is located on the adjacent county parcel and is owned by the applicant.

The applicant further requests that as a condition to approving the Special Use Permit requests, that these uses be established, or any construction authorized shall be commenced and diligently pursued within 48-months of the approval date of the Special Use Permits.

The requested rezoning will also provide for reallocation of previously proffered developer contribution funds to improve off-site pedestrian access improvements in the local vicinity of the project and facilitate and defray the cost to the City of the planned Small Area Transportation Study for the Mosby/Pear/Erickson corridor.

Thank you for your assistance and cooperation. If you have any questions, please do not hesitate to contact me.

Sincerely,



Dennis Wenger

COBBLER'S VALLEY ZONING AMENDMENT REQUEST (R-8)

PROFFER STATEMENT


DATE: 11/3/2023 (REVISED 12/15/2023)

RE: Cobbler's Valley Rezoning
Owner: Cobblers Valley Development Inc.
Rezoning Case No: TBD
Tax Map Numbers: 008 E 2A

Cobblers Valley Development Inc. hereby proffer(s) that the use and development of this property shall be in strict accordance with the following conditions:

1. Density of the development shall not exceed 21 units.
2. Developer shall provide a vehicular connection/road stub to parcel # 008-E-3 & 008-E-5 (located in City of Harrisonburg) to allow for future connectivity.
3. A 5' wide sidewalk extension connecting the existing sidewalk along the south side of Cobblers Court to Tailor Drive as generally depicted on the concept plan.
4. A 5' wide sidewalk along the west side of the private drive 1 extending through the development as generally depicted on the concept plan.
5. Amendment of the 2018 Signal Agreement for Pear/SS to shift proffer funds to other local projects and studies in the form attached as "First Amendment to Traffic Signal Cost Sharing Agreement".
6. Developer shall install and maintain a posted speed limit signage not to exceed 15 miles per hour to serve as a traffic calming measure as generally depicted on the concept plan.
7. Developer shall install and maintain a raised crosswalk to serve as a traffic calming measure as generally depicted on the concept plan. The raised crosswalk design requires approval by the department of public works.
8. Developer shall provide a public access easement encompassing the 5' wide sidewalk, extending from Cobbler's Court to the southern boundary line bordering parcels # 008-E-3 & 008-E-5 as generally depicted on the concept plan.

Cobblers Valley Development Inc.

By: 
Dennis Wenger

Title: Manager

FIRST AMENDMENT TO TRAFFIC SIGNAL COST SHARING AGREEMENT

This First Amendment to Traffic Signal Cost Sharing Agreement (this “Amendment”) is entered into on this ___ day of _____, 2023 by and between, Cobblers Valley Development, Inc., successor in interest to TAN BARK LANE LLC (“Owner/Developer”) and the CITY OF HARRISONBURG (“City”). The Owner/Developer and City agree to amend the following original terms and conditions regarding Owner/Developer’s future potential participation in the design and construction costs of a traffic signal (“Traffic Signal”) necessary for the rezoning and development of County tax map parcels 108(A)188, 108(A)189, 108(A)164A, 108(6)2, and City tax map parcel 8 E 2, owned by the Owner/Developer (collectively the “Wenger/Burkholder Farm”), which Tax Map Parcels have a primary entrance onto Pear Street in the City. Owner/Developer and City are each referred to herein generically as a “Party” and collectively as the “Parties”.

WITNESSETH

WHEREAS, Owner/Developer and City are parties to a Traffic Signal Cost Sharing Agreement (“Agreement”) dated March 30, 2018; and

WHEREAS, the Traffic Signal contemplated at the intersection of Pear Street and Erickson Avenue (“Intersection”) under the Agreement has been deemed not feasible and replaced with an alternative Intersection improvement project which has been approved for full state funding under the Smart Scale program, and

WHEREAS, Owner/Developer and City have reached mutually agreeable terms on amending the initial Traffic Signal Cost Sharing Agreement in connection with a rezoning of other property owned by Owner/Developer along Pear Street and Cobblers Valley Way in the City to redirect the previously proffered Traffic Signal improvements to other traffic and pedestrian related investments in the immediate vicinity of the Intersection which the Owner/Developer and City find valuable, and

WHEREAS, the Owner/Developer has filed a new rezoning request with the City for an additional smaller portion of the Wenger/Burkholder Farm located in the City and as a proffered condition of the rezoning approval has agreed to the terms contained in this Amendment.

WHEREAS, the Parties desire to amend and clarify certain terms and conditions of the Agreement as set forth herein.

NOW, THEREFORE, the Parties agree to the following terms and conditions:

1. The installation of the Traffic Signal at the Intersection as outlined in the Agreement is no longer a feasible improvement and has been replaced at City option by the approved Smart Scale project restricting left turns from Pear

Street at the Intersection and the installation of a U-Turn traffic signal on Erickson Avenue.


2. The Parties agree to reallocate 50% of the proffer funds provided in the Agreement, totaling \$41,250.00, to defray the City's expenses associated with the extension of the sidewalk located on the west side of Pear Street to extend to the Intersection. These monies will be released to the City upon written request at the time work on the sidewalk extension commences, no later than June 30, 2024.
3. The City will be conducting a Small Area Study ("SAS") of an adjacent land parcel located at 150 & 210 W. Mosby Road, Harrisonburg, Virginia, at tax map parcel 007(C)2 & 007(C)3, respectively, as part of an approved rezoning project in which a proffer from the project will partially fund the SAS. The SAS will overlap with the traffic area associated with the Wenger/Burkholder Farm. The Parties agree to reallocate the remaining 50% of the proffer funds provided in the Agreement, totaling \$41,250.00, to be contributed to the funding of the SAS at the time the SAS study is commissioned following appropriation by City Council of funding for the SAS study. The City's Department of Public Works anticipates the SAS study will be commissioned in December of 2024. The City Manager will include funding for the SAS study in the proposed City budget for fiscal year 2024-2025 (which begins July 1, 2024), with such funding subject to approval of and appropriation by City Council.
4. The Parties agree to release the current escrow balance of \$41,250.00 for the City to use for the sidewalk extension outlined in paragraph 3 above upon request by the City according to the conditions stated. Owner/Developer further agrees to fund the remaining balance of \$41,250.00 on or before the date the SAS study is commissioned to provide additional funding for such study as outlined in paragraph 3 above.
5. The Parties agree that the disbursement of funds in the aforementioned manner will fully satisfy the Owner/Developer and City requirements relating to the installation of the Traffic Signal as originally outlined in the Agreement and any other previously mentioned traffic improvement measures, and fully satisfy the Proffer commitments made by the Owner/Developer relating to the 2018 County Rezoning or the present City Rezoning.

Signatures on the Following Page

**CITY OF HARRISONBURG, VA
DEVELOPMENT, INC.**

COBBLERS VALLEY

By: _____
City Manager

By:  President
Dennis Wenger, President

Attest

Attest



CITY OF HARRISONBURG
**PUBLIC
WORKS**

320 EAST MOSBY ROAD, HARRISONBURG, VA 22801

OFFICE (540) 434-5928 • FAX (540) 434-2695

November 29, 2023

Carl Snyder, Jr., PE
Valley Engineering.
4901 Crowe Dr
Mount Crawford, VA 22841

RE: Cobbler Valley Traffic Impact Analysis – Rezoning of TM# 8-E-2A

Mr. Snyder,

The land use and number of units described in the rezoning application, when combined with the number of units proffered for the portion of the development located in Rockingham County are consistent with the number of trips analyzed in the Traffic Impact Analysis (TIA) accepted by the Department of Public Works in February of 2018 and updated in August of 2022. Therefore, Public Works does not require a TIA Determination Form to be completed for the current rezoning application.

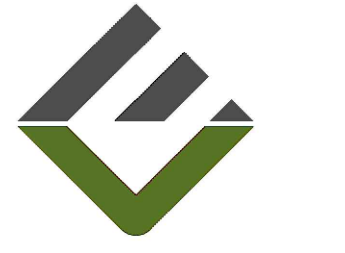
Regards,

Timothy Mason
Public Works - Transportation Systems Specialist



COBBLER'S VALLEY

585 PEAR STREET
HARRISONBURG, VIRGINIA



VALLEY ENGINEERING

4901 CROWE DRIVE
MOUNT CRAWFORD, VIRGINIA 22841
(540) 434-6365
www.valleyesp.com

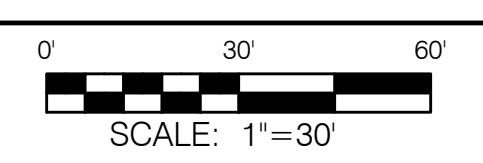
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REVISIONS:
12/08/2023 - REVISION #1
12/13/2023 - REVISION #2

DATE: 11/03/2023

PROJECT No.:

EXP./CLIENT No.:

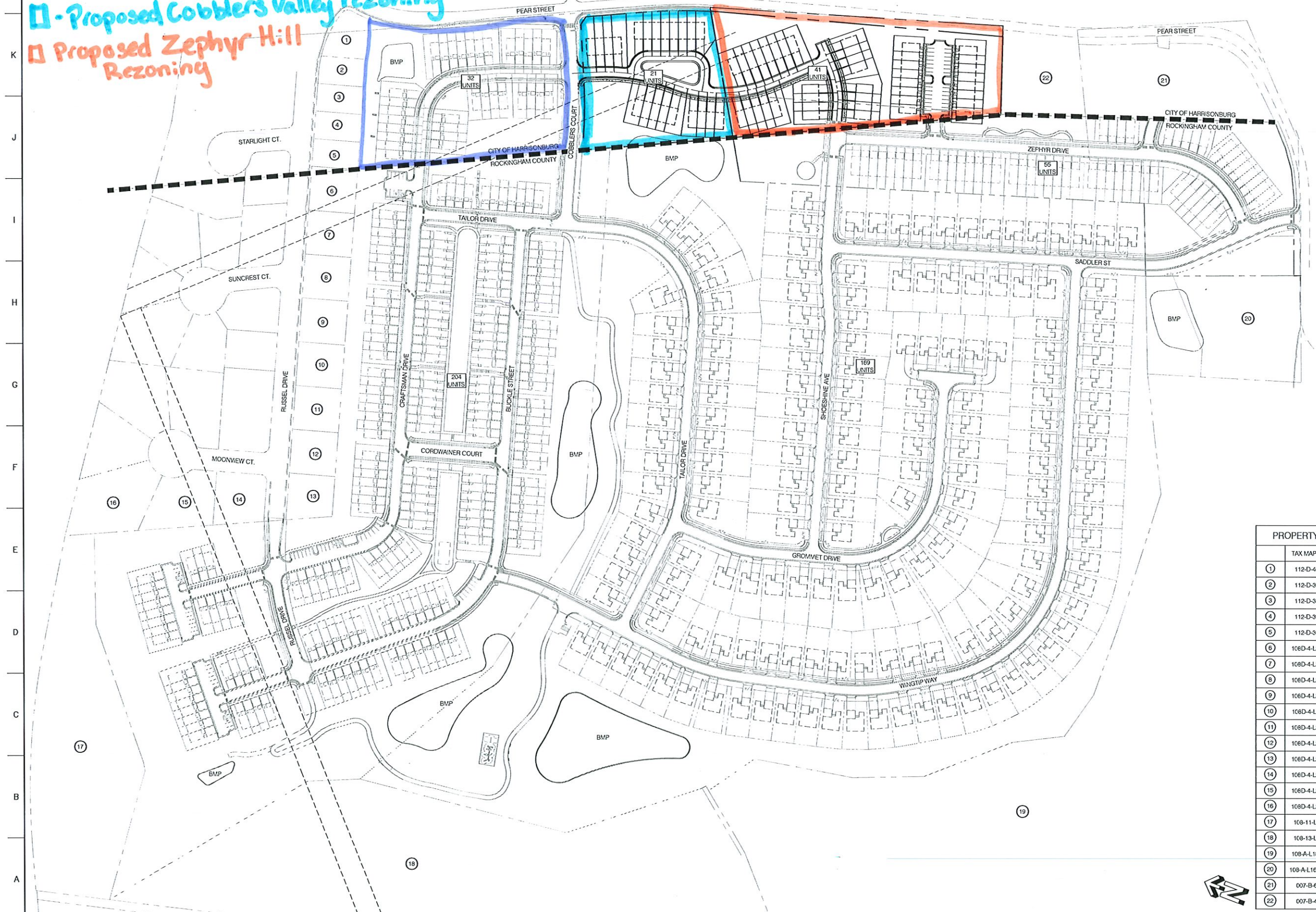


**CONCEPT PLAN
(EXHIBIT 'A')**

SHEET NO.:

1 OF 1

□ - 2021 Cobblers Valley Rezoning
□ - Proposed Cobblers Valley Rezoning
□ Proposed Zephyr Hill Rezoning



PROPERTY LEGEND		
	TAX MAP #	ZONING
①	112-D-40	RC3
②	112-D-39	RC3
③	112-D-38	RC3
④	112-D-37	RC3
⑤	112-D-36	RC3
⑥	106D-4-L35	R3
⑦	106D-4-L34	R3
⑧	106D-4-L33	R3
⑨	106D-4-L32	R3
⑩	106D-4-L31	R3
⑪	106D-4-L30	R3
⑫	106D-4-L29	R3
⑬	106D-4-L28	R3
⑭	106D-4-L27	R3
⑮	106D-4-L25	R3
⑯	106D-4-L24	R3
⑰	106-11-L2	B1
⑱	106-13-L3	R5
⑲	108-A-L187	A2
⑳	108-A-L164C	A2
㉑	007-B-6	R1
㉒	007-B-4	R1

COBBLERS VALLEY DEVELOPMENT

HARRISONBURG, VIRGINIA
ROCKINGHAM COUNTY, VIRGINIA



4901 CROWE DRIVE
MOUNT CRAWFORD, VIRGINIA 22841
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www.valleyesp.com

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REVISIONS:

**PRELIMINARY USE
NOT FOR CONSTRUCTION**

DATE: 11/29/2023
PROJECT No.: XXXXX-X
EXP./CLIENT No.: 9014-4

0' 100' 200'
SCALE: 1" = 100'

OVERALL LAYOUT