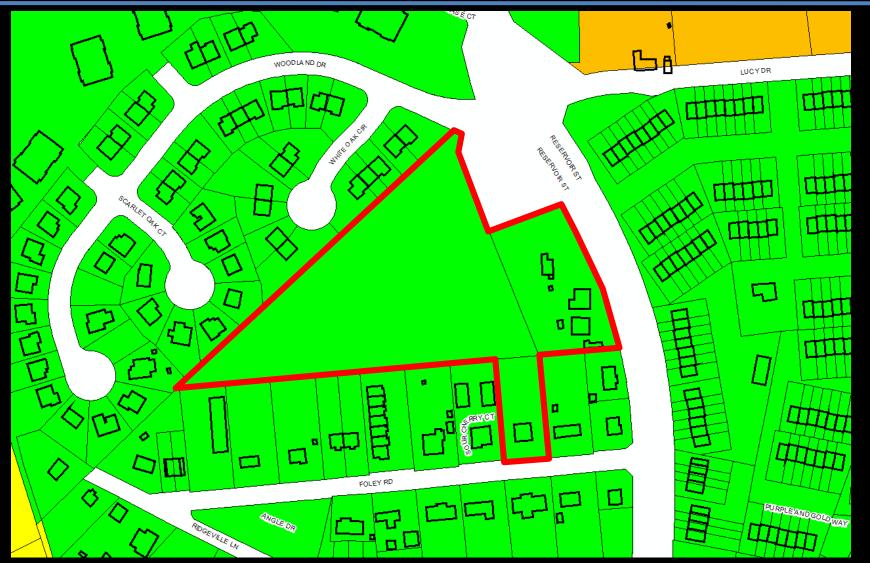
Rezoning and Special Use Permits Reservoir Street and Foley Road



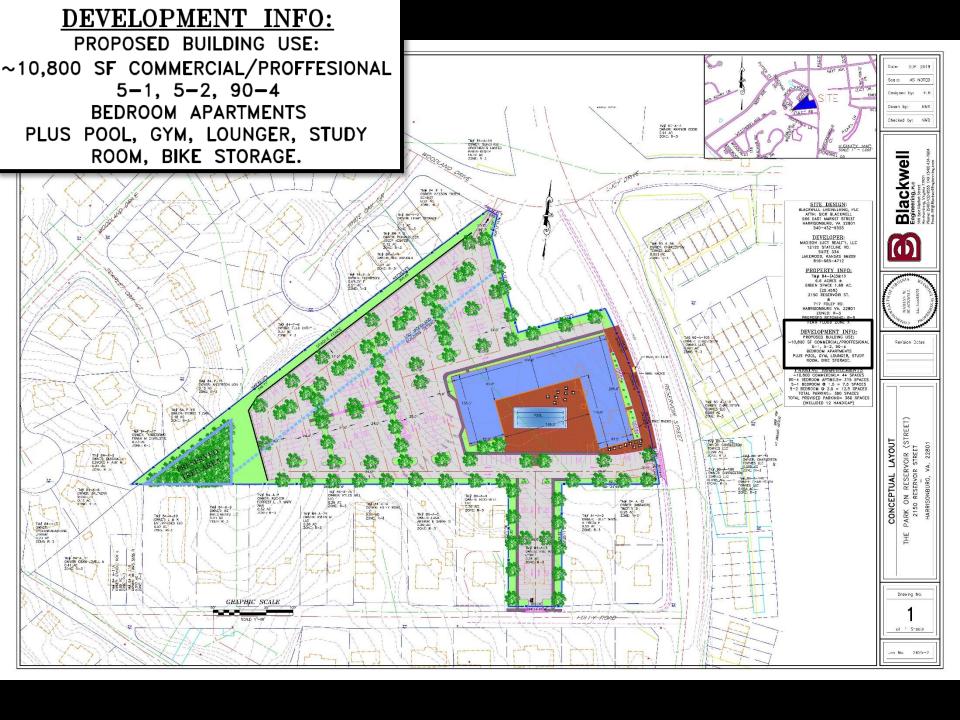


Rezoning

Special Use Permit

Special Use Permit

Special Use Permit



Submitted Proffers

- *Submitted conceptual site layout is not proffered.
- 1. The site shall contain no more than three hundred seventy-eight (378) bedrooms.
- 2. The site shall contain residential and non-residential uses.
- 3. A minimum of 8,000 sq. ft. of space for uses permitted by Section 10-3-55.4 (4) shall be contained on the site and limited to the first ground floor of the building(s).
- 4. No parking lot (including travel lanes and drive aisles) shall be located between Reservoir Street and the closest building to Reservoir Street.
- 5. There shall be a 100-ft building setback from shared property line with Woodland Subdivision.
- 6. There shall be an opaque fence at least 4 ft. in height between development areas of the site and the Woodland Subdivision.

Submitted Proffers

7. The existing vegetation (trees & shrubbery) on the western end of the property bounded by the edge of the current HEC easement, current Harrisonburg sewer easement, and the southern property shared with TM# 84-(A)-9, 10, and 11 shall be undisturbed to provide a vegetated buffer, or an evergreen vegetative buffer shall be created within this area, where such evergreens shall be planted at no less than 5 feet on center and 6 feet in height at the time of planting to fill in and reestablish a vegetative buffer within the bounded area.



Section 10-3-55.6 (e)

Multiple-family development SUPs may be approved if the following conditions as determined by City Council are met:

- Existing multiple-family development, or land planned for multiple-family development according to the Land Use Guide in the Comprehensive Plan, is located adjacent to, across the street from, or in close proximity to the proposed multiple-family development.
- 2) The applicant has demonstrated that adequate vehicular, transit, pedestrian and bicycle facilities:
 - Currently serve the site; or

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- Are planned to serve the site according to a city or state plan with reasonable expectation
 of construction within the timeframe of the need created by the development; or
- Will be provided by the applicant at the time of development; or
- Are not needed because of the circumstances of the proposal.
- 3) The applicant has demonstrated that the proposed multiple-family development's design is compatible with adjacent existing and planned single-family, duplex and townhouse development. Compatibility may be achieved through architectural design, site planning, landscaping and/or other measures that ensure that views from adjacent single-family, duplex and townhouse development and public streets are not dominated by large buildings, mechanical/electrical and utility equipment, service/refuse functions and parking lots or
- 4) The applicant has shown that the site is environmentally suitable for multiple-family development. There shall be adequate area within the site, or the development shall be designed, to accommodate buildings, roads and parking areas with minimal impact on steep slopes and floodplains.



Approximate Elevation Profile of the Subject Site (Source: https://www.arcgis.com/apps/Profile/index.html).

- The existing R-3 zoning, would allow, by right, with approved erosion and sediment control plans and stormwater management plans, for the steep slopes to be regraded.
- When looking at the entire site, the site has rolling topography and, depending upon where the site is measured, has around 2.5 percent slope from the western corner of the property to the other side of the property along Reservoir Street.

• The property does have portions of the property that have steep slopes and, in isolation, when developing the site, there would be substantial impact to the existing steep slopes because to make way for the proposed development, the slopes would likely be re-graded.



Recommendation

Staff recommended approval of all four requests and specifically recommended a condition be attached to the SUP Per Section 10-3-55.4 (4) to include:

Standalone, non-residential buildings are prohibited.

Planning Commission's recommendations are as shown below:

Request	Vote
Rezoning from R-3 to R-5C	Deny 6-0
SUP to allow more than 12 units per building	Deny 6-0
SUP to allow more than 4 stories/52 feet in height	Deny 6-0
SUP to allow the permitted non-residential uses listed in 10-3-55.4 (4)	Approve 6-0