



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Planning Commission
From: Department of Community Development
Date: September 9, 2020 (Regular Meeting)
Re: Preliminary Plat – Cobbler's Valley Pear Street Improvements (Variance request to Subdivision Ordinance 10-2-41(a) and Design & Construction Standards Manual Sections 3.3.3.1 and 3.6.4.1)

Summary:

Consider a request from Cobbler's Valley Development Inc. to preliminarily subdivide a +/- 5.66-acre parcel to create a new public street to serve as the entrance to a new residential development located in Rockingham County. The new public street would bisect the +/- 5.66-acre parcel and create two new parcels of +/- 3.13 acres and +/- 2.24 acres. The request includes variance requests from the Subdivision Ordinance and from the Design and Construction Standards Manual (DCSM) to not construct sidewalks on both sides of all new public streets and to allow for a reduction in required street width. The property is addressed as 585 and 611 Pear Street and is identified as tax map parcel 8-E-2.

Background:

The Comprehensive Plan designates this area as Medium Density Mixed Residential. These areas have been developed or are planned for small-lot single-family detached and single-family attached (duplexes and townhomes) neighborhoods, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Mixed-use buildings containing residential and non-residential uses and multi-family dwellings could be appropriate under special circumstances. 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. Like the Low Density Mixed Residential designation, 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 could be around 20 dwelling units per acre. 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: Vacant land; zoned R-1

North: Across Pear Street, detached single-family dwellings and vacant land; zoned R-1
East: Vacant land; zoned R-1
South: Vacant land within Rockingham County; zoned County R-5
West: Detached single-family dwellings; zoned R-3C

Key Issues:

The applicant is requesting to preliminarily subdivide a +/- 5.66-acre parcel to create a new public street to serve as the entrance to a new residential development located in Rockingham County. The new public street would bisect the +/- 5.66-acre parcel and create two new parcels of 3.13 acres and 2.24 acres. If the preliminary plat is approved, construction of the new road (Cobblers Court) is anticipated upon approval of the Engineered Comprehensive Site Plan (ECSP), which is already in review. At this time there is no plan of development for the two new parcels, although once platted, these parcels could be built upon or further subdivided.

Both new parcels would have frontage along Pear Street and Cobblers Court. The City's Street Network Plan designates Pear Street as a collector street, which requires a minimum of 50 feet of right-of-way (ROW). As shown on the plat, the applicant would dedicate ROW of up to 25 feet from the centerline of Pear Street along the entire frontage of the subject site. Street improvements of curb, gutter, and sidewalk will also be constructed along the Pear Street frontage as indicated on the plat.

With regard to water and sanitary sewer, water is available in the Pear Street ROW. Sanitary sewer is within a portion of the ROW; but does not extend to Proposed Lot 2. Per Section 10-2-63 (b) of the Subdivision Ordinance, "[e]very subdivision shall be provided with satisfactory and sanitary means for a sewage disposal system as required by the department of public utilities and the city manager." The applicant has indicated on the preliminary plat that the existing sanitary sewer within the Pear Street ROW could be extended to the entrance road, Cobblers Court, where it can serve proposed Lot 2. This satisfactorily addresses Section 10-2-63 (a) and (b) of the Subdivision Ordinance with regard to water and sanitary sewer for the preliminary plat. Prior to final platting of the subdivision, all public improvements necessary to dedicate the public street ROW and to establish the sanitary sewer connection shall be constructed/completed or an approved surety shall be accepted for such improvements.

Regarding stormwater management for the site, the applicant states that best management practices, or BMPs, for the new parcels are not known at this time and will be determined with future development of those lots, which is acceptable from a preliminary plat perspective. All stormwater management for the Pear Street improvements and proposed Cobblers Court will be addressed in the ECSP, with a wet pond located in Rockingham County.

The applicants are requesting variances to Section 10-2-41(a) of the Subdivision Ordinance which states:

"Proposed streets shall conform to the standards and specifications outlined in the Design and Construction Standards Manual, except that variances to the standards for streets, alleys, blocks, easements, sidewalks, and all such related features may be approved on a case-by-case basis by the city council when:

1. The proposed alternative would better achieve the walkable, pedestrian and bicycle-oriented environment the city desires.
2. The particular conditions of the site and surrounding street network would allow the proposed alternative without causing undue inefficiencies for service vehicles, nor an excessive reduction in pedestrian safety due to pedestrian-vehicle movement conflicts.
3. The proposed alternative would better balance the needs of pedestrians and vehicles, and better achieve the goals of the comprehensive plan.”

Cobblers Court is considered a local street; therefore, 50 feet of ROW is needed to encompass 30 feet of pavement, 2.5 feet of curbs and gutters, 2-foot grass strips, 5-foot sidewalks, and 6 inches of buffer strips beyond the sidewalks. A variance to reduce the pavement width from the required 30 feet as per Section 3.6.4.1 of the DCSM to a 22-foot pavement width is needed so that it could match what is permitted by the Virginia Department of Transportation (VDOT) Road Design Manual, which is what would be built in the County. The applicant has described within the application how the narrow width meets the standards of 10-2-41(a). The applicant’s letter is attached.

Staff does not have concerns with the requested deviation as described above and supports that particular variance.

In addition to the above noted variance, the applicant is also requesting to deviate from Sections 3.3.3.1 and 3.6.4.1 of the DCSM, which requires the construction of sidewalk on both sides of the proposed street. The applicant has described within the application how constructing sidewalks on only one side of the proposed Cobbler Court, specifically on the west side meets the criteria of Section 10-2-41(a). The applicant’s letter is attached.

The proposed public street will serve as an entrance road to a development within Rockingham County, which is planned for a maximum of 400 dwelling units. As the proposed Cobblers Court enters Rockingham County, the street is essentially centered in the middle of the planned development, with 275 townhomes planned to the northwest of the street and 175 single-family detached and duplex dwellings planned to the southeast. Safe connectivity out to Pear Street for the residents of this development is essential. In an effort to achieve Goal 13 and Objective 13.1 of the Comprehensive Plan, Strategy 13.1.4 states, “[t]o develop pedestrian and bicycle-friendly environments in the City that connect residential neighborhoods to community facilities, to commercial areas and employment centers, and that connect residential neighborhoods to each other, to promote a healthier community.” Providing sidewalk on both sides of the street achieves this. The applicant’s letter indicates that sidewalk is only required along one side of the street within the county development and if sidewalk were to be constructed on the south side of Cobblers Court within the City, it would end at the Harrisonburg City limits, with no sidewalk to ever connect to on the portion of the street in Rockingham County. Although sidewalk is not required along both sides of the street within the County, it is still allowed and there is nothing preventing the applicants from making the connection.

Staff does not support the applicant’s request to deviate from the DCSM Sections 3.3.3.1 or 3.6.4.1 to not be required to provide sidewalk on both sides of the street. In addition to Strategy 13.1.4 discussed above, supporting these deviations would also work against Strategy 13.1.5, which is “[t]o continue to implement measures to expand the network of pedestrian infrastructure (sidewalks and shared use paths) so that all streets will have pedestrian accommodations on both sides of the street.”

Staff recommends in favor of the preliminary plat with the applicant's request for the narrow pavement width; however, staff recommends denial of the applicant's request to deviate from the requirements of the DCSM Sections 3.3.3.1 and 3.6.4.1 requiring sidewalk to be constructed along both sides of Cobblers Court within the City.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the preliminary plat and variances as requested;
- (b) Recommend approval of the preliminary plat and one of the variances requested;
- (c) Recommend approval of the preliminary plat with conditions; or
- (d) Recommend denial of the request.

Community Engagement:

As required by the Subdivision Ordinance, a sign was posted giving public notice to the request for a variance to deviate from the standards of the Subdivision Ordinance.

Recommendation:

Staff recommends alternative (b) approval of the preliminary plat and one of the variances requested.

Attachments:

- 1. Site maps
- 2. Application, applicant letter, preliminary plat, and supporting documents
- 3. Master Plan of development within Rockingham County

Review:

N/A