

Department of Community Development



Rezoning Conventional District Case Report: REZ22-2132

Applicant	Travis Lam (Ridgeview Development)
Address/Location	Approximately 800 feet northwest of the intersection of Spotswood Trail (US 33) and Stone Spring Road (VA 280).
Comprehensive Plan	Commercial within the Stone Spring Urban Development Area
Tax Map#	125-(A)- L201, 125-(A)- L202, 125-(A)- L203, 125-(A)- L204
Present Zoning	A-2 - General Agricultural District
Proposed Zoning	R-3 C - General Residential District with Conditions
Acreage	4.430
Election District	3
Planning Commission	
Board of Supervisors	

General Information:

Overview and Background

This request is to rezone 4.43 acres from A-2 (General Agricultural) to R-3 C (General Residential with Conditions). The applicant has submitted a proffered layout, The Ridgeview Development Rezoning Plan, dated November 23, 2022, showing a 53-unit townhouse development with private streets, landscaping along Spotswood Trail (US 33), and the construction and expansion of a turn lane along Spotswood Trail. The existing Spotswood Trail shared use path, currently along the Holtzman 7-11 Station and Preston Lake Marketplace frontage, would be extended along this site's frontage. The applicant has proffered to establish a property owners association to maintain stormwater areas, the shared-use path, common areas, private streets, and parking lots.

Staff and Agency Analysis:

Planning & Zoning

Comprehensive Plan & Stone Spring Urban Development Area Plan

This area is designated as commercial within the Stone Ridge area of the Stone Spring Urban Development Area Plan and is located within the T-4 Neighborhood Center transect zone. The T-4 Neighborhood Center is generally characterized by commercial, mixed with townhouses or larger apartment structures, trees within the public right of way, and parking placed behind the buildings. Typical building height is 3-6 stories with some variation.

Zoning Ordinance

The R-3 zoning district provides medium-density to high-density residential development alternatives, including neighborhood amenities and commercial areas. While allowing for a variety of uses, the R-3 district is primarily residential. All nonresidential uses shall be compatible with the residential nature of the district. Any new R-3 district created after October 1, 2014, shall be located in urban growth areas designated in the comprehensive plan or any other plan adopted by the County.

Building Services

If this rezoning is approved, utility easements must be clearly defined on the site plan and cannot cross over individual property lines if subdivided. Residential utility placement should be considered and discussed with Building Official prior to site plan submittal.

Fire

The request is located within the Port Republic Road Emergency Response Station's first due area. Our office has no concerns at this time. Any projects will have to meet the requirements of the Rockingham County Fire Prevention Code.

With the submitted proffered layout there are two adjustments needed to meet the previously mentioned comment on the project having to meet all the requirements of the Rockingham County Fire Prevention Code. The first is the boulevard entrance drive aisle that will serve as access roadways and fire lanes and must be 20 feet wide. The plan dimensions show the roadways at approximately 14 feet wide. The second is the T-turnaround at the south end of the development, the current proposed turnaround does not meet the acceptable T-turnaround dimensions acceptable by the Fire Marshal's Office and would need to be revised. A typical approved T-turnaround has a 20-foot entrance roadway, a 20-foot roadway within the "T" and is 120 feet wide (60 feet either way of center line). This is for apparatus to turn into the turnaround, back-up, and then be able to turn out of the turnaround.

Rockingham County Public Schools (RCPS)

According to students-per-household generation reports, 53 townhouses would be expected to have the following impacts on the school division:

- Spotswood High School = 4 additional students
- Montevideo Middle School = 3 additional students
- Cub Run Elementary School = 7 additional students

Public Works

Public Works has no comment at this time. Sewer and water capacities will be reviewed when plans are submitted for approval.

Virginia Department of Transportation (VDOT)

- US 33 (Spotswood Trail), 26,000 vpd, 55 mph, Principal Arterial

The proposed development is within the current study area of the US 33 Arterial Management Plan. This portion of roadway is a busy commercial and commuter route with operational and safety issues due to heavier than normal traffic volumes. The proposed entrance is located on a section of US 33 which is a 55-mph rural highway with curves and hills where sight distance is impacted, and turns may not be expected by through drivers. The proposed site does have a location along US 33 where one commercial entrance can be located. The proffered layout dated 11/23/22 meets the below requirements. The site plan for the proposed entrance will be reviewed by VDOT to ensure that all VDOT standards are met. Special design considerations may be considered to ensure that the intersection sight distance of the proposed entrance is optimized.

The following is a list of requirements for the proposed entrance:

- 1) A 200' taper and 200' turn lane into the proposed development. The right turn traffic volume projections for the proposed site (turn lane analysis) do not exceed the guidelines for a right turn lane; however, at the discretion of VDOT, this is a requirement for this section of roadway.
- 2) The existing right turn lane and taper is required to be extended from the adjacent [Holtzman 7-11] property to the proposed entrance.

VA Dept. of Health Environmental (VDH)

No comment: public utilities to serve.

Considerations:

- **Stone Spring Urban Development Area (UDA) Plan:** The Stone Ridge Area in the UDA Plan is generally developed as a mixed-use area although this specific area along US 33 is designated as commercial. The Plan states that intersections should be emphasized with more vertical elements, hardscaped plazas, and pedestrian amenities. The applicant has included a boulevard style entrance, along with a shared use path along Spotswood Trail that connects to internal sidewalks throughout the development.
- **Street Connectivity and Overall Street Network:** Current and future proposed development of parcels, located south of the Spotswood Trail frontage, need street interconnectivity to create the essential, compact street grid described in the UDA Plan and in the Zoning Ordinance.

Interconnectivity is significantly hindered by the applicant's proffered private street system, which is the first development in this area and sets an undesirable precedent of providing streets that would not be taken into the VDOT system. Privately maintained streets are an unreliable means of serving the long-term, publicly accessed street network that will be needed to serve all the land south and west of this site.

Additionally, the applicant's proffered layout is not in compliance with the Zoning Ordinance's connectivity requirements in Article 7, Development Standards. One of the streets falls considerably short of the property line and is being used to establish a dumpster site for the townhouse residents. The proffered layout shows a future westbound street that the ordinance would require to be stubbed at the property line but is described as being constructed by a future developer of the adjoining property. Any future adjoining developer would be expected to excavate for a road between two already constructed and occupied townhouses and disturb the full length of their yards.

The construction of this westbound street stub does not directly benefit the applicant; therefore, if construction is postponed until adjoining development occurs, the applicant's proffered layout should clearly show an easement that enables this street extension in the future and the buyers of these two townhouses should be

made aware of this impending street connection.

- **Street Design:** The boulevard street entrance and “T” turnaround do not meet requirements of the Rockingham County Fire Prevention Code; therefore, the proffered layout cannot be approved as submitted.
- **Road Improvements:** A 200' taper and 200' turn lane into the proposed development and the extension of the existing Holtzman 7-11 Station right turn lane/taper to the site's entrance, to create a continuous turn lane, is required by VDOT. The applicant has provided these improvements on the proffered.
- **Common Area & Amenities:** Although the R-3 zoning district does not have requirements for common area, the applicant has provided common area throughout the development, including a walking path that connects to the shared use path that the applicant has proffered to construct along Spotswood Trail. The shared use path on the proffered layout shows a gap between the applicant's proffered construction of its section and the existing path at Holtzman 7-11, which makes use of the path non-functional.
- **Rear-facing Townhouses:** In the UDA, development is encouraged to front the street with parking in the rear. In the proffered layout the rear yards of townhouses front the boulevard and are also visible from Spotswood Trail. Consideration should be given to create a front façade appearance on the rear of these townhouses and establish an adequate vegetated buffer to ensure the privacy of the rear outdoor space of each townhouse is protected.
- **Landscaping:** The proffer statement and proffer layout inconsistently depict the landscaping. The proffer statement includes a landscape buffer with trees 40 feet on center along Spotswood Trail and the rear property line, but the depiction on the proffered layout shows irregular spacing and no typical. Landscaping along the boulevard is shown on the proffered layout, but not described in the proffer statement. Based on the proffered layout legend, this landscaping consists of large deciduous and small flowering trees. However, without the inclusion of shrubs, this landscaping will not effectively provide the townhouse residents with any degree of privacy.

I HEREBY PROFFER THAT THE USE AND DEVELOPMENT OF THIS PROPERTY SHALL BE IN STRICT ACCORDANCE WITH THE PROFFERED CONDITIONS SET FORTH HEREIN AND/OR DEPICTED THEREON.

LEGEND

- EXISTING BUILDING
- PROPOSED BUILDING
- CENTER LINE
- EXISTING ROAD
- PROPOSED ROAD/EOP
- CONCRETE AREA
- PAVEMENT AREA
- SHARED USE PATH
- COMMON OPEN SPACE
- REVISION SYMBOLS
- EXISTING 5' CONTOURS
- EXISTING WATER LINE
- PRO WATER LINE
- EXISTING SEWER
- PRO SEWER
- SITE PROPERTY LINE
- EXISTING PROPERTY LINE
- PROPOSED PROPERTY LINE
- ACCESS EASEMENT
- SETBACK
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- WATER METER

PARKING REQUIREMENTS

USAGE	DWELLINGS	REQUIRED	REQUIRED SPACES
ROWHOUSE	53	2SP/DWELLING	106
TOTAL PROVIDED =			108

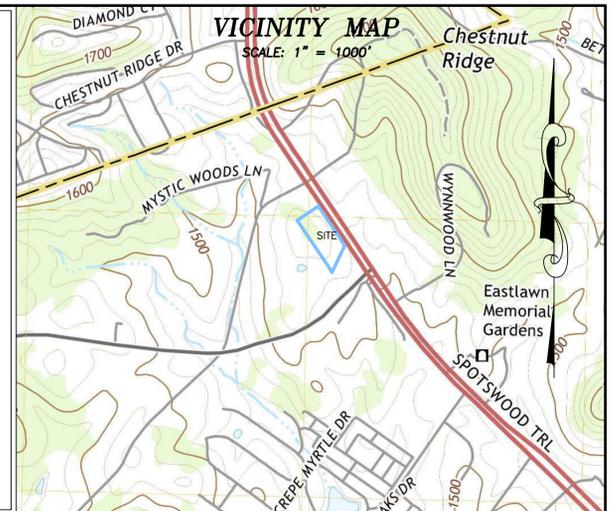
CIVIL DESIGN
 BLACKWELL ENGINEERING
 ATTN: ED BLACKWELL 566
 EAST MARKET STREET
 HARRISONBURG, VA 22801
 540-432-9555

DEVELOPER
 TRAVIS LAM
 589 WILLOW ROSE DR.
 MCGAHEYSVILLE, VA 22840
 540-236-2475

PROPERTY INFO
 125-(A)- L201, 202, 203
 BECTIN PROPERTIES LC
 9222 JOHN SEVER RD
 NEW MARKET, VA 22842
 ZONED: A2
 EXISTING USE: UNDEVELOPED

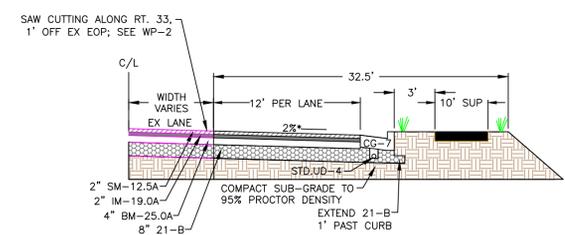
125-(A)- L204
 SMITH GREGORY A & JEFFREY
 K & KEVIN S SMITH
 294 CAMPBELL ST
 HARRISONBURG, VA 22801
 ZONED: A2
 EXISTING USE: SINGLE FAMILY
 RESIDENTIAL

AREA= 4.346 TOTAL ACRES
 PROPOSED ZONING: R3
 PROPOSED DENSITY: 12.2
 UNITS/ACRE
 FEMA FLOOD ZONE: X

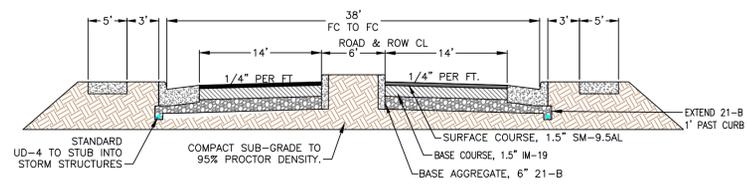


Date: 11-23-22
 Scale: AS NOTED
 Designed by: EHB
 Drawn by: MMS/BWK
 Checked by: EHB

Blackwell
 Engineering, PC
 566 East Market Street
 Harrisonburg, Virginia 22801
 Phone: (540) 432-9555
 Email: BE@BlackwellEngineering.com



**RT. 33 RIGHT TURN LANE
 TYPICAL WIDENING SECTION**
 NTS



**TYPICAL ENTRANCE STREET SECTION
 (CC-7 CURB)**
 NTS

LANDSCAPING SCHEDULE

LABEL	TYPE OF SPECIES	NUMBER	EXAMPLES IN GROUP	SIZE/20YEAR
1	LARGE DECIDUOUS TREES	42	OAKS, MAPLES, BIRCH, CHINESE ELM, DAWN REDWOOD...	2" CAL/500sf
2	SMALL FLOWERING TREE	21	DOGWOOD, CHERRY, REDBUD, SERVICEBERRY...	2" CAL/300sf
3	SHRUB	0	INKBERRY HOLLY, SHAMROCK HOLLY, JUNIPER, ETC...	3 GALLON

SPECIFIC TYPE OF TREE TO BE BASED ON AVAILABILITY IN LOCAL NURSERY.

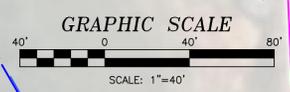


Revision Dates

REZONING PLAN
 RIDGEVIEW DEVELOPMENT
 TRAVIS LAM
 589 WILLOW ROSE DR.
 MCGAHEYSVILLE, VA 22840

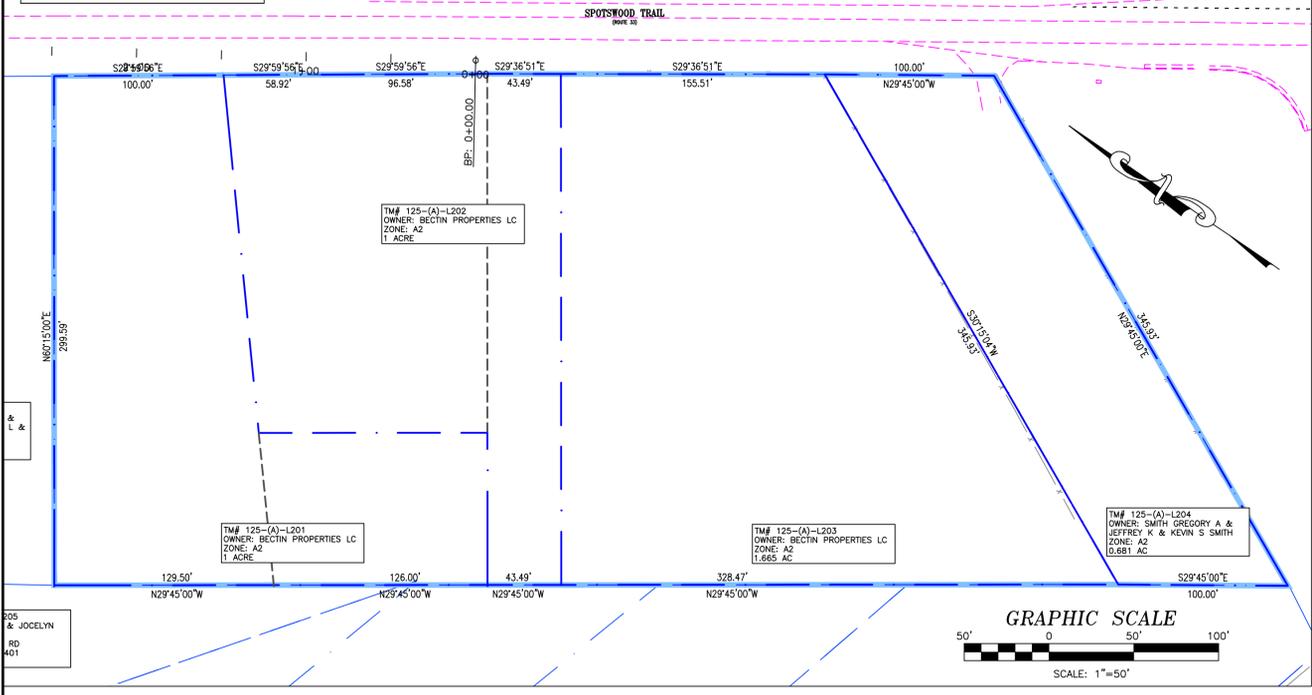
Drawing No.
1
 of 2 Sheets

Job No. 2981



File: 2981-Ridgeview_Development.dwg Printed: November 23, 2022

EXISTING PROPERTY BOUNDARIES



SPOTSWOOD TRAIL
(ROUTE 33)



Date: 11-23-22
 Scale: AS NOTED
 Designed by: EHB
 Drawn by: MMS/BWK
 Checked by: EHB

Blackwell
 Engineering, P.C.
 568 East Market Street
 Harrisonburg, Virginia 22801
 Phone: (540) 432-9555
 Email: BE@BlackwellEngineering.com

Revision Dates

Revision Dates

LOT LINES & SETBACKS
 RIDGEVIEW DEVELOPMENT
 TRAVIS LAM
 589 WILLOW ROSE DR.
 MCCAHEYSVILLE, VA 22840

Drawing No.
2
 of 2 Sheets

Job No. 2981

File: 2981-Ridgeview_Development.dwg Project: November 23, 2022

RIDGEVIEW DEVELOPMENT
PROFFER STATEMENT

RE: Travis Lam
Owners: Bectin Properties LC; Smith Gregory A & Jeffery K & Kevin S Smith
November, 23, 2022
Rezoning Case Number- REZ22-2132
125-(A)- L201, 202, 203, 204

Travis Lam hereby proffer(s) that the use and development of this property shall be in strict accordance with the following conditions and Ridgeview Development Rezoning Plan, dated November 23, 2022:

1. The final site plan layout will be in substantial conformance with the attached rezoning drawing.
2. Development will not consist of more than 56 townhome units.
3. A 10' shared-use path will be constructed across the length of the shared property line with Rt. 33 as shown on the attached rezoning drawing.
4. A tree buffer planted 40' on center will be placed the western and eastern property lines as shown on the rezoning drawing.
5. A POA will be established to maintain the stormwater BMPs, the shared use path along the frontage of the property, common areas, private streets, and parking lots.

I hereby proffer that the use and development of this property shall be in strict accordance with the proffered condition set forth herein and/or depicted thereon.

Travis Lam

Print: _____
Signature: _____
Date: _____

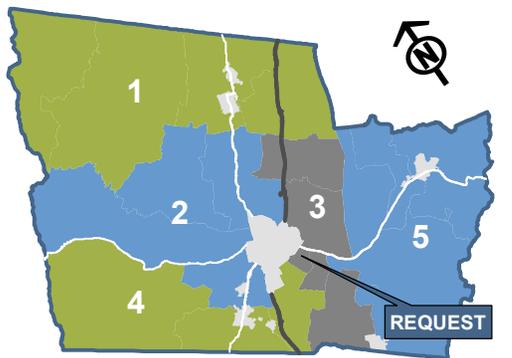


Travis Lam Rezoning Request



PC Hearing Date: 12/6/2022

REZ#22-2132





Rockingham County Rezoning Application

Office Use Only

Application Date Received: _____

Project Number: _____

Application Procedure

The rezoning process usually takes about eight weeks from time of application submittal. However, timing can vary depending on application submission date in connection to scheduled public hearings.

1. Applicant participation in a recommended Pre-Application Meeting to receive early input from county and agency staff. Call (540) 564-5074 for more information and scheduling.
2. Submission of complete application (as a guide, use the check list provided below).
3. Staff and agency application review and comments from the County departments of Building, Engineering, Planning, Fire & Rescue, Public Works, Environmental, Zoning, Economic Development, Public Schools; Virginia Department of Health (VDH); and Virginia Department of Transportation (VDOT). Other applicable agencies may be contacted if needed.
4. Notification letters of public hearing mailed to adjoining landowners.
5. Rezoning sign placed on property in public view.
6. Public hearing advertisement placed in the local paper.
7. Planning Commission public hearing*, review, and recommendation to the Board of Supervisors.
8. Board of Supervisors public hearing*, review, and final rezoning determination. The decision to approve or deny the rezoning request is ultimately determined by the Rockingham County Board of Supervisors.

*The applicant, or representative, is encouraged to attend both related public hearings.

Application Checklist *(please submit with application)*

It is the responsibility of the applicant to gather all information and submit a complete rezoning application to the Rockingham County Department of Community Development. Applications can be mailed, dropped off in person, or [emailed](#).

- A completed and signed application (digital PDF preferred). *Multiple copies of the application signature sheets can be submitted to provide space for all landowners to sign.*
- A boundary map of the property, showing the metes and bounds description of the area to be rezoned. The submitted map cannot be larger than 11" x 17".
- If rezoning to a [Planned District](#), a [master plan and plan description](#) are required.
- If rezoning to a [Conventional District](#), a [statement of proffers](#) may be submitted.
- Required fee determined by the chart below. Checks should be made payable to "Rockingham County" and credit card payments are subject to a 2.5% convenience fee. **Total included fee:** \$650

Planned Development District Rezoning Request	
Fee	\$750 + \$25/acre
Amendments Involving a Public Hearing	\$750 + \$25/acre
Proffer Amendments Not Involving a Public Hearing	\$750
Conventional District Rezoning Request	
Agricultural (for agricultural uses)	\$150
Single – or Two-family Residential	\$525 + \$25/acre
Residential for More than Two Families	\$525 + \$25/acre
Commercial/Industrial	\$525 + \$25/acre
Other	\$525 + \$25/acre

Rezoning Application Form

Property Owner: Gregory Smith, Jeffrey Smith, Kevin Smith
Address: 294 Campbell St., Harrisonburg, VA 22801
Telephone: 540-820-0510 Email: jslevel663@gmail.com

Other Applicant Party (such as a contract purchaser) if applicable: Travis Lam
Address: 589 Willow Rose Dr. McGaheysville, VA 22840
Telephone: 540-820-5906 Email: Travis@lamsconstruction.com

Other Contact Person (such as a law or engineering firm) if applicable: Blackwell Engineering
Address: 566 East Market St. Harrisonburg, VA 22801
Telephone: 540-432-9555 Email: Ed@blackwellengineering.com

Application Contact: Travis Lam

Property Location: (N S E W) of (Road Name) W of Spotswood Trial (Route #) 33
approximately 830 feet miles/feet (N S E W) of (Road Name) N of Stone Spring Rd.
(Route #) 280 Election District #: Massanetta Springs Precinct

Property Tax Map Number(s): 125-(A)- L201, L202, L203, L204

Number of acres in rezoning request: 4.43 Current Zoning: A2 Proposed Zoning: R3

Indicate Method of:

Water Supply

- County Water
- City Water *
- Community System
- Well
- Cistern

Sewage Disposal

- County Sewer
- City Sewer *
- Community System
- Septic System
- Alternative: _____

* If City water and/or sewer are selected, applicant must have full approval by City & County prior to submitting this application.

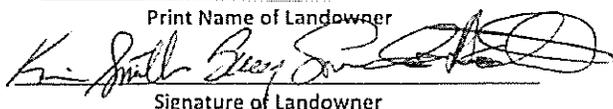
Please check attachments included:

For Conventional District Rezoning: A Statement of Proffers, in compliance with Section 17-1004.03 of Rockingham County's Zoning Ordinance, may be submitted with this form.

For Planned District Rezoning: A Master Plan and Plan Description, in compliance with Section 17-1004.04 of Rockingham County's Zoning Ordinance, shall be submitted with this form.

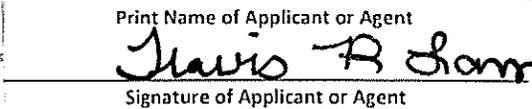
Kevin Smith, Greg Smith, Jeff Smith

Print Name of Landowner


Signature of Landowner

Travis Lam

Print Name of Applicant or Agent


Signature of Applicant or Agent

Rezoning Application Form

Property Owner: Bectin Propertis Lc
Address: 922 John Svier Rd, New Market, VA
Telephone: 540-421-3196 Email: LBomp30@Gmail.com

Other Applicant Party (such as a contract purchaser) if applicable: Travis Lam
Address: 589 Willow Rose Dr. McGaheysville, VA 22840
Telephone: 540-820-5906 Email: Travis@lamsconstruction.com

Other Contact Person (such as a law or engineering firm) if applicable: Blackwell Engineering
Address: 566 East Market St. Harrisonburg, VA 22801
Telephone: 540-432-9555 Email: Ed@blackwellengineering.com

Application Contact: Travis Lam

Property Location: (N S E W) of (Road Name) W of Spotswood Trial (Route #) 33
approximately 830 feet miles/feet (N S E W) of (Road Name) N of Stone Spring Rd.
(Route #) 280 Election District #: Massanetta Springs Precinct

Property Tax Map Number(s): 125-(A)- L201, L202, L203, L204

Number of acres in rezoning request: 4.43 Current Zoning: A2 Proposed Zoning: R3

Indicate Method of:

Water Supply

- County Water
- City Water *
- Community System
- Well
- Cistern

Sewage Disposal

- County Sewer
- City Sewer *
- Community System
- Septic System
- Alternative: _____

* If City water and/or sewer are selected, applicant must have full approval by City & County prior to submitting this application.

Please check attachments included:

- For Conventional District Rezoning: A Statement of Proffers, in compliance with Section 17-1004.03 of Rockingham County's Zoning Ordinance, may be submitted with this form.
- For Planned District Rezoning: A Master Plan and Plan Description, in compliance with Section 17-1004.04 of Rockingham County's Zoning Ordinance, shall be submitted with this form.

Bectin Properties, LLC Larry A. Bompiani

Print Name of Landowner

Larry A. Bompiani
Signature of Landowner

Travis Lam

Print Name of Applicant or Agent

Travis A. Lam
Signature of Applicant or Agent

Guide: Statement of Proffer for Conventional Zoning Districts *(if applicable)*

The Rockingham County Zoning Ordinance allows applicants for [Conventional District](#) rezoning to offer a statement of proffers (conditions) to be placed on the land as a part of the rezoning application. If approved by the Board of Supervisors, such proffers shall become legally binding regulations applying to the land rezoned in addition to existing zoning regulations. The existence of such proffers will be notated on the County's zoning map and will apply to the land, regardless of changes in ownership, unless or until the proffers are changed through a future ordinance amendment process.

Reference [Section 17-1004.03](#) of the Zoning Ordinance located on the County's website for more information and formatting requirements.

Guide: Master Plan & Plan Description for Planned Zoning Districts *(required)*

The Rockingham County Zoning Ordinance requires [Planned District](#) rezoning applications to include a master plan and plan description. The master plan, plan description, and any demonstrative materials submitted with the application will become part of the record of the hearing on the application and become legally binding elements of the zoning ordinance and map if the rezoning is approved by the Board of Supervisors. A separate statement of proffers are not a component of a Planned District rezoning.

Master plan and plan description shall include the following information as a minimum:

1. A vicinity map at a scale of not less than one (1) inch equal to one thousand (1,000) feet showing surrounding properties, surrounding public streets, and private roads.
2. An accurate boundary survey of the tract.
3. An existing conditions map(s) showing elements specified in Section 17-1004-04.
4. A master plan showing elements specified in Section 17-1004-04.
5. A plan description, to include a summary of design elements such as lot characteristics, building heights, and common area characteristics, and to convey any items required above which cannot be effectively illustrated with images.

Reference [Section 17-1004.04](#) of the Zoning Ordinance located on the County's website for more information and requirements.