



**CITY OF WAYNESBORO, VIRGINIA  
STAFF REPORT  
REZONING  
ZMA 21-009  
July 20, 2021; Amended 9/13/2021**

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**SUMMARY SHEET**

<b><i>Applicant:</i></b>	Jacob Turner
<b><i>Address/Legal Description:</i></b>	1040 Reservoir Street Waynesboro, VA 22980
<b><i>Total Acreage:</i></b>	43,000 square feet (200X215) or 0.987 acres
<b><i>Tax Map Number:</i></b>	47-1-215-5
<b><i>Real Estate Owner of Record:</i></b>	Jacob Turner PO Box 348 Ivy, VA 22945
<b><i>Current Zoning:</i></b>	RG-5 General Residential
<b><i>Proposed Zoning:</i></b>	R-MF Multifamily Residential
<b><i>Comprehensive Plan Designation:</i></b>	Medium Density Residential
<b><i>Attachments:</i></b>	1. Site photos 2. Site plan 3. Application
<b><i>Flood Plain:</i></b>	No
<b><i>Enterprise Zone:</i></b>	No
<b><i>Action Requested:</i></b>	Rezone the property from RG-5 General Residential to R-MF Multifamily Residential
<b><i>Authorizing City Code Section(s):</i></b>	City Zoning Ordinance Section 7.4.
<b><i>Summary Recommendations:</i></b>	City staff does not recommend approval of this rezoning.

### **1. Nature of Request**

The applicant, Jacob Turner, has requested a rezoning of a 0.987-acre property located at 1040 Reservoir Street, city tax map number 47-1-215-5, from RG-5 (General Residential) to R-MF (Multifamily Residential). Discussions with the applicant have indicated that he wishes to demolish the current structure, built in 1903 and currently in poor condition, and build 15 townhomes on the parcel (though they would be considered multifamily structures under the City code). Under the parcel's current zoning, the applicant could tear down the existing house and build a maximum of 7-8 townhomes.

### **2. Background**

The parcel is located at 1040 Reservoir Street across from Fairfax Hall in a mixed low to medium density residential neighborhood. The existing house had been most recently been split into apartments, but is now vacant and in poor condition. While it is a large brick house over a century old, the home is not a historic landmark and the owner does not need approval from the City to demolish it.

**Surrounding Land Use (see vicinity map)**

East: Single-family residences on Reservoir Street

West: Single-family residences, a 12-unit apartment building, and a quadplex on Reservoir Street at Winchester Avenue

North: Fairfax Hall

South: Single-family residences on Woodland Circle



The City’s GIS system currently shows an unimproved alley bisecting the property. This alley was closed by City ordinance without a plat and is owned by the applicant, whose parcels have since been replatted to extend all the way from Reservoir Street to the back of the property.

**3. Zoning Requirements**

As noted, the subject property is zoned RG-5 (General Residential). This district was established to provide for multiple residential uses, including single-family detached dwellings, two-family houses, townhouses, and multiplexes compatible with traditional residential neighborhoods. The majority of the properties in the vicinity are zoned RG-5.

Under the property’s current zoning, the applicant could construct a maximum of 7-8 townhomes (depending on layout and surveyed dimensions) fronting on Reservoir Street. The applicant could also construct or rehabilitate two to three multiplex structures fronting on Reservoir Street. All housing types allowed in the RG-5 District must front on an improved public street, which would make it impossible for the applicant to fit in additional units even if a higher density was allowed.

The R-MF (Multifamily Residential) district was established to accommodate multifamily living in a higher density residential environment with due attention to existing uses, the character and suitability of designated areas, and the trends of growth and changes in the housing market.

If rezoned to R-MF, the applicant could construct multifamily buildings at a maximum density of 20 units per acre. The applicant could also develop a multifamily complex on a single lot, with some units being



### ***Access and Traffic***

Reservoir Street is a residential collector street without curb and gutter. It serves as the primary access point for several hundred homes on the east side of the City. Reservoir Street is 26 feet wide, narrower than most older streets in the City but consistent with the City's current ordinance. This is the same width as the streets in the recently approved Creekwood Village and Quesenbury subdivisions.

A rezoning of the subject property to R-MF would allow for a small increase in the volume of traffic on the road. However, staff do not believe this increase would be significant enough to warrant a traffic study or to be a major factor in evaluating this application.

Reservoir Street also has no sidewalks or other pedestrian accommodations and is not walkable to the City center. Higher density apartments and multifamily uses tend to create pedestrian traffic and are most appropriate in walkable areas close to the center of the City. Staff do not believe this location is currently ideal for more intense development beyond what is allowed by the RG-5 zone.

### ***Utilities***

All necessary utilities are present in this location, including a fire hydrant immediately adjacent to the property.

### ***Site plan requirements***

The application does not include a proffered site plan, thus all images and plans discussed with the applicant should be considered to be conceptual. Once rezoned, the property may be developed as the applicant sees fit so long as it meets the standards in City code for by-right development. These include:

- Construction of a sidewalk across the frontage of the property along Reservoir
- No surface parking between the buildings and the street
- A Class B buffer (15 foot wide strip planted with trees and shrubs) along the border of any properties zoned RG-5.

## **6. Conclusion and Staff Recommendation**

Staff did not recommend approval of this rezoning request as submitted.

This location would not be inappropriate for some additional development. The absence of pedestrian facilities is an issue, but more intense use of the site would not create a problem for car traffic, water, or sewer. Fairfax Hall across the street is a large apartment building and is also zoned R-MF.

However, Fairfax Hall is a unique property and not one that suggests a general trend towards high density development here. The comprehensive plan and the area's current zoning already allow for medium density housing, with the possibility of 7-8 townhomes or several multiplexes, a significant increase given the area is currently dominated by single-family homes. This increase is consistent with what could be built across the area. Rezoning to R-MF, which allows for up to 20 units per acre, would create a large disparity between the density of this parcel and its neighbors and draw multi-family development that would be more appropriate in the City center. Some new development could be helpful for the area so long as it is attractive and durable, but the applicant has not proffered any commitments to a particular plan of development.

## 7. Addendum: Proffers and Planning Commission

After considering this application at its July and August meetings, Planning Commission tabled the issue to allow the applicant more time to adjust the proposal and provide proffers. Planning Commission then voted 4-3 to recommend approval of this rezoning. Planning Commissioners cited a number of concerns, but felt that the rezoning was not inappropriate for the area, that new construction would benefit the surrounding neighborhood, and that it would contribute to overall housing affordability in the City.

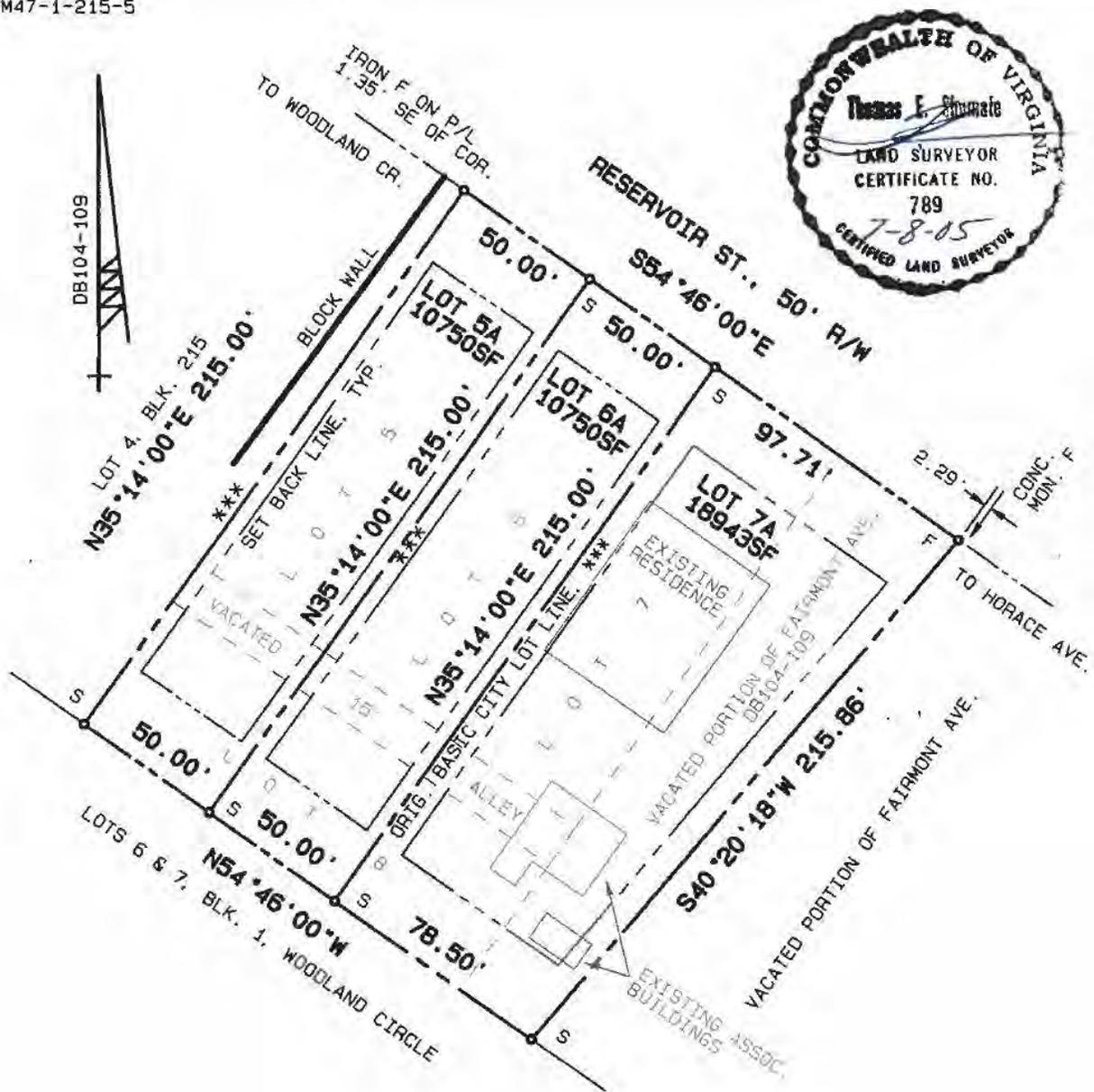
The applicant presented Planning Commission with a number of proffers, which were later amended orally during discussion. The applicant will need to present definitive language in a signed proffer letter, but these are the items that were discussed:

- a. No more than 15 dwelling units will be developed on the property (the rezoning would allow for up to 20)
- b. A landscaping buffer would be installed at the property edge. The City's zoning ordinance would actually require a Class B landscape buffer because the property borders a less intense zone. This is a 15-foot wide buffer with landscaped trees and shrubs. Staff feel this is sufficient for the project's aims.
- c. Comfortable and safe outdoor spaces will be provided for each dwelling unit. The applicant committed at Planning Commission to constructing rooftop terraces on each unit.
- d. All buildings shall use attractive materials that improve the quality of housing in the neighborhood. The applicant mentioned brick and hardie plank during the discussion and mentioned not wanting to use vinyl siding.

Planning Commission voted to recommend approval on the basis of these proffers, however the proffers can be adjusted prior to Council's introduction of an ordinance.

cc: Jacob Turner, applicant  
D. James Shaw II, Deputy City Manager  
Todd Wood, City Engineer  
Laura Martin, Zoning Administrator





Excerpt of 2005 Shumate plat showing the vacated alley, with lots extended to the rear of the properties on Woodland Circle.