

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING THE PROFFERED CONDITIONS PREVIOUSLY ADOPTED WITH THE REZONING OF THE PROPERTIES LOCATED AT 1220 HARRISON CREEK BLVD, TP# 040030805, 1225 HARRISON CREEK BLVD, TP# 040030806, AND 1255 HARRISON CREEK BLVD, TP# 040030807

WHEREAS, the City of Peterburg received a request from PBFL, LLC represented by C. Burton Cutright, to amend the proffered conditions previously adopted with the rezoning of the properties located at 1220 Harrison Creek Blvd, TP# 040030805, 1225 Harrison Creek Blvd, TP# 040030806, And 1255 Harrison Creek Blvd, TP# 040030807; and

WHEREAS, the City Council adopted 08-ORD-20 in 2008 approving the Planned Unit Development (PUD) with proffered conditions, to permit multi-family residential, commercial, office space and recreational spaces; and

WHEREAS, the subject property was previously rezoned from M-1, Light Industrial District, with conditions, to PUD, with proffered conditions, to permit a Planned Unit Development to be known as Harrison Creek, on a 36.216+/- acre parcel of land addressed as 2470 County Drive, further identified as Tax Parcel 040-03-0801; and

WHEREAS, the proposal included Office/Retail (3.97+/- acres); a Commercial MiniStorage site (2.02+/- acres); Community Center/Pool, Multi-Family residential complex, containing 336 dwelling units within fifteen (15) structures on 28.47+/- acres; and

WHEREAS, the developers completed the construction of the multi-family dwellings with the Community Center/Pool which is now known as "Acqua Luxury Apartments" and addressed as 1200 Harrison Creek Boulevard; and

WHEREAS, in 2021, the Petitioner initially proposed an amendment to the proffered conditions to allow the construction of 62 single-family detached rental homes on 6.25 +/- acres of land located along Harrison Creek Blvd between Route 460 and Aqua Luxury Apartments; and

WHEREAS, in 2022, the Developer submitted an amended development plan and proposed amendment to the proffered conditions that replaces the cottage-style residential units with structures like those in the existing Multi-Family development; and

WHEREAS, the proposed new development would include the construction of five (5) structures with a total of 120 new units, including 60 1-bedroom units and 60 2-bedroom units, and the new residents will have access to the amenities and facilities of the existing Aqua apartment community; and

WHEREAS, the subject property is approximately 272,990.52 sq. ft. and has a public street frontage of approximately 261.06 feet, and the density of allowed development shall be controlled by zoning conditions and ordinance standards; and

WHEREAS, adjacent properties located along County Drive are zoned B-2, General Commercial, R-1A and R-1, Single-Family Residence District, and M-1, Light Industrial District; and

WHEREAS, the 2014 Comprehensive Plan Future Land Use Plan designates the subject property as commercial and industrial use; and

WHEREAS, both commercial and residential uses front along US 460, County Drive; and

WHEREAS, the proposed amendment to the proffered conditions will allow for the development of currently vacant parcels of land; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, the Planning Commission held a public hearing on November 4, 2021 and considered a resolution recommending approval of the amendment to the proffered conditions, and the public hearing was advertised, in accordance with applicable laws; and

WHEREAS, the Planning Commission voted to recommend approval of the petition to amend the proffered conditions; and

WHEREAS, the City Council subsequently considered the petition and referred it back to the Planning Commission; and

WHEREAS, the Planning Commission considered the petition during the January 20, 2022 meeting, and the Commission asked about the impact of the proposed change on the sewer system capacity; and

WHEREAS, the Interim Director of Public Works at the time stated that while the water/sewer system we have today could support this development, it would then limit future development in the area; and

WHEREAS, the Commission voted to adopt a resolution recommending denial of the petition; and

WHEREAS, The Developer requested that the item be presented to the City Council for consideration on December 13, 2022; and

WHEREAS, in 2022, the Petitioner submitted an amended development plan and proposed amendment to the proffered conditions that replaces the proposed cottage-style residential units with structures like those in the existing development, to include the construction of five (5) structures with a total of 120 new units, with 60 1-bedroom units and 60 2-bedroom units.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Petersburg recommends approval of an ordinance approving an amendment to the proffers approved with the rezoning of the properties 1220 Harrison Creek Blvd, TP# 040030805, 1225 Harrison Creek Blvd, TP# 040030806, and 1255 Harrison Creek Blvd, TP# 040030807, as indicated in (Exhibit A).