



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: March 26, 2024 (Regular Meeting)
Re: Rezoning – 705 & 707 North Main Street (M-1 to B-1C)

Summary:

Project name	N/A
Address/Location	705 and 707 North Main Street
Tax Map Parcels	Portion of 40-T-8
Total Land Area	+/- 2,338-square foot portion of a +/- 20,300-square foot parcel
Property Owner	Edwin Joya
Owner's Representative	N/A
Present Zoning	M-1, General Industrial District
Proposed Zoning	B-1C, Central Business District Conditional
Staff Recommendation	Approval
Planning Commission Recommendation	February 14, 2024 (Public Hearing) Approval (6-0)
City Council	March 26, 2024 (First Reading/Public Hearing) Anticipated April 9, 2024 (Second Reading)

Background:

The following land uses are located on and adjacent to the property:

Site: Illegal residential dwelling (on portion of parcel requested for rezoning), zoned M-1

North: Automotive sales (on the portion of the parcel not part of the rezoning request), zoned M-1

East: Single-family detached dwelling, zoned M-1C (Note: this property is under consideration for rezoning to B-1C and is scheduled for public hearing at City Council on February 13, 2024)

South: Across North Main Street, automotive sales and repair, zoned M-1

West: Automotive sales (on the portion of the parcel not part of the rezoning request),

In 2015, City Council approved rezoning the subject property from R-2, Residential District to M-1, General Industrial District. There were no proffers associated with the 2015 rezoning. The minutes of the 2015 rezoning reflect that staff communicated that residential uses on the property would no longer be allowed once the property was rezoned to M-1.

In August 2023, Building Inspections staff observed that a deck had been constructed on the rear of the building addressed as 707 North Main Street without building permits and informed the applicant that they would have to apply for building permits. While reviewing the building permit, Zoning staff learned that the first level of the building was being used for storage while the second level of building was being used as a residence. Staff met with the applicant to discuss options for correcting the illegal residential use violation. The applicant decided to pursue rezoning a portion of the property to B-1, where residential uses are allowed by right. Note that the work without permit violation for the deck is still open and waiting for zoning violations to be resolved before the building permits can be issued.

Key Issues:

The applicant is proposing to rezone a +/- 2,338-square foot portion of a +/- 20,300-square foot parcel from M-1, General Industrial District to B-1C, Central Business District Conditional. The parcel is addressed as 705 and 707 North Main Street and is identified as tax map parcel 40-T-8. If the rezoning request is approved, the applicant plans to convert the building addressed as 707 North Main Street into a duplex with dwellings on each level.

Note that the applicant does not intend to subdivide the property to create a new parcel, but that if the rezoning is approved, the parcel will be split-zoned with a portion zoned M-1 and a portion zoned B-1C.

Proffers

The applicant has offered the following proffers (written verbatim):

1. All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
2. Drive-through facilities are prohibited.
3. No parking lot (including travel lanes and drive aisles) shall be located between any building and North Main Street.

Land Use

The Comprehensive Plan designates this site as Mixed Use and states:

The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic

placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for “live-work” and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. 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.

Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses. The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

The Downtown 2040 Plan identifies the northern boundary of the Downtown Study Area as the intersection of West Washington Street and North Main Street. Although the subject property is outside of what is generally considered downtown, the property is located along a gateway into downtown and is within the North Main Street Corridor Enhancement Area identified in the Comprehensive Plan. The uses and design of this corridor should be taken into consideration while fostering this transition area.

As noted above, the property is designated as Mixed Use in the Comprehensive Plan, which, among other things, is a designation that promotes “live-work” environments and traditional neighborhood development (TND). The Mixed Use designation description refers to TND, which is explained further in the Comprehensive Plan on page 6-9, and includes promoting walking, biking, and taking public transit. Proffers #2 and #3 promote pedestrian friendly design by prohibiting drive-throughs and restricting vehicle parking areas and drive isles from being located between buildings and the public street. Note that the B-1 district has no off-street parking requirements.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed rezoning is attached. The TIA determination form indicated that the project would not generate 100 or more new peak hour trips, which is the threshold for staff to require a TIA. Therefore, a traffic impact analysis (TIA) was not required for the rezoning request.

Public Water and Sanitary Sewer

Staff has no concerns with the requested rezoning regarding water and sewer matters.

Housing Study

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D. “[This market type] has lower market activity as well as lower access to amenities. This could be because the areas are stable residential neighborhoods or because the area is

less developed and therefore has fewer sales and fewer amenities. Strategies that would be appropriate in the latter case include concurrent development of the housing and economic opportunities through mixed-use developments to build commerce and housing centers across the City.”

Public Schools

The student generation attributed to the proposed two residential units is estimated to be one student. Based on the School Board’s current adopted attendance boundaries, Waterman Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted that schools are over capacity in three of the six elementary schools. Note that the City has been planning for the purchase of land for a 7th elementary school for a number of years as such a project continues to be listed in the City’s Capital Improvement Program.

Recommendation

With the proposed proffers, staff believes that the request is in conformance with the Comprehensive Plan and recommends approval of the rezoning request.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the rezoning request; or
- (b) Deny the rezoning request.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission’s public hearing and twice advertising for City Council’s public hearing. The advertisement was published as shown below:

Rezoning – 705 & 707 North Main Street (M-1 to B-1C)

Public hearing to consider a request from Edwin E Joya to rezone a +/- 2,338-square foot portion of a +/- 20,300-square foot parcel from M-1, General Industrial District to B-1C, Central Business District Conditional. The parcel is addressed as 705 and 707 North Main Street and is identified as tax map parcel 40-T-8.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City’s website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends alternative (a) approval of the rezoning request.

Attachments:

1. Extract from Planning Commission
2. Site maps
3. Application and supporting documents

Review:

Planning Commission recommended approval (6-0) of the rezoning request. (Chair Finnegan was absent.)