



# City of Harrisonburg, Virginia

## Department of Planning & Community Development

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Building Inspections  
Engineering  
Planning & Zoning

To: Eric Campbell, City Manager  
From: Adam Fletcher, Director – Department of Planning and Community Development; and  
Harrisonburg Planning Commission  
Date: November 13, 2018  
Re: Rezoning – 1353 and 1361 North Main Street (B-2C and R-2 to B-2C)

### **Summary:**

Public hearing to consider a request from the Harrisonburg-Rockingham Community Services Board and Richard L. & Betty K. Sampson with representative Harrisonburg-Rockingham Community Services Board to rezone a 0.46 +/- acre portion of a 2.96 +/- acre parcel from B-2C, General Business District Conditional to B-2C, General Business District Conditional by removing existing proffers, and to rezone a 1.56 +/- acre parcel from R-2, Residential District to B-2C, General Business District Conditional. The two parcels are located at 1353 and 1361 North Main Street and are identified as tax map parcels 42-B-3 and 42-B-5, respectively.

### **Background:**

There are two separate Comprehensive Plan Land Use Guide designations for the subject sites. The 2.96 +/- acre property is designated Public/Semi-Public, while the 1.56 +/- acre parcel is designated Commercial. The Public/Semi-Public designation states that these lands are designated for public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia, the federal government, the City of Harrisonburg, and other governmental organizations. Examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities. The Commercial designation states that these areas include uses for retail, office, wholesale, or service functions. These areas are generally found along the City's major travel corridors.

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

- Site:** Single-family detached dwelling, zoned R-2; Harrisonburg-Rockingham Community Services Board offices, zoned B-2C
- North:** Professional office, zoned B-2C; single-family detached dwellings, zoned R-2
- East:** Across North Main Street, nonconforming dwelling unit, zoned M-1; townhomes zoned R-4
- South:** Harrisonburg-Rockingham Community Services Board offices, zoned B-2
- West:** Harrisonburg-Rockingham Community Services Board offices, zoned B-2; across Boulevard Avenue, undeveloped areas used for storage of equipment and materials, zoned M-1

**Key Issues:**

The applicant, Harrisonburg-Rockingham Community Services Board (HRCSB), is requesting to rezone 2.02 +/- acres of property from R-2 and B-2C to B-2C. The subject parcels are located along the western side of North Main Street, approximately 350-feet south of its intersection with Wilson Avenue. The 1.56 +/- acre parcel addressed as 1361 North Main Street and identified as TM 42-B-5 contains a single-family detached home and the 0.46 +/- acre portion of the parcel addressed as 1353 North Main Street and identified as TM 42-B-3 has a building, known as the Arbor House, that is part of the HRCSB campus. If this request to rezone the properties to B-2C is approved, then nontransient residential uses would not be permitted.

The HRCSB has been planning to redevelop their existing site on TM 42-B-2 and TM 42-B-3 for some time now. A conceptual site plan of the proposed new campus is included within this packet. If the rezoning request is approved for TM 42-B-5, then HRCSB will purchase the property to better accommodate the placement of the “New CSB Building” and provide additional parking for clients, staff, and agency vehicles. In other words, the new building’s location and configuration could move with the purchase of the additional land. In the short term, HRCSB explains in their letter that they plan to use the existing structure on TM 42-B-5 for office space. HRCSB staff are aware that the structure will need to comply with Building Code requirements for the change of use from residential to commercial. HRCSB staff have also been made aware that depending on the extent of the renovations planned to the existing structure and property, frontage improvements on North Main Street could be required. Staff will review future building renovation plans to ensure that all applicable zoning, site design, and building code requirements are met.

In 2010, the 0.46 +/- portion of what is recognized today as part of TM 42-B-3 was its own standalone parcel; formerly identified as TM 42-B-4. (Later that year, staff approved HRCSB’s application for a minor subdivision that vacated the property line between TM 42-B-3 and TM 42-B-4, which is why there is no longer a parcel identified as TM 42-B-4.) City Council approved HRCSB’s request to amend proffers for the then 0.46 +/- acre parcel. All uses permitted by right in the B-2 district were granted so that HRCSB could operate a Residential Crisis Stabilization (RCS) program in what is now known as Arbor House. Arbor House is a short-term residential program providing support and stabilization for adults 18 years old and over who are experiencing an acute mental health crisis. This program is also an alternative for some people to inpatient hospitalization or a transition from the hospital to home. The proffer amendment was necessary as the previously existing proffers did not allow hotels, motels, and similar transient accommodations. At the time, HRCSB submitted one proffer with their request, which included erecting a privacy fence that would extend from the front, right corner of the existing single-family structure (viewed from North Main Street), and then turn northwestward and ultimately connect with the privacy fence that already stands on their property. The intent of this was to provide separation between the HRCSB and the residential property to the north. However, since CSB is now seeking to purchase the property to the north, staff suggested that they also request removal of the fence proffer.

With this request, the applicant has proffered the following (written verbatim):

In connection with the rezoning request for the property located at 1361 North Main Street (TM 42-B-5) and the 0.46 +/- acre portion of 1353 North Main Street (TM 42-B-3) the following permitted uses are hereby proffered:

1. Mercantile establishments which promote the show, sale and rental of goods, personal service establishments, restaurants and other shops and stores customary to shopping centers and convenience outlets.
2. Governmental, business and professional offices and financial institutions.
3. Hotels, motels and similar types of transient accommodations. Nontransient housing facilities are not permitted nor may existing housing facilities be expanded.
4. Theaters, community rooms, museums and galleries and other places of assembly for the purpose of entertainment or education. In addition, customary recreational and leisure-time activities which are compatible with surrounding uses are permitted.
5. Religious, educational, charitable or benevolent institutional uses which do not provide housing facilities.
6. General service or repair shops permitted by right in the B-1 Central Business district but without the limitation as to the number of employees.
7. Pet shop or pet grooming establishment and animal hospitals.
8. Radio and television stations and studios or recording studios.
9. Public utilities, public service or public transportation uses or buildings, generating, purification or treatment plants, water storage tanks, pumping or regulator stations, telephone exchange and transformer or substations.
10. Warehousing and other storage facilities with floor area limited to twenty thousand (20,000) square feet, which are contiguous to permitted uses in this district.
11. Public and privately owned parking lots and parking garages.
12. Accessory buildings and uses customarily incidental to any of the above listed uses.
13. Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than fifteen (15) percent of the gross floor area in the assembling or processing of products. Any assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
14. Plant nurseries, greenhouses, landscaping businesses, and similar operations provided any outside storage of material, other than plants, must be screened.
15. Public uses.
16. Concealed wireless telecommunications facilities, industrial microcells, distributed antenna systems, and macrocells. Telecommunications towers are permitted only by special use permit. Wireless telecommunications facilities are further regulated by article CC.

Special use permits shall be permitted as approved by City Council.

Uses such as vehicle sales, vehicle repair businesses, and gas stations have been excluded. All special uses are still allowed as they would require further evaluation, public hearings, and approval by City Council.

The Comprehensive Plan's Land Use Guide designation for the western side of the North Main Street corridor is Commercial—meaning a rezoning to B-2 would be more conforming with the City's current long-term goals for this area. The eastern side of North Main Street is designated as Planned Business, which are areas suitable for commercial development but need careful controls to ensure compatibility with adjacent land uses. Currently, there are a variety of different zoning classifications and uses in the immediate area. To the north of the subject properties is a property that was recently rezoned by Nancy Pinzon from R-2 to B-2C in August 2018. Other uses along this corridor include single-family

dwellings, businesses offices, a landscaping business, automobile sales, and vacant land. A new Dollar General Store is currently under construction just south of Tyco Street on North Main Street as well.

Staff believes the requested rezoning, with the listed proffers, aligns with the Comprehensive Land Use Guide designation of Commercial, while the proffers eliminate some of the more intensive vehicular uses that may not be desirable for the North Main Street corridor.

Staff recommends approving the conditional rezoning as requested by the applicant.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Recommend approval of the conditional rezoning request as submitted; or
- (b) Recommend denial of the 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 – 1353 and 1361 North Main Street (B-2C and R-2 to B-2C)*

Public hearing to consider a request from the Harrisonburg-Rockingham Community Services Board and Richard L. & Betty K. Sampson with representative Harrisonburg-Rockingham Community Services Board to rezone a 0.46 +/- acre portion of a 2.96 +/- acre parcel from B-2C, General Business District Conditional to B-2C, General Business District Conditional by removing existing proffers, and to rezone a 1.56 +/- acre parcel from R-2, Residential District to B-2C, General Business District Conditional. The Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and duplex residential development. The residential density ranges for R-2 are single-family, 7,000 sq. ft. minimum and duplex, 5,500 sq. ft/unit. The B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. No minimum lot size restrictions exist in the B-2, General Business District. There are two separate Comprehensive Plan Land Use Guide designations for the subject sites. The 2.96 +/- acre property is designated Public/Semi-Public, while the 1.56 +/- acre parcel is designated Commercial. The Public/Semi-Public designation states that these lands are designated for public and semi-public use. They include lands owned or leased by the Commonwealth of Virginia, the federal government, the City of Harrisonburg, and other governmental organizations. Examples of uses included in this category are public schools, libraries, City Hall and City administrative and support facilities. The Commercial designation states that these areas include uses for retail, office, wholesale, or service functions. These areas are generally found along the City's major travel corridors. The two parcels are located at 1353 and 1361 North Main Street and are identified as tax map parcels 42-B-3 and 42-B-5, respectively.

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) to recommend approval of the rezoning request as submitted.

**Attachments:**

1. Extract (4 pages)
2. Site maps (2 pages)
3. Application, applicant letter, and supporting documents (16 pages)

**Review:**

Planning Commission recommended (7-0) alternative (a) to recommend approval of the rezoning request as submitted.