



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Planning Commission
From: Department of Community Development
Date: May 8, 2024 (Regular Meeting)
Re: Rezoning – 979 Roberts Court (Amend Brookside Park Master Plan)

Summary:

Project name	Brookside Park
Address/Location	979 Roberts Court
Tax Map Parcels	40-B-68
Total Land Area	+/- 6,608-square feet
Property Owner	Mehre Tu Zeray Tekle and Rahel Yosief Hailu
Owner's Representative	N/A
Present Zoning	R-7, Medium Density Mixed Residential Planned Community
Proposed Zoning	R-7, Medium Density Mixed Residential Planned Community (Master Plan Amendment)
Staff Recommendation	Approval
Planning Commission	May 8, 2024 (Public Hearing)
City Council	Anticipated June 11, 2024 (First Reading/Public Hearing) Anticipated June 25, 2024 (Second Reading)

Background:

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

Site: Duplex unit, zoned R-7

North: Across Suter Street, vacant parcels, zoned M-1

East: Across Roberts Court, duplexes, zoned R-7

South: Duplex unit, zoned R-7

West: Industrial uses, zoned M-1

What is an R-7 Development?

The R-7 zoning district is intended to provide opportunities for the development of planned residential communities offering a mix of single-family detached units, single-family attached units, and in certain circumstances, multi-family units. R-7 communities are developed under an approved master plan that

incorporates regulatory text for the communities. Aside from particular provisions of the Zoning Ordinance (ZO) that must be met, the approved master plan is the “zoning” by which the development must abide. The R-7 zoning district requires a minimum of two contiguous acres at the time of application, a minimum of 15 percent open/green space, and at least two types of residential housing types, where no one type can exceed 70 percent of all residential units. Maximum density is limited to 15 units per acre.

To date, the City has five R-7 master planned communities:

- Brookside Park located at Roberts Court, Drake Lane, and Suter Street, rezoned to R-7 in 2006, and then amended in 2007 and in 2011;
- The Quarry located along Linda Lane and Smithland Road, rezoned to R-7 in 2007;
- Collicello North located along Collicello Street north of 5th Street, rezoned to R-7 in 2013;
- The Village at Chicago Park located along Saturday Drive, which is off of Chicago Avenue, rezoned to R-7 in 2014; and
- Bluestone Town Center located along Garbers Church Road and Erickson Avenue, rezoned to R-7 in February 2023.

The subject parcel is part of the Brookside Park subdivision, a +/- 7.11-acre site rezoned in June 2006 from the R-2, Residential District and R-2C, Residential District Conditional to R-7, Medium Density Mixed Residential Planned Community. The R-7 approved master plan consisted of 35 building lots and a +/- 1.44-acre parcel set aside for a park. The applicant received preliminary plat approval in September 2006 and final plat approval in June 2007. All building lots front along public streets including Roberts Court, Drake Lane, and Suter Street. The engineered comprehensive site plan was approved in April 2007, and the first building permits were approved in the summer of 2007. In October 2007 and October 2011, amendments were approved to revise the Brookside Park master plan. The 2006 master plan and amendments are attached.

Key Issues:

The current request is to amend the master plan by creating exceptions, or alternative regulations, for one parcel identified as tax map parcel 40-B-68 and addressed as 979 Roberts Court. If the master plan amendment is approved, the applicant plans to add an addition to the building to expand the kitchen and living room areas for their family.

A master plan amendment of this type is permitted by Section 10-3-57.6 (l), which states: “The master development plan may be amended solely for a parcel(s) upon application by that parcel's owner, through a zoning map amendment process, subject to determination by the city council that the proposed use and development plan meets all of the requirements of the original master development plan to an equivalent degree in terms of meeting the purposes of the district and protecting the public health, safety, and welfare.”

Master Plan Amendment

Among other things, the Brookside Park Master Plan specifies allowing three different housing styles, including: courtyard homes, single family residential, and duplexes. For each housing style the Master Plan identifies the minimum lot area requirements as well as the minimum required setbacks. Furthermore, the Master Plan requires specific housing types for the courtyard and single family residential homes and a different set of housing types for the duplexes. Each of the housing types have specific dimensions and square footages for the structure.

In this case, the applicant owns one side of a duplex parcel and is proposing to reduce the required setback along Suter Street from 20 feet to 10 feet and to eliminate the required housing style for their parcel. As noted above, the applicant would like to build an addition to enlarge their kitchen and living room. In order to do so, they need the reduction in the required setback along Suter Street and because the home will be enlarged, they must amend (or in this case eliminate) the specific housing type for their duplex unit.

One last amendment is a more restrictive regulation. Since the applicant desires to enlarge their home to a size greater than the dimensions listed in the house types section of the Master Plan, staff suggested to the applicant that they limit their front yard to a 40-foot minimum setback along Roberts Court. This restriction would make it so that the home at 979 Roberts Court could not build any closer to the street and would maintain a similar front setback to other buildings along the street. The existing structure is 40-feet away from the front property line along Roberts Court.

No other changes are proposed to the master plan.

Land Use

The Comprehensive Plan designates this site as Medium Density Mixed Residential and states:

These areas have been developed or are planned for small-lot single-family detached and single-family attached (duplexes and townhomes) neighborhoods, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Mixed-use buildings containing residential and non-residential uses and multi-family dwellings could be appropriate under special circumstances. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. Like the Low Density Mixed Residential designation, the intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas could be around 20 dwelling units per acre. 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.

Transportation and Traffic

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, which notes that "[m]arket type D 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

If the rezoning is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero. 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 on this property.

Recommendation

Staff finds no significant adverse effects on the surrounding properties and believes the request meets all the requirements of the original master plan development to an equivalent degree in terms of meeting the purposes of the district and protecting the health, safety, and welfare. Staff recommends approval of the master plan amendment as submitted by the applicant.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the master plan amendment (rezoning) request; or
- (b) Recommend denial of the master plan amendment (rezoning) request.

Community Engagement:

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

Rezoning – 979 Roberts Court (Amend Brookside Park Master Plan)

Public hearing to consider a request from Mehre Tu Zeray Tekle and Rahel Yosief Hailu for a rezoning to amend the Brookside Park Master Plan to create exceptions to lot dimension, setback, and house type requirements for a +/- 6,608-square foot parcel addressed as 979 Roberts Court and identified as tax map parcel 40-B-68. The parcel and the Brookside Park subdivision are zoned R-7, Medium Density Mixed Residential Planned Community.

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 master plan amendment (rezoning) request.

Attachments:

1. Site maps
2. Application and supporting documents
3. 2006 Brookside Master Plan, and 2007 and 2011 Amendments

Review:

N/A