



City of Harrisonburg, Virginia

Department of Planning & Community Development
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To: Kurt Hodgen, City Manager
From: Planning Commission;
Adam Fletcher, Director of Planning and Community Development
Date: February 1, 2016
Re: Special Use Permit Request, 680 North Liberty Street, Tax Map 40-W-10

Summary: Consider a request from Astroverto Arellano and Juan J. Arellano for a special use permit per Section 10-3-40 (7) of the Zoning Ordinance within the R-2, Residential District, to allow occupancy of not more than four (4) persons on the property addressed as 680 North Liberty Street.

Background: The Comprehensive Plan designates this area as Mixed Use Development. This designation includes both existing and proposed new mixed use areas. These areas are intended to combine residential and non-residential uses in planned neighborhoods where the different uses are finely mixed instead of separated. These areas are prime candidates for “live-work” and traditional neighborhood developments. Live-work developments combine residential and office/service uses allowing people to both live and work in the same area, which could be combined in the same building or on the same street. The gross residential density in areas outside downtown should not exceed an average of 15 units per acre, though all types of residential units are permitted: single family detached, single family attached and apartments. Apartments are permitted only if single family detached and/or attached units are also provided and together cover a greater percentage of the project site. Residential densities in downtown may be higher than an average of 15 units per acre, and 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.

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

Site: Single-family dwelling, zoned R-2
North: Single-family dwellings, zoned R-2
East: Single-family dwelling and industrial uses (George’s Food LLC), zoned M-1
South: Vacant lots and multi-tenant dwelling, zoned R-2
West: Across North Liberty Street, single-family and multi-family dwellings, zoned R-2

Key Issues: The applicants are requesting a special use permit (SUP) per Section 10-3-40 (7) of the Zoning Ordinance to allow occupancy of up to four persons within a single-family detached dwelling, zoned R-2, Residential District, located in the 600 block of North Liberty Street. The property is located on the east side of North Liberty Street between Kratzer Avenue and West Washington Street. If approved, one off-street parking space per tenant must be provided.

The R-2 zoning district shares the same occupancy restrictions as the R-1, Single Family Residential District. Owner-occupied single-family dwellings may include rental of space for occupancy by not more than two persons. Nonowner-occupied single-family dwellings may include rental of space for occupancy by not more than one person. In other words, when a unit is nonowner-occupied, by-right, property owners can rent to a family (regardless of the number of individuals in the family) plus one other person or they may rent to two boarders.

This block of North Liberty Street is a mix of single-family and multi-tenant residential uses, both, owner occupied and non-owner occupied; as well, there are commercial parking lots and parking lot entrances along this section of the street. The rear of the property is adjacent to M-1, General Industrial District zoning and currently serves as parking and storage for George's Food. The Comprehensive Plan designates the subject parcel as Mixed Use Development. This designation most closely aligns with the B-1, Central Business District which allows by right occupancy of four persons.

The applicants stated the property was purchased as an investment and do not reside in the dwelling. If approved, they intend to rent the four bedroom house, on a per bedroom basis, as affordable housing for single residents. Four off-street parking spaces, one per tenant, would be required if the SUP is approved. The parcel has an existing large parking area in the rear, which can accommodate the required four parking spaces.

Environmental Impact: N/A

Fiscal Impact: N/A

Prior Actions: N/A

Alternatives: N/A

Community Engagement: As required, the request was published in the local newspaper twice for Planning Commission's review and twice for the City Council review. Adjoining property owners were notified of both Planning Commission and City Council's hearings. The property was also posted with signage advertising the request.

Recommendation: Staff does not believe approving the request will have negative impacts to the surrounding neighborhood and supports the applicant's request.

Attachments: Planning Commission extract; staff report; site maps; application and other supporting documents.

Review: Planning Commission recommended approval (7-0), of the special use permit to allow occupancy of not more than four (4) persons provided one (1) off-street parking space per tenant is provided on site.