

**STATE OF VIRGINIA
CITY OF HARRISONBURG, to with:**

I, Pamela Ulmer, city clerk, certify that the Harrisonburg City Council will be addressed on Tuesday, December 13, 2022, at 7:00 p.m., or as soon as the agenda permits, to consider the following:

Special Use Permit – 140 Ott Street (To Allow Short-Term Rental in the R-1 District)

Public hearing to consider a request from Margaret P. Morris for a special use permit per Section 10-3-34 (7) of the Zoning Ordinance to allow for a short-term rental within the R-1, Single-Family Residential District. A short-term rental is defined in the Zoning Ordinance as “[t]he provision of a dwelling unit, a guest room or accommodation space within the dwelling unit, or any accessory building that is suitable or intended for transient occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy.” Short-term rentals are further regulated by Article DD of the Zoning Ordinance. The +/- 17,444 sq. ft. property is addressed as 140 Ott Street and is identified as tax map parcel 26-G-2.

Special Use Permit – 1335 Wine Drive (To Allow Short-Term Rental in the R-1 District)

Public hearing to consider a request from the William Allen Weech Revocable Trust for a special use permit per Section 10-3-34 (7) of the Zoning Ordinance to allow for a short-term rental within the R-1, Single-Family Residential District. A short-term rental is defined in the Zoning Ordinance as “[t]he provision of a dwelling unit, a guest room or accommodation space within the dwelling unit, or any accessory building that is suitable or intended for transient occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy.” Short-term rentals are further regulated by Article DD of the Zoning Ordinance. The +/- 10,121 sq. ft. property is addressed as 1335 Wine Drive and is identified as tax map parcel 88-I-3.

Special Use Permit – 964 Smith Avenue (To Allow Short-Term Rental in the R-2 District)

Public hearing to consider a request from Sherrill K. Glanzer for a special use permit per Section 10-3-40 (8) of the Zoning Ordinance to allow for a short-term rental within the R-2, Residential District. A short-term rental is defined in the Zoning Ordinance as “[t]he provision of a dwelling unit, a guest room or accommodation space within the dwelling unit, or any accessory building that is suitable or intended for transient occupancy for dwelling, sleeping, or lodging purposes and is offered in exchange for a charge for the occupancy.” Short-term rentals are further regulated by Article DD of the Zoning Ordinance. The +/- 7,819 sq. ft. property is addressed as 964 Smith Ave and is identified as tax map parcel 48-G-33.

Rezoning – 1051, 1067, 1069 Smith Avenue (R-2 to R-3C)

Public hearing to consider a request from Martha Ann Miller to rezone a +/- 36,394 sq. ft. property from the R-2, Residential District to R-3C, Medium Density Residential District Conditional. The Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and duplex residential development. The R-3, Medium Density Residential District is intended for medium density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The residential density ranges for R-3 are single-family, 6,000 sq. ft. minimum; duplex, 4,000 sq. ft. minimum/unit; townhouses, 2,000 sq. ft. minimum/unit; other uses, 6,000 sq. ft. minimum and by special use permit multifamily, 3,000 sq. ft. minimum/unit. The Comprehensive Plan designates this site as Neighborhood Residential. These areas are typically older residential neighborhoods, which contain a mixture of densities and a mixture of housing types, but should have more single-family detached homes than other types of housing. This type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the desired character of the neighborhood. The parcels are addressed as 1051, 1067, 1069 Smith Avenue and are identified as tax map parcels 48-C-7, 8, and 9.

Special Use Permit – 1051, 1067, 1069 Smith Avenue (To Allow Multi-Family Dwellings in the R-3 District)

Public hearing to consider a request from Martha Ann Miller for a special use permit per Section 10-3-48.4 (6) of the Zoning Ordinance to allow multi-family dwellings of up to twelve (12) units per building under conditions set forth in subsection 10-3-48.6 (e) and other such conditions deemed necessary by City Council within the R-3, Medium Density Residential District. The +/- 36,394 sq. ft. site is addressed as 1051, 1067, 1069 Smith Avenue and are identified as tax map parcels 48-C-7, 8, and 9.

Rezoning – 36, 40, 44, 75, 81 Wilson Avenue, 25, 35, 45, and 55 Mount Clinton Pike, and portions of 1411, 1421, 1431, and 1441 North Main Street (Wilson Avenue Development) (R-2 and M-1 to R-8C and R-5C)

Public hearing to consider a request from Northside LLC and Joseph H. and Linda H. Moore to rezone a +/- 3.8-acre site from R-2, Residential District to R-8C, Small Lot Residential District Conditional and to rezone a +/- 1.44-acre site from R-2, Residential District and M-1, General Industrial to R-5C, High Density Residential Conditional. The Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and duplex residential development. The M-1, General Industrial District is intended primarily for manufacturing, processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. The R-5, High Density Residential District is intended for medium to high density residential development, including townhouses and multiple family dwelling units, together with certain governmental, educational, religious, recreational and utility uses. The residential density ranges for the R-5 district are multifamily, 1,800 sq. ft. minimum/unit; multifamily quadraplex, 3,000 sq. ft. minimum/unit; and townhouse, 2,000 sq. ft. minimum/unit. The R-8, Small Lot Residential District is intended for medium- to high-density residential development that includes single-family detached, duplex, and in special circumstances townhouse development. The residential density ranges for R-8 are single-family, 2,800 sq. ft. minimum; duplex, 1,800 sq. ft. minimum/unit; townhouses, 1,800 sq. ft. minimum/unit; and other uses, 6,000 sq. ft. minimum. The Comprehensive Plan designates this site as Mixed Use. Mixed Use areas are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. 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. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings. The site includes eight parcels and portions of four other parcels. The eight parcels are addressed as 36, 40, 44, and 81 Wilson Avenue, 25, 35, 45, and 55 Mount Clinton Pike. The four parcels with portions being rezoned include 75 Wilson Avenue, and 1411, 1421, 1431, and 1441 North Main Street. The eight parcels are identified as tax map parcels 42-B-8B, 42-B-8C, 42-B-32 through 36, and 42-B-35A,. The four parcels with portions being rezoned are identified as tax map parcels 42-B-8A, 42-B-9A, 42-B-10, and 42-B-11.

Special Use Permit – 81 Wilson Avenue, portions of 36, 44, and 75 Wilson Avenue, portions of 45 and 55 Mount Clinton Pike, and portions of 1411, and 1421 North Main Street (To allow townhomes of not more than eight units in R-8)

Public hearing to consider a request from Northside LLC and Joseph H. and Linda H. Moore for a special use permit per Section 10-3-59.4(1) of the Zoning Ordinance to allow attached townhomes of not more than eight units within the R-8, Small Lot Residential District. The site totals +/- 3.8-acres, has whole or portions of properties addressed as 36, 44, 75, and 81 Wilson Avenue, 45 and 55 Mount Clinton Pike, and 1411 and 1421 North Main Street, and whole or portions of parcels identified as tax map parcels 42-B-8A, 8B, & 8C, 42-B-32 through 34, & 36, and 42-B-9A & 10.

Special Use Permit – 40 Wilson Avenue, and portions of 36 and 44 Wilson Avenue, 35 Mount Clinton Pike and portions of 45 and 55 Mount Clinton Pike, and portions of 1411, 1421, 1431, and 1441 North Main Street (To allow more than 12 dwelling units per multi-family building in R-5)

Public hearing to consider a request from Northside LLC and Joseph H. and Linda H. Moore for a special use permit per Section 10-3-55.4 (1) of the Zoning Ordinance to allow multiple-family dwellings of more than twelve (12) units per building. The site totals +/- 1.44-acres, has whole or portions of properties addressed as 36, 40, & 44 Wilson Avenue, 25, 35, 45, and 55 Mount Clinton Pike, and 1421, 1431, and 1441 North Main Street and whole or portions of parcels identified as tax map parcels 42-B-32 through 36, 42-B-35A,, 42-B-10 &11.

Street Closing – Portion of Wilson Boulevard

Consider a request from Northside LLC to close a +/- 5,529 square feet portion of Wilson Avenue adjacent to tax map parcels 42-B-32, 33, 34, & 36, and a portion of 42-B-9A. The proposed portion to be closed is +/- 10 feet wide and +/- 553 feet in length.

Rezoning – 2744, 2752, 2758, 2762, 2766, and 2770 Dorval Road (R-2C to R-8)

Public hearing to consider a request from Greendale Road LLC to rezone six parcels totaling +/- 1.27-acres from R-2C, Residential District Conditional to R-8, Small Lot Residential District. The Zoning Ordinance states that the R-2, Residential District is intended for medium-density, single-family and duplex residential development. The R-8, Small Lot Residential District is intended for medium- to high-density residential development that includes single-family detached, duplex, and in special circumstances townhouse development. The residential density ranges for R-8 are single-family, 2,800 sq. ft. minimum; duplex, 1,800 sq. ft. minimum/unit; townhouses, 1,800 sq. ft. minimum/unit; and other uses, 6,000 sq. ft. minimum. The Comprehensive Plan designates this site as Low Density Mixed Residential. These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes and mixed use buildings with residential dwelling units limited to one or two dwelling units per building might be appropriate. The gross density of development in these areas should be around 7 dwelling units per acre. The parcels are addressed as 2744, 2752, 2758, 2762, 2766, and 2770 Dorval Road and are identified as tax map parcels 97-L-7, 8, 12, 13, 14, and 15.

Pursuant to Harrisonburg City Code Section 2-2-6, the City of Harrisonburg City Council will hold a meeting on the above mentioned date in City Council Chambers, 409 South Main Street, Harrisonburg, VA. The agenda will be posted at <https://harrisonburg-va.legistar.com/Calendar.aspx>. Interested parties may watch the Council meeting, including the public hearing, on Public Education Government Channel 3 or on the City's website, <https://harrisonburg-va.legistar.com/Calendar.aspx>.

Given under my hand this _____ day of November, 2022

City Clerk

Subscribed and sworn to before me this _____ day of November, 2022, a Notary Public in and for the Commonwealth of Virginia.

Notary

My commission expires _____