



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: December 10, 2024 (Regular Meeting)
Re: Preliminary Plat with Variances from the Subdivision Ordinance – 204 Rocco Avenue (Park Apartments)

Summary:

Project name	Park Apartments
Address/Location	204 Rocco Avenue
Tax Map Parcels	10-C-5A
Total Land Area	+/- 11.01 acres
Property Owner	Park Apartments
Owner's Representative	Townes Site Engineering
Subdivision Ordinance Variance Request	Sections 10-2-42 (c) and 10-2-43
Staff Recommendation	Approval
Planning Commission Recommendation	November 13, 2024 Approval (6-0)
City Council	December 10, 2024

Background:

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

Site: Existing Park Apartments and additional units under construction, zoned R-5C

North: Industrial uses, zoned M-1

East: Purcell Park, zoned R-1

South: Townhomes zoned, R-3C

West: Church and vacant property, zoned B-2C; and across Rocco Avenue, commercial and industrial uses, zoned M-1

In April 2020 the subject site was rezoned to R-5C giving Park Apartments the ability to build additional units. The now existing 2020-approved proffers include the following:

- Dwelling units may be occupied by a single family or no more than two (2) unrelated persons.
- Townhouse and multi-family dwelling units shall provide 1.5 parking spaces per unit.

In 2022, the property owner received approval of an engineered comprehensive site plan (ECSP), which shows the transfer of land between tax map parcels 10-C-5A and 10-C-5C. (The ECSP Site & Utility Layout Sheet is attached herein.) The ECSP demonstrated the construction of eleven new two-story apartments buildings on the subject site as well as the construction of a new parking lot on the neighboring parcel (tax map 10-C-5C) for the Faith Community Free Methodist Church.

Key Issues:

The applicant is requesting to preliminarily subdivide a +/- 11.01-acre parcel addressed as 204 Rocco Avenue (tax map number 10-C-5A). The purpose of the subdivision is to create two separate lots, one of which will not have public street frontage. The lots will both continue to be owned and operated by Park Apartments.

Land Use

The Comprehensive Plan designates this site as Commercial and High Density Residential and states:

Commercial:

Commercial uses include retail, office, professional service functions, restaurants, and lodging uses. Commercial areas should offer connecting streets, biking and walking facilities, and public transit services. Interparcel access and connections are essential to maintaining traffic safety and flow along arterials. Parking should be located to the sides or rear of buildings.

High Density Residential:

These areas have been developed or are planned for development that have the highest residential density ranges outside of the downtown area and properties designated Mixed Use by the Land Use Guide. Density is planned to allow up to 24 dwelling units per acre. While a number of existing multifamily developments and areas adjacent to such developments are identified as High Density Residential, residential land use could include small-lot single-family detached and single-family attached neighborhoods. In special circumstances, non-residential uses may be appropriate.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed development was completed during the rezoning process and indicated that the project would not generate 100 or more peak hour trips, which is the threshold for staff to require a TIA.

Public Water and Sanitary Sewer

As required, all lots would be served by public water and public sanitary sewer. The preliminary plat shows how proposed water and sanitary sewer lines will serve each new lot.

Subdivision Ordinance Variance Requests

Section 10-2-42 (c) of the Subdivision Ordinance requires all parcels to have public street frontage. The applicant is requesting a variance from Section 10-2-42 (c) to create one lot that would not have public street frontage. The preliminary plat illustrates private access easement through the parcel identified as “Parcel 1”. This easement would allow for access to and from Rocco Avenue and across the private property. Staff does not have concerns with this variance request.

The second variance request is to deviate from the requirements of Section 10-2-43 of the Subdivision Ordinance (SO). This section requires a 10-foot-wide public general utility easement along front lot lines and any lot adjacent to public right-of-way and requires at least a 10-foot-wide public general utility easement centered on the sides or rear of lot lines. Public general utility easements are provided for utilities, including water, sanitary sewer, storm sewer, electric, natural gas, television cable, telephone cable, and others deemed a utility by the City. Rather than dedicating the easements as required, the applicant is dedicating a 10-foot easement along Rocco Avenue and along the side and front property lines of “Parcel 2,” adjacent to tax map parcel 10-C-5-B and 10-C-5-C. In this case, staff does not have concern with the proposed development deviating from this section of the SO.

Note that the applicant is proposing a number of additional easements throughout the property. The remaining public water easements, public sewer easements, and public general utility easements (that are not related to SO Section 10-2-43) will be recorded during the site development process.

Housing Study

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type B, which has “neighborhoods [that] are characterized by high income earning households, large volumes of housing sales and lower population growth.” The Housing Study further notes that houses in these markets are quick to sell and that “[p]riorities and policies that are appropriate to Market Type B areas include the preservation of existing affordable housing while at the same time working to increase access to amenities.”

Recommendation

Aside from the variance requests as described herein, the preliminary plat meets all other requirements of the Subdivision Ordinance. Staff supports the variance requests and recommends approval of the preliminary plat.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- a. Approve the preliminary plat and variances as requested;
- b. Approve the preliminary plat and variances with conditions; or
- c. Deny the request.

Community Engagement:

As required by the Subdivision Ordinance, a sign was posted giving public notice to the variances requested to deviate from the standards of the Subdivision Ordinance.

Recommendation:

Staff recommends alternative (a) approval of the preliminary plat and variances as requested.

Attachments:

1. Extract from Planning Commission
2. Site maps
2. Application and supporting documents
3. Excerpt of 2022 approved Engineered Comprehensive Site Plan “Park Apartments Land Swap” - Site & Utility Layout

Review:

Planning Commission recommended approval (6-0) of the preliminary plat and variances as requested. (Vice Mayor Dent was absent.)