



City of Harrisonburg, Virginia

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

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October 6, 2015

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from Eddie Warner to rezone a 37,643 +/- square feet parcel from R-3, Medium Density Residential District to B-2, General Business District. The property is addressed as 475 Lucy Drive and 2065 Reservoir Street and is identified as tax map 80-A-3.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: September 9, 2015

Chair Fitzgerald read the request and asked staff to review.

Mr. Fletcher said the Comprehensive Plan designates this area as Commercial. This 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 and in the Central Business District of the City.

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

Site: Single family dwelling, zoned R-3

North: Business and professional offices, zoned B-2

East: Undeveloped parcel, zoned B-2

South: Across Lucy Drive, Charleston Townes student housing complex, zoned R-3

West: Mabel Memorial Church, zoned R-3

The applicant is requesting to rezone a 37,643 square feet parcel located primarily along Lucy Drive from R-3, Medium Density Residential District to B-2, General Business District. Given the property's shape and its location near the Lucy Drive/Reservoir Street intersection, the property is identified with two addresses—475 Lucy Drive and 2065 Reservoir Street.

The subject site is a historical piece of real estate as it was home to the Mabel Memorial Schoolhouse, which staff understands was built in the early 1900s and may have been connected to James Madison University's early history. The schoolhouse structure was later used as a residence. Only portions of the building remain as much of it was demolished in 2013 after Lucy Drive was extended to Reservoir Street.

The 2004 Comprehensive Plan Land Use Guide designated the subject site as Medium Density Mixed Residential; at that time, the site did not have Lucy Drive public street frontage as the nearby properties had not yet been developed. During the 2011 Comprehensive Plan update, this site, and the adjacent property to the west fronting along Reservoir Street, were given the Commercial designation with the publicly recognized plan that the parcels would in the future be developed commercially. Currently, all

privately owned properties along the northern side of Lucy Drive are designated Commercial, where the subject site remains the only remaining property on the north side of Lucy Drive that is not zoned B-2 and not in compliance with the Plan's Land Use Guide. Rezoning the property as requested would bring the property in line with the City's long term plan for this side of Lucy Drive.

With regard to public water and sewer, sanitary sewer is currently available in the Lucy Drive public street right-of-way (ROW); however, public water is not. Water infrastructure is located nearby in the Reservoir Street ROW and further east within the Lucy Drive ROW. Because of this, the development of the property will likely require a public water main extension. This is a typical engineered Comprehensive Site Plan matter—not one associated with this rezoning. Staff has already made the property owner aware of this issue.

If approved, all land use permissions of the B-2 zoning district would be afforded to this lot, including all allowances of the City's Sign Ordinance. The property owner did not submit a plan of development; however, like all developments, during a project review, the site must be developed in accordance with the City's Design and Construction Standards Manual, where the developer could be required to perform a Traffic Impact Analysis, improve the site's public street frontage, and install any other required public improvements.

Staff has no concerns with rezoning this parcel to the General Business District and recommends approving rezoning the site from R-3 to B-2.

Chair Fitzgerald asked if there were any questions for staff. Hearing none, she opened the public hearing and asked the applicant or the applicant's representative to speak.

Eddie Warner, 514 Powell Drive, Annapolis, MD, said he is the owner of the property. There was a question about some of the trees on the site, and as you saw from the photos of the property, basically the trees are around the perimeter. I had thought about building out the structure and having a small office located there; the property is small, not even an acre. I do not have any developers lined up to purchase the property. If you have any questions for me regarding the request I would be happy to answer them.

Chair Fitzgerald said we were at the site yesterday and the trees are very beautiful; I believe they are some of the oldest in the area.

Mr. Warner said there were tenants living in the house; however, after the extension of Lucy Drive, the place has been unoccupied and is more of a mowing chore and tax burden.

Mr. Colman said I have a question – does the structure have water and sewer at this time.

Mr. Warner said no, it was cut off when the road was built. I really do not know any other options for the site. I want to do something because it is a tax burden and that is why I asked that you favorably consider my application. The rezoning goes with the flow of the area and perhaps could be combined with some of the other properties in the area.

Chair Fitzgerald asked if there were any further questions for the applicant. Hearing none, she asked if there was anyone else desiring to speak regarding the rezoning. Hearing none, she closed the public hearing and asked for comments or a motion on the rezoning request.

Mr. Da'Mes said this is a very busy area at five o'clock in the evening. I know there are improvements planned for the area and it would have been nice to see how those plans would affect this intersection. Will there be a stop light there?

Mr. Fletcher replied yes.

Mr. Colman moved to recommend approval of the rezoning as requested.

Mr. Heatwole seconded the motion.

Chair Fitzgerald called for a voice vote on the motion.

All voted in favor of the motion to recommend approval (7-0).

Chair Fitzgerald said this will move forward to City Council on October 13th with a favorable recommendation.

Respectfully submitted,

Alison Banks
Planner