



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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June 5, 2023

**TO THE MEMBERS OF CITY COUNCIL  
CITY OF HARRISONBURG, VIRGINIA**

**SUBJECT:** *Consider a request from Bird Dog Properties LLC to rezone 564 East Gay Street*

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION  
MEETING HELD ON:** May 10, 2023

Ms. Rupkey stated that the applicant is requesting to rezone a +/- 5,547-square foot parcel from R-2, Residential District to R-8, Small Lot Residential District. In the applicant's letter they explain that they want to rezone the property to R-8 to subdivide the lot into two parcels and build a single-family detached dwelling on the future, undeveloped parcel.

### *Land Use*

The Comprehensive Plan designates this parcel as Neighborhood Residential and states that:

“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 R-8 district is intended for medium- to high-density residential development including, single-family detached and duplex dwellings, and, in special circumstances, by special use permit townhouse units. Staff believes the flexibility offered by the R-8 district's minimum area and dimensional requirements can at times work well within areas designated as Neighborhood Residential.

### *Transportation and Traffic*

Referencing the driveway on Hill Street, during the review staff noted that the driveway entrance for the corner parcel should be located on the half of the parcel frontage that is more distant from the intersection. Staff hoped this detail would have been proffered, and while the applicant has shown on the conceptual site layout a driveway entrance along Hill Street on the half of the property furthest from the East Gay Street and Hill Street intersection, the applicant did not proffer

the entrance location. (Note: Public Works staff continue to evaluate and draft new access management standards to better regulate entrance locations.)

Staff also discussed future sidewalk along the Hill Street and East Gay Street property frontages. Due to the location of the Newtown Cemetery, staff believes it would be difficult to construct new sidewalks along this block of Hill Street. Along East Gay Street, there is sufficient public right-of-way currently available behind the street curb for future construction of sidewalk by the City or others.

#### *Public Water and Sanitary Sewer*

Staff has no concerns with the requested rezoning regarding water and sewer matters. Water service size will be reviewed during building design.

#### *Housing Study*

Staff believes that the requested rezoning to R-8 supports efforts to increase the availability of housing that is affordable for low- and moderate-income households.

#### *Public Schools*

The student generation attributed to the proposed single family dwelling is estimated to be two students. Based on the School Board's current adopted attendance boundaries, Spotswood Elementary, Skyline Middle School, and Harrisonburg High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted in their review comments that schools are over capacity in many of the schools.

#### *Recommendation*

Staff believes, that given the configuration and size of the existing parcel, and the R-8 district's minimum area and dimensional requirements, this request does not have any major adverse effects on the surrounding properties and is consistent with the Comprehensive Plan's Land Use Guide. Staff recommends approval of the rezoning as submitted by the applicant.

Chair Finnegan asked if there were any questions for staff. Hearing none he opened the public hearing.

Jim Herr, a representative of the applicant, came forward regarding the request. I appreciate your consideration to rezone this property at 564 East Gay Street for another small single-family home.

Chair Finnegan asked Mr. Herr if he would like to add to the presentation.

Mr. Herr said I think we have spent time upfront asking questions and with recognizing concerns from the City. I think it is a great opportunity to add one more single-family home to the City of Harrisonburg.

Chair Finnegan asked if there were any questions for the applicant.

Gil Colman, representative of the applicant, spoke on the request. This is a great opportunity. We have been looking for many years, working and doing infill, and it actually fits pretty well there.

It is a nice opportunity to do that. I think it was nice of Mr. Herr to say hey we can actually create two lots here, two properties. The truth is it is not injurious to the neighborhood. The idea is to build a house that is going to be pretty much the same size as the house that is there, compared to building a huge house that is not going to fit there. We will talk a little bit about the driveway. I do not know if there is going to be much change there. Right now, the way it was recommended is pretty much where it is going to fit best. Aside from that, there are two spaces there. I wanted to comment on parking simply because it is something that we deal with all the time. One of the issues that I see with parking is really with commercial parking, the requirements are so high and that is where we have the sea of asphalt.

For residential, you have the issue of okay people are going to need a place to park otherwise they are going to park somewhere else or along the street or somewhere else and then until the City provides adequate transport services that people are going to actually use and the shared use path or sidewalks people use it would be difficult for that to change. Any questions for us on this item?

Chair Finnegan added the fact that when you look at auto collisions in the city, this neighborhood, I know that Public Works has installed some traffic calming around the area, but I do not know if you can speak to safety concerns about backing a car out of a driveway onto Hill Street. There have been a lot of crashes there frequently.

Mr. Colman said that is something that is always difficult when they have a neighborhood like that. People have nowhere to back into the street. If you have a deep lot creating a turnaround it is a more impervious area and more expensive also, I think it boils down to being good neighbors. I mean if we all live in the city, typically, we would look out if somebody was coming. Aside from that, it is the City and Public Works that need to consider what they may need to do there. To that point in our neighborhood they have installed traffic calming devices and hopefully those are working. I see people fly through them without thinking that somebody could be coming the other way in this case. I do not know what approach could be taken here.

Chair Finnegan asked if there were any more questions for the applicant.

Vice Mayor Dent asked a question to staff about the R-8 zoning. Asking if that district identification was more for the lot size and setbacks not for a more density sort of speak.

Mr. Fletcher said that it is both as a fact. Allowing R-8 increases the density. Changing it to R-8, it allows them to put this in there. In fact, this is the perfect scenario; if you do calculations, you are barely meeting the minimum on both lots. I am excited about this because it means we have a nice example, if it gets approved, of what can happen with rezonings in these areas.

Vice Chair Byrd said as a person who tends to not take the main arteries to get from one place to another, driving through residential areas I am aware of what I am doing but the people behind me or the people in front of me, some of them see a clear empty road to haul through other people's neighborhoods. Sometimes, it is not that neighborhoods neighbors but other people in the city using their neighborhood as a quick artery to get somewhere else.

Mr. Colman said that is true and I will say even in this situation, something that the City has done in other places is create those bike lanes narrowing the streets. That tends to encourage people to slow down. Even with that, it is not guaranteed.

Nathan Blackwell said on Hill Street, it used to be a through street, the City put stop signs. And the other roads that have a through lane there is a stop sign right in front of this so cars are coming up to the intersection from the cemetery and they have to stop.

Chair Finnegan asked if there were any questions for this request. Hearing none he closed the public hearing.

Commissioner Armstrong said I am glad to see an addition of a single family detached dwelling. We need those. We have been seeing an awfully large number of multifamily dwellings and it seems like a good fit in that neighborhood for what you are doing.

Vice Chair Byrd agreed with Commissioner Armstrong

Chair Finnegan said he likes infill development like this. I agree with staff's recommendation.

Vice Chair Byrd made a motion to approve the rezoning request.

Vice Mayor Dent seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Baugh	Aye
Vice Chair Byrd	Aye
Vice Mayor Dent	Aye
Chair Finnegan	Aye

The motion to recommend approval of the request passed (5-0). The recommendation will move forward to City Council on June 13, 2023.