



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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## Planning Commission

From: Department of Community Development

Date: April 10, 2024 (Regular Meeting)

Re: Rezoning – 35 Monroe Street (R-2 to R-8)

### **Summary:**

Project name	N/A
Address/Location	35 Monroe Street, 35 Monroe Street Apt. A, and 35 Monroe St Apt. B
Tax Map Parcels	41-M-8
Total Land Area	+/- 6,780-square-feet
Property Owner	Elba A Herrer and Jose Martir Gutierrez Hernandez
Owner's Representative	N/A
Present Zoning	R-2, Residential District
Proposed Zoning	R-8, Small Lot Residential District
Staff Recommendation	Approval
Planning Commission	April 10, 2024 (Public Hearing)
City Council	Anticipated May 14, 2024 (First Reading/Public Hearing) Anticipated May 28, 2024 (Second Reading)

### **Background:**

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

Site: Nonconforming duplex, zoned R-2

North: Nonconforming duplex, zoned R-2

East: Across Monroe Street, nonconforming duplex, zoned R-2

South: Across public alley, nonconforming single-family detached dwelling, zoned M-1

West: Single-family detached dwelling, zoned R-2

### **Key Issues:**

The applicant is requesting to rezone a +/- 6,780 square-foot property from R-2, Residential District to R-8, Small Lot Residential District. The parcel is addressed as 35 Monroe Street, 35 Monroe Street Apt. A, and 35 Monroe St Apt. B (while there are three addresses, there are only two dwelling units) and is

identified as tax map parcel 41-M-8. The property is located within the short block between North Main Street and Madison Street. If the rezoning request is approved the applicant would like to add an addition to the structure that would provide space for their daughter.

Under the R-2 district regulations, a duplex is required to have a 30-foot front yard setback, a 10-foot side yard setback, and a 25-foot rear yard setback. The parcel must have a total of 5,500 square feet of lot area for each unit (a total of 11,000 square feet). If the property is rezoned to R-8, a duplex is required to have a 10-foot front yard setback, a 10-foot side yard setback, and a 15-foot rear yard setback. Each unit only requires 1,800 square feet of lot area. If the rezoning is approved, the lot would become conforming to lot area requirements for a duplex and they would gain more flexibility in design for their planned addition.

#### *Land Use*

The Comprehensive Plan designates this site as Neighborhood Residential and states:

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*

A traffic impact analysis (TIA) was not required for the rezoning request.

#### *Public Water and Sanitary Sewer*

Staff has no concerns with the requested rezoning regarding water and sewer matters.

#### *Housing Study*

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which notes that "[m]arket type D has lower market activity as well as lower access to amenities. This could be because the areas are stable residential neighborhoods or because the area is less developed and therefore has fewer sales and fewer amenities. Strategies that would be appropriate in the latter case include concurrent development of the housing and economic opportunities through mixed-use developments to build commerce and housing centers across the City.

#### *Public Schools*

If the rezoning is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero. Based on the School Board's current adopted attendance boundaries, Waterman Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing on this property.

#### *Recommendation*

Considering the size of the existing parcel and the alignment with R-8 district requirements, staff finds no significant adverse effects on surrounding properties and believes the request is consistent with the Comprehensive Plan's Land Use Guide. Staff recommends approval of the rezoning as submitted by the applicant.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- a. Recommend approval of the rezoning request; or
- b. Recommend denial of the rezoning request.

**Community Engagement:**

As required, the request was published in the local newspaper twice advertising for Planning Commission's public hearing. The advertisement was published as shown below:

***Rezoning – 35 Monroe Street (R-2 to R-8)***

Public hearing to consider a request from Elba A. Herrer De Dildy and Jose Martir Guterrez Hernandez to rezone a +/- 6,780-square-foot property from R-2, Residential District to R-8, Small Lot Residential District. The parcel is addressed as 35 Monroe Street, 35 Monroe Street Apt. A, and 35 Monroe St Apt. B and is identified as tax map parcel 41-M-8.

In addition, adjoining property owners were notified of the public hearing; the property was posted with signage advertising the request; and a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

**Recommendation:**

Staff recommends alternative (a) approval of the rezoning request.

**Attachments:**

- 1. Site maps
- 2. Application and supporting documents

**Review:**

N/A