



**CITY OF HARRISONBURG
COMMUNITY
DEVELOPMENT**

**Change of Zoning District
(Rezoning) Application**
www.harrisonburgva.gov/zoning

PROPERTY INFORMATION

162 W. Elizabeth Street, Harrisonburg, VA 22802 035 S 18 0.24 acres acres or sq.ft.
 Property Address Tax Map Parcel/ID Total Land Area (circle)

Existing Zoning District: M1 Proposed Zoning District: B1-C

Existing Comprehensive Plan Designation: Mixed Use Designation

PROPERTY OWNER INFORMATION

Liberty Street Investments LLC 540-433-2601
 Property Owner Name Telephone

92 N. Liberty Street tcrhea@clark-bradshaw.com
 Street Address E-Mail

Harrisonburg VA 22802
 City State Zip

OWNER'S REPRESENTATIVE INFORMATION

Todd C. Rhea 540-433-2601
 Owner's Representative Telephone

92 N. Liberty Street tcrhea@clark-bradshaw.com
 Street Address E-Mail

Harrisonburg VA 22802
 City State Zip

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided (maps and other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of the City of Harrisonburg to enter the above property for the purposes of processing and reviewing this application. I also understand that, when required, public notice signs will be posted by the City on any property.

T. Rhea 3-7-24
 PROPERTY OWNER DATE

REQUIRED ATTACHMENTS

- Letter explaining proposed use & reasons for seeking change in zoning.
- Statement on proffers, if applying for conditional rezoning.
- Survey of property or site map.
- Traffic Impact Analysis (TIA) Determination Form OR Traffic Impact Analysis (TIA) Acceptance Letter signed by Public Works Department. Applicant is responsible for coordinating with Public Works prior to submitting this application. For more information, visit www.harrisonburgva.gov/traffic-impact-analysis.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

3/7/24 Total Fees Due: \$ 580
 Date Application and Fee Received Application Fee: \$550.00 + \$30.00 per acre

ryung
 Received By

CLARK & BRADSHAW, P.C.

ATTORNEYS AND COUNSELORS AT LAW

TODD C. RHEA
MATTHEW C. SUNDERLIN
BRADLEY J. MOYERS
QUINTON B. CALLAHAN
KAREN L. ROWELL
KATHERINE M. MANN
KEVIN M. WHEELER

92 North Liberty Street
Harrisonburg, Virginia 22802
Post Office Box 71
Harrisonburg, Virginia 22803-0071
Telephone: (540) 433-2601 Facsimile: (540) 433-5528
Web Site: www.clark-bradshaw.com
Writer's Email: tcrhea@clark-bradshaw.com

MARK B. CALLAHAN
OF COUNSEL

AMY L. RUSH, C.P.A.
NOT AN ATTORNEY

March 7, 2024

City of Harrisonburg
Community Development
Attn: Adam Fletcher, Director
409 South Main St.
Harrisonburg, VA 22801

Re: *Change of Zoning District (Rezoning) Application*

Tax Map Parcel: 035 S 18
Owner: Liberty Street Investments LLC
Address: 162 W. Elizabeth Street
Harrisonburg VA 22802

Dear Mr. Fletcher,

On behalf of the property owner, enclosed please find for submittal a Rezoning Application, Statement of Proffers, Site Map/Concept Plan, and check in the amount of \$580.00. This application requests a rezoning to B1-C (Central Business District with proffered conditions) to allow the construction of a 3-story apartment building housing between 15-20 units with an urban infill design with limited to no on-site parking, but with proffered secure bicycle storage.

Parcel 035 S 18 is currently zoned as M1. The Property is bounded by existing residential parcels 035 S 14,15,16,17 to the west (zoned R3), existing residential parcel 035 S 13 to the north (zoned R3), existing commercial parcel 035 S 6 to the east (zoned B-1C), and fronts W. Elizabeth Street to the south. The adjacent existing uses consist of student or other rental housing, professional offices and surface parking.

The rezoning is sought to facilitate the development of infill housing in the form of a small apartment building containing 15-20 units depending upon final design configuration. It is anticipated that the units will be a mix of one-bedroom and two-bedroom units.

The B-1C rezoning request is consistent with the Comprehensive Guide Land Use Map Mixed Use Designation and the proposed zoning is consistent with surrounding zoning categories and existing uses.

March 7, 2024
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A non-proffered Concept Plan has been provided to demonstrate the feasibility of developing the future use on the Property.

Thank you for your assistance and cooperation. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Todd C. Rhea', with a long horizontal flourish extending to the right.

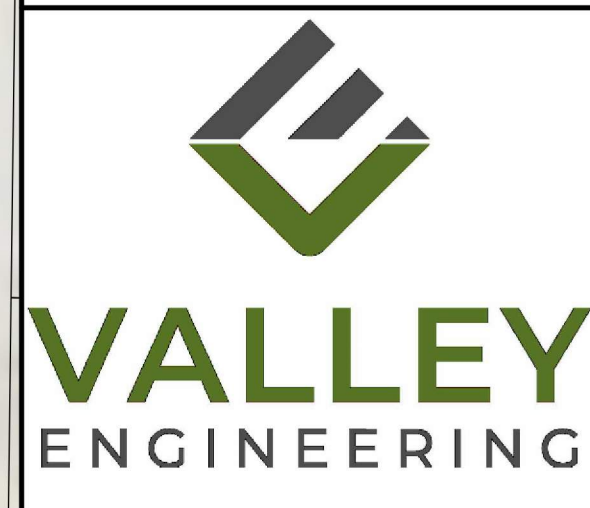
Todd C. Rhea, Esq.

TCR/jkm



162 WEST
ELIZABETH ST.

CITY OF HARRISONBURG, VIRGINIA



4901 CROWE DRIVE
MOUNT CRAWFORD, VIRGINIA 22841
(540) 434-6365
www.valleyesp.com

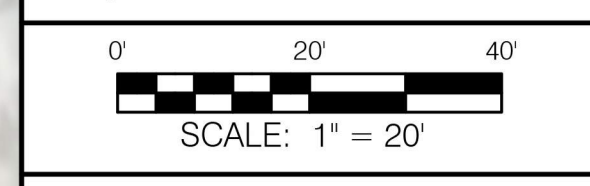
REVISIONS:
4-2-24 REVISED CURB

PRELIMINARY USE
NOT FOR CONSTRUCTION

DATE: 03/06/2024

PROJECT No.: 13198-8

EXP./CLIENT No.: 13198-8



CONCEPT
PLAN

SHEET NO.:
CP-1



162 W. ELIZABETH STREET ZONING REQUEST (B1-C)

PROFFER STATEMENT

REVISED DATE: 04/03/2024

RE: 162 W. Elizabeth Street Rezoning
Owner: Liberty Street Investments LLC
Rezoning Case No: TBD
Tax Map Number: 035 S 18

Liberty Street Investments LLC hereby proffers that the use and development of this property shall be in strict accordance with the following conditions:

1. No drive-through facilities shall be permitted on the Property
2. All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.
3. Prior to issuance of any building permit, the property owner shall dedicate public street right-of-way or public sidewalk easement to at least 0.5-feet behind the back of sidewalk along the West Elizabeth Street frontage.
4. Ground floor interior, controlled access tenant bike storage spaces with a minimum of 1.0 spaces per residential dwelling unit shall be installed prior to issuance of any certificate of occupancy and maintained.

Liberty Street Investments LLC

By: 

Todd C. Rhea

Title: Member



City of Harrisonburg, VA
Department of Public Works

**Determination of Need for a
Traffic Impact Analysis (TIA)**

www.harrisonburgva.gov/traffic-impact-analysis

For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Information				
Consultant Name:				
Telephone:				
E-mail:				
Owner Name:	Liberty Street Investments, LLC			
Telephone:	540-746-5551			
E-mail:	tcrhea@clark-bradshaw.com			
Project Information				
Project Name:	West Elizabeth Street Apartments			
Project Address:	162 West Elizabeth Street			
TM #:	035-S-18			
Existing Land Use(s):	Surface Parking			
Proposed Land Use(s): (if applicable)	Multi-Family			
Submission Type:	Comprehensive Site Plan <input type="radio"/>	Special Use Permit <input type="radio"/>	Rezoning <input checked="" type="radio"/>	Preliminary Plat <input type="radio"/>
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	10,500 sq ft infill lot currently surface parking rezoned to B-1 for multi-family development for 15-20 residential units Proffered restriction that traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual. Proffered that drive-through facilities are prohibited.			
Peak Hour Trip Generation (from row 15 on the second page)				
AM Peak Hour Trips:	8			
PM Peak Hour Trips:	10			

(reserved for City staff)

TIA required? Yes _____ No TM

Comments:

Accepted by: Zenithy Mason

Date: 3/7/2024

Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Multifamily (low-rise)	220	Dwelling Unit	20	8	10
2	Proposed #2						
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips						
8	Existing #1	Vacant	NA			0	0
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips						
15	Final Total (Total New – Total Existing)					8	10

Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.