



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: August 8, 2023 (Regular Meeting)
Re: Rezoning – 1621 and 1641 Smithland Road (R-1 to R-8C)

Summary:

Project name	Skyline Mills
Address/Location	1621 and 1641 Smithland Road
Tax Map Parcels	63-B-3 and 4
Total Land Area	+/- 1.81-acres
Property Owner	Lowell H. Miller Trustee
Owner's Representative	Emily Harris Henry and Monteverde Engineering & Design Studio
Present Zoning	R-1, Single Family Residential District
Proposed Zoning	R-8C, Small Lot Residential District Conditional
Staff Recommendation	Approval
Planning Commission Recommendation	July 12, 2023 (Public Hearing) Approval (7-0)
City Council	August 8, 2023 (First Reading/Public Hearing) Anticipated August 22, 2023 (Second Reading)

Background:

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

Site: Single-family detached dwelling and vacant land, zoned R-1

North: Single-family detached dwelling, zoned R-1

East: Across Smithland Road, Smithland Road Dog Park and Athletic Complex, zoned R-1

South: Vacant land, zoned R-7

West: Vacant land, zoned R-7

Key Issues:

The applicant is requesting to rezone two parcels totaling +/- 1.81-acres from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. If the request is approved, the applicant plans to renovate the existing single-family detached dwelling on the property and to construct

seven additional duplex structures (14 dwellings). All 15 dwelling units would be served by a private access drive running parallel to Smithland Road. If the rezoning is approved, at some point the developer must complete a preliminary subdivision plat.

Proffers

The applicant has offered the following proffers (written verbatim):

1. Applicant shall dedicate approximately 0.16 ac of right-of-way to City of Harrisonburg for future improvements, at a distance measured no less than forty feet (40') from the existing centerline of Smithland Road.
2. Development shall be limited to no greater than two (2) entrances.
3. 40' access easement shall be extended to both the southern and northern property line, as depicted in 'Exhibit A'. Upon development of adjoining parcel(s), the parties sharing maintenance responsibility of the private drive and access easement shall enter into a reciprocal easement agreement with the neighboring property owner(s) to allow for inter-parcel connection to the constructed roadway stub, as generally depicted in 'Exhibit A'.
4. One (1) large deciduous tree shall be planted for every seventy-five (75) linear feet of street frontage, or fraction thereof, OR, One (1) sub-canopy/ornamental tree shall be planted for every fifty (50) linear feet of street frontage. Trees may be planted anywhere on the Property.

Proffers #1, #2, and #3 are further explained in the *Transportation and Traffic* section of this report.

Land Use

The Comprehensive Plan designates this site as Mixed Use and states:

The Mixed Use designation includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for "live-work" and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

Downtown is an existing area that exhibits and is planned to continue to contain a mix of land uses. The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted: single-family detached, single-family attached (duplexes and townhomes), and multi-family buildings. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings.

Because the Mixed Use designation supports the development of townhomes and higher density, staff asked the applicant if they had considered developing townhomes. The applicant explained their preference to build and sell duplexes and staff has no concerns with this aspect of the proposal.

While staff believes that the proposed development and rezoning to the R-8 district conforms with the Comprehensive Plan, it should be known that staff also believes an ideal situation would be for the subject property to be part of a much larger development, where the development would be connected with a local street network to the west and dwelling units would front on a local street with back yards along Smithland Road.

Transportation and Traffic

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

As indicated in the Comprehensive Plan’s Street Improvement Plan, the City is planning to widen Smithland Road and to construct a shared use path on the east side of the street while providing sidewalk on the west side. To support the future project, the applicant has proffered to dedicate public street right-of-way (Proffer #1).

Streets and roadways are grouped into classes, or systems, according to the character of service they are intended to provide. Smithland Road is identified as a minor collector street and not a local street. Local streets emphasize property access rather than traffic movement and arterial and collector streets serve a combination of property access and traffic movement. The City’s Design and Construction Standards Manual (DCSM) Section 3.1.8.2 states that “[d]irect property access will be restricted along arterials and collectors, whenever reasonable access can be provided to a lower class roadway.” The applicant’s original submittal illustrated five entrances onto Smithland Road to serve the development, to which staff raised access management and safety concerns. The applicant was able to rework their concept and to proffer that the “[d]evelopment shall be limited to no greater than two (2) entrances.” (Proffer #2)

Staff also discussed the idea of whether the future private access serving this development could be located in such a way to connect with future development on adjacent properties. The applicant has proffered (Proffer #3) to create a 40-foot wide access easement that would extend to both the southern and northern property line as depicted in Exhibit A and to enter into a reciprocal access easement agreement with the adjacent properties to allow for interparcel connection. Should the adjacent property owners agree to the reciprocal access easement, an agreement would be created by the private parties when the adjacent parcels develop.

Public Water and Sanitary Sewer

Staff has no concerns regarding water and sanitary sewer service availability for the proposed development.

Housing Study

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type A. Among other things, this Market Type is characterized by high population

growth. The study notes that Market Type A has “above median overall access to amenities such as public transit within walking distance, full-service grocery stores, and multiple parks and recreation facilities.” The study also notes that “policies that are appropriate to Market type A areas include an emphasis on increasing density through zoning changes, infill development and housing rehabilitation to maintain the quality of housing.”

Public Schools

The student generation attributed to the proposed 14 new residential units is estimated to be six students. Based on the School Board’s current adopted attendance boundaries, Smithland Elementary School, Skyline Middle School, and Harrisonburg High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted that schools are over capacity in many of the schools.

Recommendation

Staff recommends approval of the rezoning request.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the rezoning request; or
- (b) Denial the rezoning request.

Community Engagement:

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

Rezoning – 1621 and 1641 Smithland Road (R-1 to R-8)

Public hearing to consider a request from Lowell H. Miller Trustee to rezone two parcels totaling +/- 1.81 acres from R-1, Single Family Residential District to R-8, Small Lot Residential District. The Zoning District states that the R-1, Single-Family Residential District is intended for low-density, relatively spacious single-family residential development. The R-8, Small Lot Residential District is intended for medium- to high-density residential development that includes single-family detached, duplex, and in special circumstances townhouse development. The residential density ranges for R-8 are single-family, 2,800 sq. ft. minimum; duplex, 1,800 sq. ft. minimum/unit; townhouses, 1,800 sq. ft. minimum/unit; and other uses, 6,000 sq. ft. minimum. The Comprehensive Plan designates this site as Mixed Use. Mixed Use areas are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that

are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings. The parcels are addressed as 1621 and 1641 Smithland Road and are identified as tax map parcels 63-B-3 and 4.

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. Extract from Planning Commission
2. Site maps
3. Application and supporting documents

Review:

Planning Commission recommended approval (7-0) of the rezoning request.