



City of Harrisonburg

Department of Planning and Community Development

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Memorandum

To: Diana Stultz, Zoning Administrator/Subdivision Agent
From: Adam Fletcher, Director of Planning and Community Development
RE: **City Comments for the Special Use Permit Application in Rockingham County on Tax Map Parcel 108-A-L164**
Date: Wednesday, December 6, 2017

Thank you for the opportunity to review the information on the Special Use Permit (SUP) request to allow for a vehicle repair shop and impound lot on tax map 108-A-L164 along Pear Street within the corporate limits of Rockingham County, Virginia, submitted by Randy Fauls. The proposed development of this property causes concerns for City staff.

We understand this property is zoned A-2, General Agricultural, which only allows the proposed use by an approved SUP. We further understand that the proposed use is relying on City water and sewer infrastructure and has received authorization from the City's Department of Public Utilities that the proposed use could connect to the existing water and sewer infrastructure that is located near or within the public street right-of-way of Pear Street. Such a connection cannot occur until the City's Planning Commission reviews the request (known as a Public Utility Application request) and offers a recommendation to City Council for final approval or rejection. The Public Utility Application is on track to be reviewed by Planning Commission on December 13, 2017, and then reviewed by City Council on January 9, 2018. At this time, planning staff cannot recommend in favor of connecting the proposed use to the City's water and sewer infrastructure because the proposed use is currently not permitted.

After review of Rockingham County's Comprehensive Plan's Land Use Plan for both 2020 and 2050, City staff understands the subject property is designated as Community Residential. The County's Comprehensive Plan states that "[t]hese areas are planned for a variety of housing types, but primarily single family detached homes, at a net density of two (2) to six (6) dwelling units per acre for any particular project." The designation also identifies that such areas should follow the principles of Traditional Neighborhood Development (TND). (For ease of reference, the entire Community Residential description is attached herewith.)

Similar to the County's plans, the City's Comprehensive Plan Land Use Guide has all properties along Pear Street, from West Mosby Road to Erickson Avenue, designated Low Density Mixed

Residential. This designation states that "...these large undeveloped areas located at the edge of the City are planned for residential development containing a mix of large and small-lot single family detached dwellings and attractive green spaces. Planned 'open space' (also known as 'cluster') developments are encouraged. The intent is to allow innovative residential building types and permit creative subdivision design solutions that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and protection of environmental resources. Such innovative residential building types as zero lot-line development and patio homes will be considered as well as other new single family residential forms. The gross density of development in these areas should be in the range of 1 to 6 dwelling units per acre." Although the City's designation does not specifically state that such areas should develop under TND principles, such development is encouraged by City staff.

As noted, it appears that the City and County have cohesive Plans for this area of our community. Where our land use guidelines diverge is that the current City zoning along the majority of this portion of Pear Street does not permit vehicle repair shops or impound lots as by-right uses nor are they permitted by a SUP. Most of this section of Pear Street in the City is zoned R-1, R-2C, or R-3C, where the base zoning or regulating proffers allow only for detached single family homes and other uses permitted by the R-1, Single Family Residential District.

City staff recognizes there is a similar operation across the intersection of Pear Street and Ruby Drive and addressed at 269 Pear Street. This property is located within the City of Harrisonburg and is zoned R-1, and thus appears to be a non-conforming use. After reviewing aerial photographs of this area, it appears there is an existing impound lot on the subject property in Rockingham County (tax map 108-A-L164) that could be serving as a component to the vehicle repair shop at 269 Pear Street. Was the impound lot permitted per the County's Zoning Ordinance? Was a SUP approved to allow the construction of the impound lot? Per Google Earth aerial images, this impound lot was created sometime between the years of 2012 and 2013.

City staff does not believe the proposed SUP to allow for a vehicle repair shop and impound lot are consistent with the City or County Comprehensive Plans. We believe approving such a use could establish a precedent for other similar uses in the area. If such a SUP was available in the City along this section of Pear Street, City staff would find it difficult to recommend in favor of the request to the City's Planning Commission and City Council.

If the Rockingham County Board of Supervisors finds the request acceptable, City staff recommends considering the following conditions be placed upon the request:

- All off-street parking spaces shall be located behind any constructed building. (Note: This recommended condition follows the County's Comprehensive Plan's Community Residential designation guidelines under the Principles of Traditional Neighborhood Design identified under the "Streets" subheading. Specifically, it states on page 2-17 number 12 that "[p]arking lots and garage doors rarely front the street; parking is at the rear of buildings, usually accessed by alleys.")
- All impound lots shall be screened from view by installing and maintaining an opaque fence or by installing and maintaining an evergreen vegetative buffer to create a dense screen, where such evergreens shall be planted at no less than 5 feet on center and 6 feet

in height at the time of planting, or by any combination of the opaque fencing and identified vegetative screening.

- The property owner shall dedicate to the appropriate political entity or regulating department, property as public street right-of-way, across the entire subject site's Pear Street and Ruby Drive public street frontages, the amount necessary to meet the minimum required right-of-way widths for each of the listed streets. Unless otherwise specified, the property owner shall use the existing right-of-way centerlines to determine the amount of property to be dedicated.
- The property owner shall construct sidewalk along the public street frontages across the entire length of the subject site. (Note: This recommended condition follows the County's Comprehensive Plan's Community Residential designation ideals under the Principles of Traditional Neighborhood Design identified under the "Streets" and "Infrastructure" subheadings.)

Community Residential

Community Residential Areas, shown on the Conceptual Land Use maps as Residential, will encompass the primary future urban residential neighborhoods in Rockingham County. They are concentrated in defined growth areas around the City of Harrisonburg and the Towns of Timberville, Broadway, Dayton, Bridgewater, Mt. Crawford, Grottoes, and Elkton, the Village of McGaheysville and Massanutten Resort.

Land Use Pattern and Urban Design. These areas are planned for a variety of housing types, but primarily single-family detached homes, at a net density of two (2) to six (6) dwelling units per acre for any particular project. Net densities for particular projects would be somewhat higher than gross densities due to the subtraction of non-residential sites, as well as floodplains and other non-buildable areas. Residential development at the high end of this density range is encouraged in order to make efficient use of the land within the growth areas and to prevent suburban sprawl. The County will consider innovative townhouse and apartment layouts and designs and small-lot single-family detached housing types like patio homes and zero lot-line development to accomplish this goal. Manufactured home parks and subdivisions will be encouraged in appropriate locations within the defined growth areas.

In order to receive approval of residential densities at the higher end range, the County will expect new development to provide the necessary infrastructure (roads, sidewalks, civic sites and utilities) to serve the proposed development, and to be designed in a pedestrian-friendly manner with an interconnected street network. Thus, to the greatest extent feasible, new development should be in accord with the traditional neighborhood design principles set forth below.

Principles of Traditional Neighborhood Development. Traditional Neighborhood Developments (TNDs) will be permitted and encouraged in Community Residential Areas. TNDs offer a new type of development that harkens back to the development patterns of older towns and cities and offers a new model for development that updates pre-1940s traditional development patterns of towns and cities. They feature the following key principles and attributes:

Organization and Structure

- 1) The neighborhood has a discernible center, often a square or a green, a busy or memorable street corner, and/or a prominent civic building (a transit stop can be located at this center). The center may be surrounded by a mixed-use retail/office core area. The Mixed Use Centers shown on the future land use maps of this Plan may serve as neighborhood centers, although for some neighborhoods, the centers may be smaller and less prominent.
- 2) Most of the dwellings are within a five-minute walk of the neighborhood center, an average of roughly 1,500 feet, producing a total area of approximately 150 acres.
- 3) Small playgrounds or pocket parks are located within 500 feet of every dwelling.
- 4) To the extent possible, an elementary school is close enough so that most children can walk from their home.
- 5) Development is located in environmentally suitable areas, designed to preserve important environmental and cultural resources
- 6) Civic identity and a sense of community are reinforced through:
 - a system of parks and public and institutional uses
 - a formal neighborhood governance association to decide and/or advise on matters of maintenance, security and physical change (taxation remains the responsibility of the County).

Streets

- 7) The neighborhood is served by many transportation modes, including motor vehicle, pedestrian, bicycle and transit; motor vehicles and parking lots do not dominate.
- 8) The neighborhood's streets form a connected network, providing a variety of pedestrian and vehicular routes to any destination, which disperses traffic.

(The streets are laid out generally in a grid pattern, forming blocks of about 1,200 feet in perimeter length each). Cul-de-sacs should be avoided; small “eyebrows” (short road loops with just a few houses) protruding from the main street should be used instead.

- 9) The circulation network includes streets, alleys, sidewalks and paths.
- 10) The streets are relatively narrow and shaded by rows of trees, often with on-street parking, which slows traffic, creating an environment suitable for pedestrians and bicycles.
- 11) Buildings in the neighborhood center are placed close to the street, creating a feeling of human scale and a strong sense of place.
- 12) Parking lots and garage doors rarely front the street; parking is at the rear of buildings, usually accessed by alleys.
- 13) Certain prominent sites at the termination of street vistas or in the neighborhood center are reserved for civic buildings which provide sites for community meetings, education, religious or cultural activities.

Land Uses

- 14) The neighborhood has a mix of uses so that residents have opportunities to live, recreate, learn, worship, and even work and shop in their neighborhood
- 15) There is a variety of dwelling types, densities and costs: single family houses, townhouses, apartments and accessory units, for all kinds of people, including younger, older, singles, families, lower income, upper income, etc.
- 16) There are a variety of shops and offices at the core or the edge of the neighborhood to supply the weekly needs of a household.
- 17) A small ancillary building is permitted within the backyard of each house, which may be used as a rental unit, an in-law suite, or place to work (e.g. office or craft workshop).

Some townhouse and multifamily residential areas would be allowed and encouraged in TNDs, but should surround or be located within walking distance of the Mixed Use Centers shown on the future land use maps and described below. Where townhouse and/or multifamily residential development is included in a TND outside of a Mixed Use Center, the overall residential density of the entire TND may increase to the maximum of six (6) dwelling units per net acre of residential area.

The organizing framework of a TND is an area of land that constitutes a five minute walk, or a circle of about one-quarter mile radius (about 150 acres). Commercial and

higher density residential uses should be focused within such a core area, which could include the Mixed Use Center concept described below.

Infrastructure. New development within Community Residential Areas must be served by public water and sewer systems. Such areas must also exhibit a grid of interconnected streets with well-spaced collector roads in order to create a connected community and an efficient transportation network. The grid may be modified to reflect topographic and other environmental constraints. Disconnected developments with large numbers of cul-de-sacs are inappropriate for Community Residential Areas.

A system of bicycle and pedestrian paths shall be constructed throughout the Community Residential Areas. In areas with a high concentration of buggy users, buggy lanes should also be provided. Provision of these alternative transportation modes will help reduce automobile traffic levels and therefore preserve a more livable environment for current and future citizens.

Community Residential Areas shall also contain parks and civic use sites (churches, schools, recreation centers, cultural institutions, etc.). The County plans to develop standards for the setting aside of land for parks and civic uses so as to create whole communities, not just bedroom communities. Many of these parks and civic use sites should be located near the planned greenways and trail system. All must be connected to the surrounding neighborhoods by sidewalks and pedestrian-friendly streets.