



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Eric Campbell, City Manager
From: Adam Fletcher, Director – Department of Community Development and Harrisonburg Planning Commission
Date: April 13, 2021 (Regular Meeting)
Re: Rezoning – 486 West Market Street (R-3C, Multiple Dwelling Residential District Conditional to R-2C, Residential District Conditional)

Summary:

Public hearing to consider a request from Bridgewater College Properties, LLC to rezone a +/- 22,075 sq. ft. parcel from R-3C, Multiple Dwelling Residential District Conditional to R-2C, Residential District Conditional. The property is addressed as 486 West Market Street and is identified as tax map parcel 35-P-22.

Staff and Planning Commission (6-0, Baugh abstained) recommended approval of the rezoning as requested.

Background:

The Comprehensive Plan designates this site as Neighborhood Residential. 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 following land uses are located on and adjacent to the property:

Site: Vacant building, formerly the Spitzer Fine Arts Center; zoned R-3C

North: Single-family detached dwellings and duplexes fronting North Willow Street; zoned R-2

East: Single-family detached dwellings fronting West Market Street; zoned R-2

South: Across West Market Street, single-family detached dwellings and duplexes; zoned R-2

West: Across North Willow Street, single-family detached dwellings; zoned R-2

Key Issues:

The applicant is requesting to rezone a +/- 22,075 square foot parcel from R-3C, Multiple-Dwelling Residential District Conditional to R-2C, Residential District Conditional. The subject property was rezoned from R-2, Residential to R-3C, Multiple-Dwelling Residential Conditional in January 2004 to

allow for a non-profit fine arts group to utilize the structure for organizational uses including a gallery, studios, meetings, and lecture and classroom space. As part of the 2004 rezoning request, the applicant proffered that the site would only be used for a non-profit community art center. If the requested rezoning is approved, the applicant desires to sell the property and may seek to subdivide the parcel prior to selling. The subject property is large enough that under the R-2 zoning regulations it could be subdivided for an additional single-family detached dwelling lot or to create two duplex dwelling lots.

The applicant has been informed that prior to residentially occupying the existing structure on the site, a building permit will be required to change the certificate of occupancy back to a residential use.

With the requested rezoning the applicant has proffered the following (written verbatim):

1. There shall be no driveway entrances on West Market Street; and
2. If the property is subdivided or redeveloped,
 - a) The two existing driveway entrances along North Willow Street may remain if the existing 30-ft. commercial entrance is reconstructed to meet all City standards for the type of driveway entrance required for the use(s), which may result in reducing the width of the existing entrance; or
 - b) The driveway entrances along North Willow Street shall be modified or removed so that there is only one shared entrance serving all parcels and uses. No new driveway entrances can be located within 50-feet of West Market Street.

For traffic safety purposes, direct property access along arterial and collector streets should be limited whenever reasonable access can be provided to a lower class (local) street. Proffer #1 accomplishes this by restricting entrances on West Market Street, which is a principal arterial street.

Currently, there are two existing driveway entrances along North Willow Street into the subject parcel; one is a +/- 15-foot Entrance, which leads directly into a garage, the second is a 30-foot commercial entrance installed when the parking lot was constructed for the arts center. Section 3.10.2.3 of the Design & Construction Standards Manual (DCSM) requires a 50-foot minimum distance between an entrance and street intersections for local streets. The two existing driveway entrances meet this requirement. Staff, however, has concern regarding the size of the existing commercial entrance with the proposed residential use and allowing additional entrances if the property is subdivided. Proffer #2 addresses staff's concern by limiting driveway entrances for the subject site to the two existing entrances along North Willow Street or combining all driveway entrances as one shared entrance for all parcels (if subdivided), reducing the size of the commercial entrance, and not permitting any driveway entrance within 50 feet of West Market Street.

The requested rezoning to R-2C is supported by the Comprehensive Plan, which designates this area as Neighborhood Residential and staff recommends approval.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approval of the rezoning request; or
- (b) 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 and twice advertising for the City Council’s public hearing. The advertisement was published as shown below:

Public hearing to consider a request from Bridgewater College Properties, LLC to rezone a +/- 22,075 sq. ft. parcel from R-3C, Multiple Dwelling Residential District Conditional to R-2, Residential District. The Zoning Ordinance states that the R-3, Multiple Dwelling Residential District is intended for medium- to high-density residential development and other uses intended to respect the residential character, which are aesthetically compatible within the district by means of architectural expression, landscaping, and restrained traffic flow. The R-2, Residential District is intended for medium-density, single-family and duplex residential development. The residential density ranges for R-2 are single-family, 7,000 sq. ft. minimum and duplex, 5,500 sq. ft./unit. The Comprehensive Plan designates this site as Neighborhood Residential. 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 property is addressed as 486 West Market Street and is identified as tax map parcel 35-P-22.

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, applicant letter, and supporting documents

Review:

Planning Commission recommended (6-0, Baugh abstained) alternative (a) approval of the rezoning request.