



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: July 9, 2024 (Regular Meeting)
Re: Rezoning – 448 Kelley Street (R-2 to R-8)

Summary:

Project name	N/A
Address/Location	448 Kelley Street
Tax Map Parcels	32-B-31
Total Land Area	+/- 9,171 square feet
Property Owner	Yanahina Montoya Centeno
Owner's Representative	N/A
Present Zoning	R-2, Residential District
Proposed Zoning	R-8C, Small Lot Residential Conditional
Staff Recommendation	Approval
Planning Commission Recommendation	June 12, 2024 (Public Hearing) Approval (4-0)
City Council	July 9, 2024 (First Reading/Public Hearing) Anticipated July 23, 2024 (Second Reading)

Background:

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

Site: Single family detached dwelling, zoned R-2

North: Across an alley, Ralph Sampson Park, zoned R-2

East: Vacant lot, zoned R-2

South: Across Kelley Street, single family detached dwelling, zoned R-2

West: Single family detached dwelling, zoned R-2

Key Issues:

The applicant is requesting to rezone a +/- 9,171-square foot parcel from R-2, Residential District to R-8C, Small Lot Residential District Conditional. In the applicant's letter they explain that they want to rezone the property to R-8 to be able to add a porch to the front of the home. The required front yard

setback of 30-feet in the R-2 district prohibits the property owner from building on the front of the home.

Proffers

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

1. The minimum setback for principal structures along Kelley Street shall be 20 feet.

While the R-8 district allows for 10-foot front yard setbacks, the applicant's submitted proffer would restrict the front yard setback to 20 feet, which would provide the flexibility the applicant needs to build a porch on the front of their home. Structures along Kelley Street have varied, established front yard setbacks, and thus staff does not believe the reduced setback for this property would be inconsistent with this established neighborhood.

Land Use

The Comprehensive Plan designates this parcel as Neighborhood Residential and states that:

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.

Additionally, while the R-2 district allows duplexes by right, the lot does not meet lot area and dimensional requirements to allow construction of a duplex. However, if the property is rezoned to R-8, the existing structure could be modified to become a duplex or the property could be redeveloped with a duplex. Staff has no concerns with this possibility.

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. Water service size will be reviewed during building design.

Housing Study

The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type B, which has "neighborhoods [that] are characterized by high income earning households, large volumes of housing sales and lower population growth." The Housing Study further notes that houses in these markets are quick to sell and that "[p]riorities and policies that are appropriate to Market Type B areas include the preservation of existing affordable housing while at the same time working to increase access to amenities.

Public Schools

If the rezoning is approved, at this time, since no additional dwelling units would be added to the property, the student generation is zero. Based on the School Board’s current adopted attendance boundaries, Spotswood Elementary School, Skyline Middle School, and Rocktown High School would serve the students residing on this property.

Recommendation

Staff believes that this request does not have any major adverse effects on the surrounding properties and is consistent with the Comprehensive Plan’s Land Use Guide. 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. Deny 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 – 448 Kelley Street (R-2 to R-8)

Public hearing to consider a request from Yanahina Montoya Centeno to rezone a +/- 9,171 square foot parcel from R-2, Residential District to R-8, Small Lot Residential District. The parcel is addressed as 448 Kelley Street and is identified as tax map parcel 32-B-31.

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:

Planning Commission recommended approval (4-0) of the rezoning request. (Vice-Mayor Dent, Commissioner Baugh, and Commissioner Washington were absent.)