



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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March 15, 2024

**TO THE MEMBERS OF CITY COUNCIL  
CITY OF HARRISONBURG, VIRGINIA**

**SUBJECT:** *Consider a request from Northside Development Partners LLC to preliminarily subdivide +/- 5.23-acres addressed as 44 and 81 Wilson Avenue*

**EXTRACT FROM THE DRAFT MINUTES OF HARRISONBURG PLANNING  
COMMISSION MEETING HELD ON:** February 14, 2024

Vice Chair Byrd read the request and asked staff to review.

Ms. Dang said in December 2022, City Council approved the following requests associated with the subject site:

- A rezoning of a +/- 3.8-acre site from R-2, Residential District to R-8C, Small Lot Residential District Conditional and a rezoning of a +/- 1.44-acre site from R-2, Residential District and M-1, General Industrial to R-5C, High Density Residential District Conditional.
- A special use permit per Section 10-3-55.4 (1) of the Zoning Ordinance on +/- 1.44 acres to allow multiple-family dwellings of more than twelve (12) units per building.
- A special use permit per Section 10-3-59.4 (1) of the Zoning Ordinance on +/- 3.8 acres to allow attached townhomes of not more than eight units within the R-8, Small Lot Residential District.
- A request to close a +/- 5,529 square foot portion of Wilson Avenue adjacent to tax map parcels 42-B-32, 33, 34, & 36, and a portion of 42-B-9A. The portion to be closed is +/- 10 feet wide and +/- 553 feet in length.

Note that the street closure has not been finalized, but the applicant recently submitted documents to complete the closure.

A copy of the approved 2022 proffers are attached herein.

The applicant is requesting to preliminarily subdivide +/- 5.23-acres of property by creating 58 townhome parcels, one multifamily parcel, and two common area parcels. The applicant plans to construct 58 townhomes and three multifamily buildings containing 34 multifamily dwellings. The

preliminary plat also includes requests for variances to deviate from requirements of the Subdivision Ordinance.

#### *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.

#### *Transportation and Traffic*

The Determination of Need for a Traffic Impact Analysis (TIA) form (“TIA determination form”) for the proposed development was completed during the rezoning process and indicated that the project would not generate 100 or more peak hour trips, which is the threshold for staff to require a Traffic Impact Analysis (TIA). Therefore, a TIA was not required for the rezoning request.

#### *Public Water and Sanitary Sewer*

As required, all lots would be served by public water and public sanitary sewer. The preliminary plat illustrates where water and sanitary sewer lines would be provided so that each new lot would have access to public water and sewer.

#### *Subdivision Ordinance Variance Requests*

Section 10-2-42 (c) of the Subdivision Ordinance requires all parcels to have public street frontage. Seven of the townhome lots would have public street frontage while the remaining 51 townhome lots would front along private streets, thus requiring approval to deviate from Section 10-2-42 (c).

This Subdivision Ordinance variance has been approved multiple times throughout the City for many existing townhome communities and staff has no concerns for this project.

The second variance request is to Section 10-2-43 of the Subdivision Ordinance, which requires a 10-foot-wide public general utility easement along front lot lines and any lot adjacent to public right-of-way and requires at least a 10-foot-wide public general utility easement centered on the sides or rear of lot lines. Sheet 2 of the preliminary plat illustrates the proposed locations of 10-foot-wide public general utility easements, where some of the locations are modified. Public general utility easements are provided for utilities, including water, sanitary sewer, storm sewer, electric, natural gas, television cable, telephone cable, and others deemed a utility by the City. The proposed public general utility easements would not preclude utility companies from negotiating alternative easements with property owner(s). The requirements, as specified in Section 10-2-43, are intended to ensure that necessary areas are reserved for the needed utilities in traditional subdivisions. Staff does not have concern with the proposed development deviating from this section of the Subdivision Ordinance.

The final three variances being requested are from Sections 10-2-41 (a), 10-2-61 (a), and 10-2-66, which are associated with public street design standards. Specifically, Section 10-2-41 (a) states that “[p]roposed streets shall conform to the standards and specifications outlined in the Design and Construction Standards Manual (DCSM) except that variances to the standards for streets, alleys, blocks, easements, sidewalks, and all such related features may be approved on a case-by-case basis by the city council when” particular objectives are met. Section 10-2-61 (a) states that “[t]he subdivider is required to make all such improvements to streets, including grading, subgrade, surface, and curbs and gutters, in accord with the requirements of the city's DCSM.” And Section 10-6-66 states “[a]ll utility, street and alley improvements shall be provided in each new subdivision lying wholly or partly within the corporate limits of the city in accordance with standards and specifications of the city.” In particular, the applicant is requesting to deviate from DCSM Sections 3.1.9.2, to allow for an alternate paved “tee” turnaround and Appendix F, to allow reducing vehicular travel lanes on Wilson Avenue from 15-foot-wide lanes to 10-foot-wide lanes, and to reduce the public street right-of-way width from 50-feet to 40-feet. The applicant has submitted supporting documentation explaining the reasons for the requested variances.

Staff supports all of the variances that have been requested.

#### *Housing Study*

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject property within Market Type D, which has “neighborhoods [that] are characterized by the lowest growth of any market type and low housing volume turnover.” Additionally, “[i]ncomes in different pockets vary greatly. Median household incomes across block groups in these neighborhoods have the broadest range: \$20,000 to \$91,000. This could point to a divergence of two conditions found within these neighborhoods: one of stable, high-income, low turnover neighborhoods and one of lower turnover in lower income neighborhoods.

#### *Public Schools*

The student generation attributed to the proposed 58 townhomes and 34 multifamily dwellings is estimated to be 52 students. Based on the School Board’s current adopted attendance boundaries, Waterman Elementary School, Thomas Harrison 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 three of the six elementary schools. Note that the City has been planning for the purchase of land for a 7<sup>th</sup> elementary school for a number of years as such a project continues to be listed in the City's Capital Improvement Program.

*Recommendation*

Aside from the variance requests as described herein, the preliminary plat meets all other requirements of the Subdivision Ordinance. Staff supports the variance requests and recommends approval of the preliminary plat.

Vice Chair Byrd asked if there were any more questions for staff. Hearing none, he opened the public hearing and invited the applicant or applicant's representative to speak to their request.

Vice Mayor Dent said remind me where the street closure is.

Ms. Dang said it is not a full street closure, Wilson Avenue will still be accessible. It is basically on the...abutting the parcel on the top of the page, there is a 10-foot sliver that is going to vacated and closed by the City that will become part of that parcel.

Mr. Fletcher said the existing right of way of Wilson Avenue. There is a section along here that they are closing to narrow the width and then in exchange they are dedicating this section up here.

Vice Chair Byrd asked if there were any more questions for staff.

Vice Mayor Dent said looks good to me. I move that we approve the request from Northside Development Partners LLC to preliminarily subdivide ±5.23-acres. Address is 44 and 81 Wilson Avenue, as presented by staff.

Commissioner Baugh seconded the motion.

Vice Chair Byrd called for a roll call vote.

Commissioner Armstrong	Aye
Commissioner Baugh	Aye
Vice Mayor Dent	Aye
Commissioner Alsindi	Aye
Commissioner Washington	Aye
Vice Chair Byrd	Aye

The motion to recommend approval of the preliminary plat passed (6-0). The recommendation will move forward to City Council on March 26, 2024.