



## 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: March 10, 2020 (Regular Meeting)  
Re: Special Use Permit – Virginia Mennonite Retirement Community, Inc. (Section 10-3-48.4 (6) to Allow Multiple Family Dwellings Up to 12 Units Per Building)

### **Summary:**

Public hearing to consider a request from Virginia Mennonite Retirement Community, Inc. (VMRC) for a special use permit per Section 10-3-48.4 (6) of the Zoning Ordinance to allow multiple family buildings of up to 12 units per building under the conditions set forth under 10-3-48.6 (e) within the R-3, Medium Density Residential District. The +/- 16.16 acre parcel has addresses on Park Road, Spruce Court, Hawthorne Circle, and Shank Drive and is identified as tax map parcel 52-D-4.

Staff recommended approval and Planning Commission unanimously recommended approval 5-0 (Whitten absent and Colman recused).

### **Background:**

The Comprehensive Plan designates this site as Institutional. These areas are planned for development by certain institutional uses, like private colleges and universities, hospitals, and retirement communities that operate on large land areas and may function in a campus-like environment.

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

- Site:** Duplexes and multi-family apartment buildings associated with Virginia Mennonite Retirement Community, Inc., zoned R-3/I-1
- North:** Duplexes and multi-family apartment buildings, zoned R-3
- East:** Single-family detached dwelling, and across Virginia avenue, a house of worship, zoned R-3
- South:** Multi-family apartment buildings and facilities associated with Virginia Mennonite Retirement Community, Inc., zoned R-3/I-1
- West:** Across Park Road, Park View Mennonite Church and duplexes associated with Virginia Mennonite Retirement Community, Inc., zoned R-2

The area generally referred to as VMRC is a +/- 46.2-acre property comprised of three subsidiaries; Park Village, Inc., Heritage Haven Inc., and Virginia Mennonite Home, Inc. An institutional overlay master

plan for the original +/- 45-acre tract of VMRC was approved in March 1997. This master plan described all uses within the campus, but primarily focused on the Virginia Mennonite Home subsidiary and the construction of the five-story Park Gable retirement housing and fitness center. VMRC took advantage of reduced setbacks and greater height for the Park Gable building, as well as relief in parking requirements for the campus. In June 2004, an addition was made to the 1997 master plan when 1.2 +/- acres along Park Road was added to the Park Village, Inc. section of VMRC. In July 2009, the master plan was amended to add a child daycare center as one of the allowable uses for the Woodland Facility, located on a +/- 3.5-acre portion of the Virginia Mennonite Home, Inc. portion of VMRC. The child daycare center never moved into the Woodland Facility and in December of 2009 VMRC again amended the master plan to demolish the Woodland Facility and surrounding cottages in order to construct the Green House Homes, which provides skilled nursing care for up to ten occupants in each building. The homes were to be constructed along a loop road within the Woodland area and relief from the required parking was approved as part of the master plan amendment. In July 2011, VMRC once again amended the Woodland area to allow for a reduction in setback requirements for the Green House Homes after right-of-way was dedicated along Parkwood Road and Virginia Avenue for the public streets.

Then finally, in June 2017, VMRC amended the portion of the master plan associated with the Park Village area of the campus. This amendment incorporated a new area into the R-3 and I-1 zoning classifications and allowed for reduced setbacks and relief in parking requirements for this portion of the campus. At that time, the master plan narrative described that changes to the Park Village neighborhood would be made over many years, as tenant turnover takes place. VMRC desires to tailor renovation and redevelopment to emerging market conditions; therefore, a master plan detailing the future design for the neighborhood has not been developed. Instead, the 2017 master plan amendment provides a framework for the orderly design of the future development.

### **Key Issues:**

The applicant, Virginia Mennonite Retirement Community, Inc. (VMRC), is requesting a special use permit (SUP) to allow for multi-family buildings of up to twelve units. The applicant's letter describes that the SUP is requested to replace three existing multi-family/quad-plex townhouse-style buildings located along Park Road, between Village Drive and Shank Drive, with three new similarly styled buildings with a larger footprint.

The exhibit included with the application illustrates three buildings, each with four dwelling units facing Park Road. As part of the requirements for obtaining a SUP to build multi-family units in the R-3 district, an applicant must substantiate that they have met several conditions to justify the development. Those conditions outlined in the Zoning Ordinance (ZO) consist of the following:

1. existing multiple-family development, or land planned for multiple-family development according to the Land Use Guide, is located adjacent to, across the street from or in close proximity to the proposed development;
2. the applicant has demonstrated that adequate vehicular, transit, pedestrian and bicycle facilities currently serve the site, are planned to serve the site according to a city or state plan, will be provided by the applicant at time of development, or are not needed because of the circumstances of the proposal;
3. the applicant has demonstrated that the proposed multiple-family development's design is compatible with adjacent existing and planned single-family, duplex and townhouse development;

4. the applicant has shown that the site is environmentally suitable for multiple-family development.

The applicant has addressed each condition within their attached letter. Park Village is an existing multi-family dwelling neighborhood within the VMRC Master Plan and staff believes they meet the criteria of each of the listed conditions.

Staff understands VMRC's desire to tailor renovation and redevelopment to emerging market conditions and that VMRC is not able to plan for redevelopment of the entire Park Village neighborhood. As staff has only vetted a proposal for 12 multi-family dwelling units in the general vicinity illustrated in the attached exhibit, staff recommends the following condition for the requested SUP:

The special use permit allows up to 12 multi-family dwelling units in the general location shown in the exhibit submitted by the applicant.

This restricts VMRC to having only up to 12 multi-family dwelling units in the general location shown in the exhibit. There is no restriction or requirement on the number of buildings allowed within this general location. The applicant understands that in the future, if more than 12 multi-family dwelling units are desired in this general location or if there is future development or redevelopment of multi-family buildings on other portions of VMRC's campus, the applicant will be required to go through the SUP process again.

Within their letter, the applicant has requested that the City allow them five years from SUP approval to obtain any necessary land disturbing permit or building permits for the multi-family buildings. Section 10-3-130 (c) of the ZO states that "[w]hen a special use permit is approved by the city council, the special use authorized shall be established, or any construction authorized shall be commenced and diligently pursued, within such time as the city council may have specified, or, if no such time has been specified, then within twelve (12) months from the approval date of such permit." Staff is comfortable recommending an extension from 12 months to five years with the following condition:

The special use shall be established, or any construction authorized shall be commenced and diligently pursued within five years from the approval date of the special use permit.

If the SUP is approved with this condition, the property owner should plan their submission schedules accordingly for engineered comprehensive site plan review and/or building permit review to ensure that the special use is established or the construction of at least one multi-family building is commenced and diligently pursued within five years.

During the engineered comprehensive site plan review, issues such as parking requirements, parking lot landscaping, setbacks, stormwater, and street entrances, will be reviewed.

Staff recommends approving the SUP request with the following conditions:

- The special use permit allows up to 12 multi-family dwelling units in the general location shown in the exhibit submitted by the applicant.
- The special use shall be established, or any construction authorized shall be commenced and diligently pursued within five years from the approval date of the special use permit.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Recommend approval of the special use permit request as submitted;
- (b) Recommend approval of the special use permit request with suggested conditions;
- (c) Recommend approval of the special use permit with other conditions(s); or
- (d) Recommend denial.

**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:

***Special Use Permit – Virginia Mennonite Retirement Community, Inc. (Section 10-3-48.4 (6) to Allow Multiple Family Dwellings Up to 12 Units Per Building)***

Public hearing to consider a request from Virginia Mennonite Retirement Community, Inc. (VMRC) for a special use permit per Section 10-3-48.4 (6) of the Zoning Ordinance to allow multiple family buildings of up to 12 units per building under the conditions set forth under 10-3-48.6 (e) within the R-3, Medium Density Residential District. The +/- 16.16 acre parcel is addressed as 1530, 1532, 1534, 1536, 1538, 1540, 1542, 1550, 1552, 1554, 1556, 1570, 1572, 1574, 1576, 1590, 1592, 1594, 1596, and 1610 Park Road; 1605, 1609, 1606, 1607, 1608, 1610, 1615, 1617, and 1619 Spruce Court; 1571, 1573, 1575, 1577, 1584, 1585, 1586, 1587, 1588, 1589, 1590, and 1591 Pine Court; 1504, 1508, 1512, 1516, 1520, 1524, 1528, 1532, 1536, 1540, 1544, 1548, 1552, 1556, 1560, 1564, 1568, 1572, 1578, 1582, and 1586 Hawthorne Circle; and 1238, 1240, 1241, 1244, 1245, 1248, 1249, 1252, 1256, 1260, 1264, 1268, 1272, 1276, 1280, 1284, 1288, 1292, and 1294 Shank Drive. The property is identified as tax map parcel 52-D-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 (b) approval of the special use permit with suggested conditions.

**Attachments:**

- 1. Planning Commission Extract
- 2. Site maps
- 3. Application, applicant letter, and supporting documents
- 4. Proposed site development layout

**Review:**

Planning Commission recommended (5-0) approval of the special use permit with suggested conditions.