



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: August 8, 2023 (Regular Meeting)
Re: Rezoning – 361 Franklin Street (R-1 to R-8C)

Summary:

| | |
|------------------------------------|---|
| Project name | N/A |
| Address/Location | 361 Franklin Street |
| Tax Map Parcels | 27-Q-1 |
| Total Land Area | +/- 10,269-square feet |
| Property Owner | Katherine S. Moran and Marcie E. Harris |
| Owner's Representative | The Stratford Companies |
| Present Zoning | R-1, Single-Family Residential District |
| Proposed Zoning | R-8C, Small Lot Residential District Conditional |
| Staff Recommendation | Approval |
| Planning Commission Recommendation | July 12, 2023 (Public Hearing) Approval (7-0) |
| City Council | August 8, 2023 (First Reading/Public Hearing) Anticipated August 22, 2023 (Second Reading) |

Background:

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

Site: Vacant, zoned R-1

North: Across Franklin Street, single-family detached dwellings, zoned R-1

East: Single-family detached dwellings, zoned R-1

South: Single-family detached dwellings, zoned R-1

West: Across Monticello Avenue, duplexes, zoned R-1

Key Issues:

The applicant is requesting to rezone a +/- 10,269-square foot parcel from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The vacant parcel is addressed as 361 Franklin Street and is located on the southeast corner of Franklin Street and Monticello Avenue. The

applicant is proposing to construct a single-family detached dwelling. As explained in a letter submitted by the applicant, the key goals are to keep most living spaces and essential functions on the main level of the home. To achieve this, the home requires a large footprint that conflicts with the setback requirements of the R-1 district. Within the attached exhibit, the applicant illustrates the allowable setbacks of both the R-1 and R-8 districts.

Proffers

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

1. More than one dwelling is prohibited.
2. The minimum setback along Franklin Street shall be 20 feet.

Note that the submitted conceptual layout is not proffered.

Regarding proffer #1, in R-8 zoning, duplexes are allowed by right and given the lot area and dimensions of the property, two duplex structures (four dwelling units) could be constructed, or the property could be divided into three single-family detached dwelling lots. If the rezoning is approved, although the R-8 district dimensional regulations would allow the property to be further subdivided, since the applicant has proffered to prohibit more than one dwelling on the property, subdividing the property would not grant permission to build another dwelling on any newly created parcel. The submitted proffer essentially limits the subject area to only contain one dwelling unit.

Regarding proffer #2. The R-8 dimensional regulations require a 10-ft. minimum front yard setback and Article T (Modifications and Adjustments) of the Zoning Ordinance, requires corner lots to provide setbacks equal to the required front setback along all yards adjoining a public street; provided, however, that the setback regulations shall not reduce the buildable width to less than 50% of the lot width. Staff was concerned that a 10-ft. minimum setback allowed by the R-8 district along Franklin Street would allow the single-family structure to be too close to the street. In response, the applicant has proffered that the minimum setback along Franklin Street shall be 20-feet. The minimum setback along Monticello Avenue would be 10-ft. as allowed by the R-8 district.

Note that any special use permit approved by City Council would still be permissible.

Land Use

The Comprehensive Plan designates this site as Low Density Residential and states:

“These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre.”

With the submitted proffer, both the allowed dwelling type (single-family detached dwelling) and density (at about 4 dwelling units per acre) conforms with the Low Density Residential designation.

Know also that the R-8 district’s occupancy regulations are the same as the R-1 district’s occupancy regulations. When the R-8 district was drafted, the proposed occupancy regulations were intentionally designed to mimic the R-1 and R-2 districts because the R-8 district was intended to promote family

occupancy with higher unit density abilities. The occupancy regulations allow owner-occupied dwellings to be occupied by a family plus two individuals or a maximum of three individuals and nonowner-occupied dwellings can be occupied by a family plus one individual or a maximum of two individuals.

The existing property meets the R-1 lot area requirements, lot depth requirements, and is 10 feet less than the currently required 80-foot lot width. During review of this request, staff discussed whether it is appropriate and best practice to rezone an R-1-zoned, buildable property to the R-8 district to alleviate setbacks to construct a larger building. The R-8 district was created in 2019 to provide more flexibility for developers to create more housing opportunities by establishing smaller lots for more dwelling units. Ultimately, staff concluded that on a case-by-case basis and with appropriate proffers, rezoning a lot in an established neighborhood to R-8 should not have major adverse effects on the surrounding properties nor defeat the overall purpose and intent of the R-8 district.

Transportation and Traffic

A traffic impact analysis (TIA) was not required for the rezoning request.

Staff discussed with the applicant concerns with the proposed entrance along Franklin Street, primarily with the steep slope on the property, grade of Franklin Street, and potential for sight distance issues. The applicant understands these concerns and will evaluate them in more detail during building design. If the driveway is ultimately approved and constructed, the property owner must also ensure that the entrance (including the ADA-compliant pedestrian access route across the entrance) is built to standard and does not impede the sidewalk.

Public Water and Sanitary Sewer

Staff has no concerns with the requested rezoning regarding water and sewer matters.

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 single family dwelling is estimated to be one student. Based on the School Board’s current adopted attendance boundaries, Spotswood Elementary, Skyline Middle School, and Harrisonburg High School would serve the students residing in this development. Harrisonburg City Public Schools (HCPS) staff noted in their review comments that schools are over capacity in many of the schools.

Recommendation

Staff recommends approval of the rezoning.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the rezoning request; or
- (b) Deny 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 City Council’s public hearing. The advertisement was published as shown below:

Rezoning – 361 Franklin Street (R-1 to R-8)

Public hearing to consider a request from Katherine S. Moran and Marcie E. Harris to rezone a +/- 10,269-square foot parcel from R-1, Single Family Residential District to R-8, High Density Residential District. The Zoning Ordinance states that the R-1, Single-Family Residential District is intended for low-density, relatively spacious single-family residential development. The R-8, Small Lot Residential District is intended for medium- to high-density residential development that includes single-family detached, duplex, and in special circumstances townhouse development. The residential density ranges for R-8 are single-family, 2,800 sq. ft. minimum; duplex, 1,800 sq. ft. minimum/unit; townhouses, 1,800 sq. ft. minimum/unit; and other uses, 6,000 sq. ft. minimum. The Comprehensive Plan designates this site as Low Density Residential. These areas consist of single-family detached dwellings in and around well-established neighborhoods with a target density of around 4 dwelling units per acre. The low density residential areas are designed to maintain the character of existing neighborhoods. It should be understood that established neighborhoods in this designation could already be above 4 dwelling units per acre. The property is addressed as 361 Franklin Street and is identified as tax map parcel 27-Q-1.

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 approval of the rezoning.

Attachments:

- 1. Extract from Planning Commission
- 2. Updated supporting documents
- 3. Public comments
- 4. Site maps
- 5. Application and supporting documents

Review:

Planning Commission recommended approval (7-0) of the rezoning request.