



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: September (Regular Meeting)
Re: Rezoning – 215 Pear Street (R-1 to R-8C)

Summary:

Project name	N/A
Address/Location	215 Pear Street
Tax Map Parcels	111-A-9
Total Land Area	+/- 27,000 square feet
Property Owner	Karwan K Saeed
Owner's Representative	Karwan K Saeed
Present Zoning	R-1, Single Family Residential District
Proposed Zoning	R-8C, Small Lot Residential District Conditional
Staff Recommendation	Approval
Planning Commission Recommendation	August 9, 2023 (Public Hearing) Approval (6-0)
City Council	September 12, 2023 (First Reading/Public Hearing) Anticipated September 26, 2023 (Second Reading)

Background:

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

Site: Single family dwelling, zoned R-1

North: Undeveloped parcel and single-family dwellings, zoned R-1

East: Across Pear Street, vacant land, zoned B-2C and R-2C (Note: This site is currently being considered for a rezoning and two special use permits to allow for multi-family dwelling units)

South: Single family dwellings, zoned R-1 and across West Mosby Road in Rockingham County vacant land and single family dwelling, zoned A-1, Prime Agriculture District

West: Undeveloped land, zoned R-1

Key Issues:

The applicant is requesting to rezone a +/- 27,000-square foot parcel from R-1, Single-Family Residential District to R-8C, Small Lot Residential District Conditional. The lot has an existing single-family detached dwelling and is addressed as 215 Pear Street. While the applicant is proposing to subdivide the lot and build a single family dwelling on the newly created parcel, if the property is rezoned, given the R-8 district's dimensional requirements, the site might be able to be further developed by subdividing the parcel into three single family home lots or two duplex parcels (by-right, a maximum total of four units).

Proffers

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

1. There will be one entrance to the site to Pear Street and no other driveway will be allowed from Pear Street to the parcel.
2. The Owner/Applicant shall dedicate to the City, upon a subdivision that creates new lots or prior to issuance of any Certificate of Occupancy for a new dwelling, thirty feet (30') of right-of-way along the frontage of the property as measured from the centerline of the current Pear Street pavement for future right-of-way improvements.

While reviewing the application, staff had concerns about creating another entrance on this side of Pear Street from the existing parcel. We appreciate the applicant's willingness to prohibit no more than one entrance to the site. Note that if a new location is desired to enter the site, the property owner must close the existing entrance.

With proffer number 2, the applicant is proffering to provide right-of-way for future improvement to Pear Street. The future design of Pear Street as a whole is still an unknown and staff was comfortable with the applicant proffering only the right-of-way for future improvements.

Land Use

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

These areas have been developed or are planned for small-lot single-family detached and single-family attached (duplexes and townhomes) neighborhoods, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Mixed-use buildings containing residential and non-residential uses and multi-family dwellings could be appropriate under special circumstances. Attractive green and open spaces are important for these areas and should be incorporated. Open space development (also known as cluster development) is encouraged, which provides for grouping of residential properties on a development site to use the extra land for open space or recreation. Like the Low Density Mixed Residential designation, the intent is to have innovative residential building types and allow creative subdivision designs that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and the protection of environmental resources or sensitive areas (i.e. trees and floodplains). Residential building types such as zero lot-line development should be considered as well as other new single-family residential forms. The gross density of development in these areas could be around 20 dwelling units per acre. 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.

In this particular case, staff believes the requested R-8 zoning district's allowable dwelling types and densities are consistent with the Medium Density Mixed Residential designation. By-right, the R-8 district would allow 15 units per acre for single family detached dwellings and 24 units per acre for duplex units. While staff believes that the proposed development and rezoning to the R-8 district conforms with the Comprehensive Plan, it should be known that staff also believes an ideal situation would be for the subject property to become, or be part of, a larger development.

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.

Transportation and Traffic

The Determination of Need for a Traffic Impact Analysis (TIA) form ("TIA determination form") for the proposed rezoning is attached. The TIA determination form indicated that the project will not generate 100 or more new peak hour trips, which is the threshold for staff to require a TIA.

Staff had concerns about adding a second entrance to the site and suggested for the applicant to consider proffering a single entrance from Pear Street to the site. The applicant was already planning to use the single entrance for the proposed development and provided the submitted proffer that limits the parcel to one entrance.

Public Water and Sanitary Sewer

Staff has no concerns regarding water and sanitary sewer service availability for the proposed development.

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

The student generation attributed to the applicant's proposed one single family residential unit is estimated to be one student. Based on the School Board's current adopted attendance boundaries, Bluestone 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 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 – 215 Pear Street (R-1 to R-8)

Public hearing to consider a request from Karwan K. Saeed to rezone a +/- 27,000 square foot property from R-1, Single Family Residential to R-8, Small Lot Residential. The parcel is addressed as 215 Pear Street and is identified as tax map parcel 111-A-9.

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. Updated Proffer Statement (presented to Planning Commission)
- 3. Site maps
- 4. Application and supporting documents

Review:

Planning Commission recommended approval (6-0) of the rezoning request. Commissioner Washington was absent.