



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: May 14, 2024 (Regular Meeting)
Re: Rezoning – 415 North Liberty Street/TM 34-C-2 (M-1 to B-1C)

Summary:

Project name	N/A
Address/Location	415 North Liberty Street (Note: There is an adjacent parcel that shares the same address that is identified as tax map parcel 34-C-1.)
Tax Map Parcels	34-C-2
Total Land Area	+/- 5,758 square feet
Property Owner	David L. Snyder
Owner's Representative	Mike Martin, Cottonwood Commercial
Present Zoning	M-1, General Industrial District
Proposed Zoning	B-1C, Central Business District Conditional
Staff Recommendation	Approval
Planning Commission Recommendation	April 10, 2024 (Public Hearing) Approval (5-0)
City Council	May 14, 2024 (First Reading/Public Hearing) Anticipated May 28, 2024 (Second Reading)

Background:

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

Site: Undeveloped land; zoned M-1

North: Industrial use; zoned M-1

East: Across North Liberty Street, industrial uses and commercial uses; zoned M-1 and B-1C

South: Across a public alley, residential structure; zoned M-1

West: Across a public alley, single-family detached dwelling; zoned R-2

Key Issues:

The applicant is proposing to rezone a +/- 5,758 square foot parcel from M-1, General Industrial District to B-1C, Central Business District Conditional. The property is addressed as 415 North Liberty Street and is identified as tax map parcel 34-C-2. (Note: There is an adjacent parcel that shares the same address that is identified as tax map parcel 34-C-1. After the rezoning process for 34-C-2 has concluded, the parcel's address will be changed.) If the rezoning request is approved, the applicant plans to construct a mixed use building on the site to include ground floor retail or restaurant, and four one- or two-bedroom apartments above the first floor.

Proffers

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

1. Drive-through facilities are prohibited.
2. No parking lot (including travel lanes and drive aisles) shall be located between any building and North Liberty Street.
3. Vehicle fuel stations are prohibited.
4. Repair of vehicles, recreation equipment, or trailers are prohibited.
5. Refuse containers or refuse storage facilities shall not be located any closer to the public street than the front façade of the building closest to the public street.
6. All traffic generating uses shall be limited to a combined total of 100 vehicle trips in either the AM or PM peak hour as calculated using the latest edition of the Institute of Transportation Engineer's Trip Generation Manual unless the property owner first, at their cost: (1) completes a Traffic Impact Analysis approved by the City Department of Public Works and (2) implements all identified mitigation measures or improvements. The City Department of Public Works may, in its sole discretion, waive, in whole or in part, completion of a Traffic Impact Analysis or any identified mitigation measures or improvements.

The conceptual site layout is not proffered.

While vehicle fuel stations and repair of vehicles, recreation equipment, or trailers are all uses only allowed in the B-1 district with approval of a special use permit, proffers #3 and 4 would prohibit the ability to request special use permits for these particular uses. Also, while the applicant intends to provide a mixed use building with non-residential uses on the first floor and residential units on the floor above, such an arrangement is not guaranteed. The property owner could construct a building with only residential units or provide only commercial uses.

Land Use

The Comprehensive Plan designates this site as Mixed Use and states:

The Mixed Use category 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.

The Mixed Use area is a designation that promotes for “live-work” environments and traditional neighborhood development (TND). The Mixed Use designation description refers to TND, which is explained further in the Comprehensive Plan on page 6-9, and includes promoting walking, biking, and taking public transit. Proffers #1 and #2 promote pedestrian friendly design by prohibiting drive-throughs and restricting vehicle parking areas from being located between buildings and the public street. Note that the B-1 district has no off-street parking requirements.

The Harrisonburg Downtown 2040 Plan also includes this property within the study area and includes the following recommended action items:

15. Build the market by attracting more residents and more visitors

The Downtown 2040 Plan identifies three areas for potential residential development, one of which is an area labeled in a map on page 59 as “North Downtown.” The North Downtown area includes properties with frontage along North Liberty Street between West Gay Street and West Wolfe Street. While the subject property is outside of the North Downtown area, the property is about 200-feet north of West Gay Street—essentially an extension of the area and adding to the positive development energy and revitalization that is occurring in this area.

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 would not generate 100 or more new peak hour trips, which is the threshold for staff to require a TIA. Therefore, a 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.

Housing Study

The City’s Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type A. Among other things, this Market Type is characterized by high population growth. The study notes that Market Type A has “above median overall access to amenities such as

public transit within walking distance, full-service grocery stores, and multiple parks and recreation facilities.” The study also notes that “policies that are appropriate to Market type A areas include an emphasis on increasing density through zoning changes, infill development and housing rehabilitation to maintain the quality of housing.”

Public Schools

The student generation attributed to the proposed four residential units is estimated to be one student. 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 7th elementary school for a number of years as such a project continues to be listed in the City’s Capital Improvement Program.

Recommendation

Given the Comprehensive Plan’s Land Use Guide designation for this property and the submitted proffers, staff believes that the request is in conformance with the Comprehensive Plan and 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 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 – 415 North Liberty Street/TM 34-C-2 (M-1 to B-1C)

Public hearing to consider a request from David L. Snyder to rezone a +/- 5,758-square foot property from M-1, General Industrial District to B-1C, Central Business District Conditional. The parcel is addressed as 415 North Liberty Street and is identified as tax map parcel 34-C-2. Note: There is an adjacent parcel that shares the same address that is identified as tax map parcel 34-C-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 alternative (a) approval of the rezoning request.

Attachments:

1. Extract from Planning Commission
2. Site maps
3. Application and supporting documents

Review:

Planning Commission recommended approval (5-0) of the rezoning request. (Commissioner Alsindi was absent and there was one vacancy on the Planning Commission.)