



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Planning Commission  
From: Department of Community Development  
Date: July 12, 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	Recommendation withheld pending additional information from the applicant
Planning Commission	July 12, 2023 (Public Hearing)
City Council	Anticipated 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 proffer (written verbatim):

1. More than one dwelling is prohibited.

Note that the submitted conceptual layout is not proffered.

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.

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.

### *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 is withholding the recommendation pending additional information from the applicant. A recommendation will be provided at the Planning Commission meeting.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Recommend approval of the rezoning request; or
- (b) Recommend denial of the rezoning request.

**Community Engagement:**

As required, the request was published in the local newspaper twice advertising for Planning Commission'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 is withholding the recommendation pending additional information from the applicant. A recommendation will be provided at the Planning Commission meeting.

**Attachments:**

1. Site maps
2. Application and supporting documents

**Review:**

N/A