



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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February 1, 2021

**TO THE MEMBERS OF CITY COUNCIL
CITY OF HARRISONBURG, VIRGINIA**

SUBJECT:

Consider a request from Harrisonburg Cohousing LLC to preliminarily subdivide a +/- 5.26-acre parcel to create 15-townhome parcels, 4-duplex dwelling unit parcels, one single-family detached dwelling parcel, and one common area parcel that would include multi-family structures. The request includes variance requests from the Subdivision Ordinance for lots to not have public street frontage. The property is located at 650 Keezletown Road and is identified as tax map parcel 72-B-6.

**EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION
MEETING HELD ON: January 13, 2021**

Chair Finnegan read the request and asked staff to review.

Ms. Dang said that on March 24, 2020, City Council approved Harrisonburg Cohousing LLC's request to rezone the subject property from R-1, Single Family Residential District to R-7, Medium Density Mixed Residential Planned Community District. The R-7 district is intended to provide opportunities for the development of planned residential communities offering a mix of single-family detached units, single-family attached units, and in certain circumstances, multi-family units. R-7 communities are developed under an approved master plan that incorporates regulatory text for the communities. Aside from particular provisions of the Zoning Ordinance (ZO) that must be met, the approved master plan is the "zoning" by which the development must abide. A copy of the approved master plan is available in the March 24, 2020 City Council agenda packet at <https://harrisonburg-va.legistar.com/Calendar.aspx>.

The Comprehensive Plan designates this site as Low Density Mixed Residential. These areas have been developed or are planned for residential development containing a mix of large and small-lot single-family detached dwellings, where commercial and service uses might be finely mixed within residential uses or located nearby along collector and arterial streets. Duplexes may be appropriate in certain circumstances. Mixed use buildings containing residential and non-residential uses might be appropriate with residential dwelling units limited to one or two dwelling units per building. 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. 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 should be around 7 dwelling units per acre and 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.

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

Site: A single-family detached dwelling, zoned R-7

North: A single-family detached dwelling on property, zoned M-1 and R-1

East: A single-family detached dwelling, zoned R-1

South: Across Keezletown Road, single-family detached dwellings, zoned R-1

West: Single-family detached dwellings and commercial uses, zoned R-1, R-3C, and M-1

The applicant is requesting to preliminarily subdivide a +/- 5.26-acre parcel, located along the northern side of Keezletown Road, its western boundary approximately 525-feet from Keezletown Road's intersection with Country Club Road, to create 15-townhome parcels, 4-duplex dwelling unit parcels, one single-family detached dwelling parcel, and one parcel that would include multi-family structures and common area. The request includes variance requests from the Subdivision Ordinance for lots to not have public street frontage and for deviation from public general utility easement dedication requirements.

As required, all lots would be served by public water and public sanitary sewer. The preliminary plat shows both existing and proposed water and sanitary sewer lines within the site. An existing public water main bisects the property parallel to the stream and is available in portions of Keezletown Road. The developer proposes to construct a new 8-inch water main within Keezletown Road, which is referenced on Sheet 2 and illustrated on Sheets C401 and C402 of the preliminary plat. Additionally, the developer will construct 8-inch water mains within the site that will connect with existing and proposed water mains to serve the development and to create a looped water system. Existing sanitary sewer mains run along the eastern property boundary and bisects the property parallel to the stream. The developer proposes to construct a new sanitary sewer main into the site to serve proposed buildings.

On Sheet 3 of the preliminary plat, the applicant illustrates the location of easements for public water, public sanitary sewer, public general utilities, and stormwater best management practices (BMPs); and private easements, including water, sanitary sewer, utility, and access easements. In addition, Sheet 3 illustrates a proposed line of sight easement and public water line easement that the applicant would obtain from the adjacent property to the east and identified as tax map parcel 72-B-7. Furthermore, a private access easement and a public water easement is proposed on the

subject parcel so that a developer of tax map parcel 72-B-7 could use that area, if necessary, for their project.

The City's Subdivision Ordinance and Design & Construction Standards Manual require the applicant to dedicate right-of-way and construct street improvements at the time of subdivision. The applicant has illustrated +/- 9,304 square feet to be dedicated as public right-of-way and construction of road and sidewalk improvements as part of the development.

Section 10-2-42(c) of the Subdivision Ordinance requires all parcels to have public street frontage. The applicant is requesting a variance from Section 10-2-42 (c) and describes in their letter that "the proposed development is internally oriented and has only private streets / drives; the proposed lots will front these internal drives." It was acknowledged in the staff report for the 2020 rezoning and master plan that the development would require a variance to allow parcels to not have public street frontage.

A variance not discussed during the rezoning process is associated with Section 10-2-43. This section of the Subdivision Ordinance requires a 10-foot wide public general utility easement along front lot lines and any lot adjacent to public right-of-way and requires at least a 10-foot wide public general utility easement centered on the sides or rear of lot lines. Public general utility easements are provided for utilities, including water, sanitary sewer, storm sewer, electric, natural gas, television cable, telephone cable, and others as deemed utility by the City. The applicant's letter describes that "the preliminary plat illustrates adequate public general utility easements, including a 10-ft wide public general utility easement along the development's frontage with Keezletown Road and public general utility easements to serve each newly created parcel, as well as, a 5-ft wide public general utility easement along the rear property boundary adjacent to tax map parcel 72-A-1. The variance is requested so that additional easements that would restrict use or would conflict with other easements (i.e. public water, public sanitary sewer, and BMP maintenance areas) are not required along the frontage and side or rear lot lines for each newly created parcel." In addition, the applicant shows a 5-foot public general utility easement along the eastern property boundary of the development between Keezletown Road and proposed Lot 16. This was added to address staff's concern of the circuitous routing that utilities would have had to take to provide services to Lots 10 through 21. This additional public general utility easement will provide utilities with two routing options to access Lots 10 through 21. Know that the public general utility easements provided would not preclude utility companies from negotiating alternative easements with the property owner(s). More or less, the requirements as specified in Section 10-2-43 are to ensure that necessary areas are reserved for the needed utilities in traditional subdivisions. As known, the design and layout of the proposed residential community is unique and necessitates thinking outside the normal plan for these easement locations. Staff does not have concern with deviating from this section of the Subdivision Ordinance as it appears all issues typically associated with this requirement are being provided.

Aside from the variance that is requested to allow 20 parcels to not have public street frontage and to deviate from public general utility easement requirements, the development meets all other requirements of the Subdivision and Zoning Ordinances. The preliminary plat conforms with the master plan layout approved in March 2020. Staff recommends approval of the preliminary plat and variances as requested.

Chair Finnegan asked if there any questions for staff.

Chair Finnegan said that the design is fascinating, not actually having streets the way we think of them. It is an interesting development.

Chair Finnegan asked if there were any more questions for staff. Hearing none, he invited the applicant or applicant's representative to speak to their request.

Ervin R. Stutzman, 1315 Harmony Drive, called in representing Harrisonburg Cohousing LLC to support of the request. I appreciate the work that staff has done in presenting our case. Colman Engineering is our civil engineer and they have done well. I am available to answer any questions.

Chair Finnegan said that it is interesting to see how this is laid out and how you are addressing challenges.

Councilmember Dent said that it is a beautiful property. When I visited the property, I was impressed with the back hill side and how you are planning to keep that as green park space. How does the community aspect of co-housing work? I have seen a couple of co-housing developments. It is wonderful to have a community space where everybody can meet. As I understand it, the units will be sold on the open market. It is not that people know each other and buy it together, right?

Mr. Stutzman said it does not work that way. There is an open invitation, but people need to become equity members of Harrisonburg Cohousing LLC to become part of this community and reserve a unit. They have an investment in the property.

Chair Finnegan noted the fire lanes and marked off bollards. Is that section of the driveway loop going to be closed to traffic?

Mr. Stutzman said that it will be closed to regular traffic, except for fire access and so forth. We have worked closely with the Fire Department. These are considered "ped-ways" for the safety of children and people to walk along, but there will be keys available to the fire department and other emergency vehicles to access there.

Chair Finnegan asked if there were any questions for the applicant's representative. Hearing none, he opened the matter for discussion.

Commissioner Baugh moved to recommend approval of the preliminary subdivision as presented by staff.

Councilmember Dent seconded the motion.

Chair Finnegan called for a roll call vote.

Commissioner Hull	Aye
Commissioner Whitten	Aye

Councilmember Dent	Aye
Commissioner Orndoff	Aye
Commissioner Baugh	Aye
Commissioner Byrd	Aye
Chair Finnegan	Aye

The motion to recommend approval of the preliminary plat, as presented passed (7-0). The recommendation will move forward to City Council on February 9, 2021.