



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

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To: Eric Campbell, City Manager  
From: Adam Fletcher, Director – Department of Community Development and Harrisonburg Planning Commission  
Date: November 10, 2020 (Regular Meeting)  
Re: Rezoning – 690 Pear Street (R-2C to R-8C) and Special Use Permit – 690 Pear Street (To Allow Attached Townhomes of not More Than Eight Units)

### **Summary:**

Public hearings to consider a request from Rock Homes LLC to rezone a +/- 17,900 square feet parcel zoned R-2C, Residential District Conditional to R-8C, Small Lot Residential District Conditional and for a special use permit per Section 10-3-59.4(1) to allow attached townhomes of not more than eight units within the R-8, Small Lot Residential District. The property is located at the corner of Pear Street, Russell Drive, and Bartlett Court, is addressed as 690 Pear Street and is identified as tax map parcel 8-D-11.

Staff and Planning Commission (7-0) recommended approval of the rezoning request as presented and approval of the SUP with conditions as presented.

### **Background:**

The subject parcel was created after the City purchased land in this area for the relocation of Pear Street and the extension of Erickson Avenue. A residual portion of old Pear Street was retained and became Bartlett Court. In December 2016, the City subdivided +/- 17,900 square feet of land from the remaining City owned property, creating tax map parcel 8-D-11.

In January 2020, Planning Commission heard a request to rezone the subject parcel from R-1, Single Family Residential District to R-2C, Residential District Conditional, with the following proffer:

“All driveway entrances for 690 Pear Street (TM Parcel 8-D-11) and any new parcel(s) created by future subdivision(s) of this parcel will only be placed along Bartlett Court.”

Staff and Planning Commission (7-0) recommended in favor of the request. In February 2020, City Council unanimously approved the rezoning. After the rezoning occurred, a minor subdivision application was submitted to subdivide the property in to two lots. However, the subdivision was never finalized and the property was sold to a new owner, who is now requesting to rezone the single parcel to R-8C.

The Comprehensive Plan designates this site as Medium Density Mixed Residential. 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.

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

- Site: Vacant parcel, zoned R-1
- North: City parcel (stormwater best management practice area), zoned R-1, and C&W Railroad right-of-way
- East: Across Pear Street, vacant land, zoned R-1
- South: Across Russel Drive, detached single-family dwellings, zoned R-3C, and vacant land, zoned R-1
- West: Across Bartlett Court, detached single-family dwellings, zoned R-3C

**Key Issues:**

The applicant is requesting to rezone a +/- 17,900 square feet parcel from R-2C, Residential District Conditional to R-8C, Small Lot Residential District Conditional while also seeking a special use permit (SUP) per Section 10-3-59.4(1) to allow attached townhomes of not more than eight units within the R-8, Small Lot Residential District. If the requests are approved, the applicant plans to construct up to five townhomes on the site.

With the rezoning request the applicant has proffered the following (written verbatim):

“All driveway entrances for 690 Pear Street (TM Parcel 8-D-11) and any new parcel(s) created by future subdivision(s) of this parcel will only be placed along Bartlett Court.”

Staff is concerned with allowing entrances along the short length of Russell Drive and along Pear Street, a major collector street. The proffer addresses these concerns by limiting driveway entrances for the subject site to Bartlett Court.

The applicant is also applying for a SUP per Section 10-3-59.4(1) to allow attached townhomes of not more than eight units within the R-8, Small Lot Residential District. The applicant’s letter describes that, if approved, they would utilize the 10-foot front setback of the R-8 zoning district to construct the townhomes closer to Bartlett Court. If the property was rezoned from R-2C to R-3, Medium Density Residential District, townhomes would be allowed in that district, however, a 30-foot front setback would be required. A 10-foot front setback allows the applicant to provide parking to the rear of the townhomes. The applicant is planning to create one, common driveway from Bartlett Court to serve all units.

The applicant submitted a conceptual layout showing five townhome lots. This layout is not proffered; therefore, more or fewer lots could be subdivided and more than one entrance could also be provided onto Bartlett Court.

The applicant is aware that a subdivision of more than four townhome lots would require approval of a preliminary plat by the Planning Commission. Off-street parking and landscaping requirements, among other details, would be reviewed through the building permit process and/or through the engineered comprehensive site plan process. It is likely that this project will necessitate an engineered comprehensive site plan review.

As previously noted, the subject property and surrounding area are designated Medium Density Mixed Residential, which means properties are planned for single-family detached, duplexes and townhomes, with densities of up to 20 units per acre. A proposed density of five townhomes on +/- 17,900 square feet calculates to 12 units per acre; well within the planned density. Townhome development is also planned for this area in the nearby Cobblers Valley Development in Rockingham County.

The requested rezoning to R-8C is supported by the Comprehensive Plan and staff recommends approval. Additionally, staff believes that the proposed townhome use is consistent with good zoning practice and will have no more adverse effect on the health, safety, or comfort of persons living and working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area, and therefore staff recommends approval of the SUP with the following condition:

- All townhome units shall share one vehicular access to Bartlett Court.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Approve the rezoning and special use permit request as submitted;
- (b) Approve the rezoning and special use permit with the suggested condition;
- (c) Approve the rezoning and special use permit with other conditions;
- (d) Approve the rezoning and deny the special use permit; or
- (e) Deny both the rezoning and special use permit.

**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 – 690 Pear Street (R-2C to R-8)***

Public hearing to consider a request from Rock Homes LLC to rezone a +/- 17,900 sq. ft. parcel zoned R-2C, Residential District Conditional to R-8, Small Lot Residential District. The Zoning Ordinance states

the R-2, Residential District is intended for medium-density, single-family and duplex 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 Medium Density Mixed Residential. 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. The gross density of development in these areas could be around 20 dwelling units per acre. The property is located at the corner of Pear Street, Russell Drive, and Bartlett Court, is addressed as 690 Pear Street and is identified as tax map parcel 8-D-11.

***Special Use Permit – 690 Pear Street (To Allow Townhomes in R-8)***

Public hearing to consider a request from Rock Homes LLC for a special use permit per Section 10-3-59.4(1) of the Zoning Ordinance to allow attached townhomes of not more than eight units within the R-8, Small Lot Residential District. The +/- 17,900 sq. ft. property is located at the corner of Pear Street, Russell Drive, and Bartlett Court, is addressed as 690 Pear Street and is identified as tax map parcel 8-D-11.

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 (b) approval of the rezoning and special use permit with the suggested condition.

**Attachments:**

1. Extract from Planning Commission
2. Site maps
3. Applications, applicant letter, and supporting documents
4. Conceptual Layout

**Review:**

Planning Commission (7-0) recommended approval of the rezoning request as presented and approval of the SUP with the condition as presented.